



## OFFICE OF THE DISTRICT ATTORNEY GENERAL

GLENN R. FUNK  
*District Attorney General*

September 26, 2016

David Liner  
Executive Director, Tennessee Board of Parole  
404 James Robertson Parkway, Suite 1300  
Nashville, TN 37243

Subject: Robert Earl Polk, DOB 2/16/1983

Dear Director Liner,

I am an Assistant District Attorney in the Davidson County, Tennessee office. I am writing to inform you that I believe the subject defendant faced false charges which may have led to his parole revocation.

I was assigned to prosecute the subject Defendant in case 2015-A-389 for an aggravated assault, in which Mr. Polk was alleged to have threatened his wife with a gun. I was also assigned at the same time to prosecute his wife for a vandalism that was said to have occurred at almost the exact same time in a different part of town. In that instance, the wife was alleged to have taken a baseball bat to Mr. Polk's mistress' car, busting out at least one window of the vehicle. There was an independent person that came forward that witnessed that vandalism. I was obviously suspicious that both instances occurred from the beginning, but upon reviewing a recorded telephone conversation between Mr. Polk and his wife, it was clear that she fabricated the charges against him for cheating on her. I nolleed Mr. Polk's case and sought additional charges against the wife for false report and aggravated perjury. Mrs. Polk pled guilty last week for the vandalism and perjury. Attached are copies of Mrs. Polk's indictment and judgments.

If the parole revocation was based completely on this false charge, I would recommend that Mr. Polk be reinstated to parole as soon as possible.

Sincerely,

Vincent P. Wyatt  
Assistant District Attorney



# TENNESSEE BOARD OF PROBATION AND PAROLE



## Parole Violation Report - Notice of Charges

DATE: 12-01-2014

TO: Director of Field Services

FROM PAROLE OFFICER: William Ewing

OFFICE: P19D(Pavilion)

<b>Parolee:</b>	Robert Earl Polk	<b>TOMIS Number:</b>	367516
<b>Original Conviction:</b>	Schedule II Drugs:Cocaine(two counts)		
<b>Original Sentence:</b>	Eighteen years	<b>Parole Expires:</b>	4-04-2019
<b>Paroled From:</b>	NECX	<b>Parole Date:</b>	8-07-2012
<b>Parole Type:</b>	Regular	<b>State:</b>	TN
<b>Commutation (Y/N):</b>	N	<b>Date of Commutation:</b>	N/A
<b>Type(s) of Violation(s):</b>	Felony and Technicals	<b>Supervision Level:</b>	Minimum

**How Violation Occurred:** In violation of Rule #2, which states:

*I will obey the laws of the United States or any state, in which I may be, as well as any municipal ordinances.*

The above named parolee is allegedly in violation of Rule #2 in that:

**Count: 1** On or about 11-02-2014, parolee committed the offense of Assault, Aggravated-Deadly Weapon-Intent to Kill, A Class C Felony, in Nashville, Davidson County, TN. (GS699903).

**Narrative:** Victim stated that parolee pointed black handgun directly at her when she announced she was leaving, and wanted divorce. Victim stated that she had confronted parolee concerning his infidelities at their residence. Victim managed to leave in her vehicle. Bond was set at \$75,000, and case has been bound over.

**How Violation Occurred:** In violation of Rule #4, which states:

*I will not own, possess, or carry any type of deadly weapon (guns, rifles, knives) or any illegal weapons.*

The above named parolee is allegedly in violation of Rule #4 in that:

**Count: 1** On or about 11-02-2014, parolee carried Deadly Weapon, viz, a Handgun, in Nashville, Davidson County, TN.

**Narrative:** Refer to Rule #2, Count 1.

**How Violation Occurred:** In violation of Rule #12, which states:

*I will not engage in any assaultive, abusive, threatening or intimidating behavior. Nor will I participate in any criminal street gang related activities as defined by TCA 40-35-121. I will not behave in a manner that poses a threat to others or myself.*

The above named parolee is allegedly in violation of Rule #12 in that:

**Count: 1** On or about 11-02-2014, parolee engaged in Assaultive, Abusive, Threatening or Intimidating Behavior in Nashville, Davidson County, TN.

**Narrative:** Refer to Rule #2, Count 1.

Submitted by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_