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Nashville Parents Can Have Say in Case Over Shooter's Writings, Judge Rules

A group of about 100 families will now have the chance to argue in court against releasing the writings of the assailant who killed six people at a Christian school.



By Emily Cochrane

Emily Cochrane, who lives in Nashville and covers the American South, has reported on the Covenant School shooting and its aftermath.

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Parents from about 100 families will be allowed to formally argue against the release of journals and writings left behind by the assailant who killed six people at a Christian school in Nashville in March, a judge said on Wednesday.

After journalists, a gun-rights organization and lawmakers sued to force the release of hundreds of pages of journals and writings left by the shooter, the parents of the three 9-year-olds killed and nearly all of their surviving classmates, as well as the school and adjoining church, had asked in a hearing on Monday to join the case and argue against their publication.

The judge, Chancellor I'Ashea L. Myles of the Chancery Court in Davidson County, acknowledged that the parents "stand in a unique position stepping into the shoes of their minor children." And because those children are the victims of a crime currently under investigation by the police, the judge found that the parents had a right to intervene on their behalf.

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the shooter's writings, the parents of the victims and nearly all of their surviving classmates asked to join the case and argue against publication. George Walker IV/Associated Press

The decision does not resolve the far more complicated question of whether and how to publish the writings of a mass shooter, and officials must still grapple with balancing constitutional rights, the public's desire for answers on motive, and fears of inspiring yet another act of devastating violence.

But the judge's order allows those most directly affected by the shooting an opportunity to make their case in court as victims and survivors. It came on the final day of school for Covenant School students, who gathered on Wednesday with parents, staff and Nashville police officers for chapel service.

"We are grateful for the opportunity to enter this case on behalf of our children and loved ones," Brent Leatherwood, the lone Covenant School parent who attended the Monday hearing, said in a statement. "Our intention is to safeguard our families and do all we can to prevent this horror from spreading to any other community."

Lawyers for the families said that though several parents wanted to remain anonymous amid fears of harassment, others were willing to either testify in court or submit written statements.

In her ruling, Chancellor Myles noted that there was little precedent in Tennessee for such an intervention, but she cited the legal protections offered to juvenile records, the attention on the case and the fact that children were targeted among her reasons for ruling in favor of the parents.

The judge also agreed to allow the Covenant School and the Covenant Presbyterian Church to intervene, finding that both institutions had "a sufficient personal stake" to warrant the opportunity to argue over the release of the writings.

In a separate six-page ruling, she wrote that she had been "stirred" by their argument that the writings could include information that would not necessarily have been accessible even under open records laws, as they are private institutions. She also acknowledged warnings from the police that an investigation into the shooting was still ongoing and that a premature release of the writings could jeopardize that work.

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Nashville city and police officials, who had stonewalled public records requests citing the ongoing investigation, have submitted a redacted version of the writings for the court's review and signaled a willingness to release that version. While the police quickly shot and killed the assailant during the attack, they have yet to formally determine a motive or search a number of subpoenaed records.

The parents, however, have pleaded with the court to keep the entirety of the shooter's paper trail locked away, warning that it could further inflict pain and trauma. The school and church raised their own concerns about the safety of their buildings, and said releasing the writings could lay the foundation for other school shootings.

In a hearing on Monday, lawyers pushing for the swift release of the writings questioned whether the parents, school and church had the legal standing to intervene, or could assert the protections granted to crime victims. They also questioned whether a private school could assert certain privacy rights under a public records law, and warned against limiting the protections of the First Amendment.

Only a handful of officials — including Nashville city lawyers and F.B.I. employees — have reviewed the writings. Chancellor Myles, who has also examined the trove of writings, set a hearing schedule for lawyers to continue wrestling over the release of the documents.

Emily Cochrane is a national correspondent covering the American South, based in Nashville. She was previously a congressional correspondent in Washington, chronicling the annual debate over government funding and economic legislation. [More about Emily Cochrane](#)

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