

**DEKALB COUNTY GRAND JURY PRESENTMENTS
MARCH-APRIL TERM, 2017**

TO THE HONORABLE JUDGES:

COURTNEY L. JOHNSON
ASHA F. JACKSON
CLARENCE F. SEELIGER
GAIL C. FLAKE
GREGORY A. ADAMS
J P BOULEE
DANIEL M. COURSEY, JR.
LINDA W. HUNTER
MARK ANTHONY SCOTT
TANGELA BARRIE

Of the Superior Court of DeKalb County, Georgia, Stone Mountain Judicial Circuit
This Grand Jury, sworn in by the **Honorable Tangela Barrie** in the DeKalb Superior Court
on **March 7, 2017** respectfully submits the following presentments.

INDICTMENTS

This Grand Jury was presented with (356) cases during the **March-April 2017** term. Of these cases (355) True Bills and (1) No Bills were returned. An additional (171) cases proceeded by Accusation.

REQUEST FOR PUBLICATION

Pursuant to the O.C.G.A. § 15-12-80, we the presently constituted Grand Jury recommend to the **Honorable Tangela Barrie** that these general presentments be published in whole in the County Legal Organ.

Orientation recommendations: The materials provided to us during orientation were thorough and extremely helpful. We have some recommendations of additional orientation practices that could be helpful to future juries.

- **Coaching:**
 - Explain up front why some defendants may not be charged with obvious charges.
 - In one of our cases we wanted to True Bill some of the charges, but not others. Our only option was to No Bill all of the charges. Our jury struggled a bit to determine what course of action we should take and we had to reach out to Kelly for more information. We recommend that you inform jurors how to handle that situation if it should arise.
 - The jury was provided with a definition of Probable Cause in the orientation, but it is a specific concept that is new to many jurors.
 - It may be helpful to prominently display the definition of Probable Cause for quick reference during testimony and deliberation.
 - To reinforce the jury's understanding of Probable Cause, we also recommend that, during orientation, you give examples of good vs bad questions to ask witnesses.
- **Presentations:** There were several presentations that this jury requested and found to be helpful and interesting. We believe future juries would benefit from hearing the information we received and that these presentations should be considered for orientation.
 - Juvenile justice
 - Human trafficking
 - Discretionary Tag Scanning: Several grand juries have had doubts about the fairness of an officer's ability to check tags at their own discretion. Our jury received several special guest appearances to help us understand the procedures. The speakers all did a great job of answering our questions.

Jury Accommodations and Selection:

- **Recall:** Given the hardship of serving on a grand jury, we recommend increasing the recall time for jury service period beyond the 2 years currently set.
- **Deferrals:** If a juror chooses to defer to another session, they are required to serve a specific session in the future. Please consider giving deferring jurors an opportunity to select among 3 future sessions so they can choose the session with the least amount of inconvenience.
- **Compensation:** We recommend that compensation be increased to \$50 per day of service.
- **Seating:** Please consider alternative, more comfortable seating for the jury.
- **Phone policy:** The March/April 2017 jury was the first to be allowed to keep phones in the deliberation room throughout jury service. This privilege was much appreciated and we all agreed that all jurors were respectful with their phones.
 - We recommend continuing this policy.
 - **Suggestion:** It could be helpful to remind jurors in the morning to turn their phones off as we had 2 incidents where phones made a noise.
- **Jury Selection:**
 - Please consider starting jury selection with an opportunity for those present to volunteer for service.
 - Some jurors also felt that it would be helpful to consider salaried employees first in your selection since hourly or commissioned workers may not be as fairly compensated by their employers.
- **Safety:** Jurors were unaware of the safety protocols to follow in the event of an emergency such as a hostile intruder. We request that you consider:
 - instructing jurors on safety protocols during orientation, posting them in a prominent area in the room, and reminding jurors of protocols each day of service.
 - providing instruments to block the doors in the event of a hostile intruder.

Fairness Concerns:

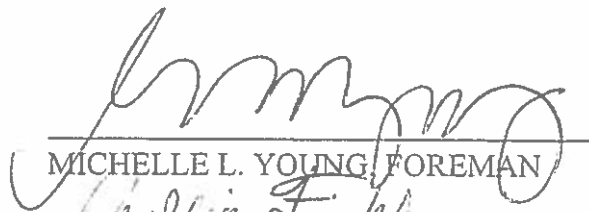
- Laws in which defendants that are government employees can witness testimony:
This jury had concerns about the law which seems to afford an unfair advantage to

defendants of certain qualifications. Police officers, prison guards, teachers and some other government employees are allowed to be present during the grand jury testimony. Further, we were instructed that the defendant would only have to answer jury questions if he or she had decided to speak first at the testimony. If the defendant is allowed to be considered a witness in the testimony, the jury should have the right to question the witness. We believe the current law affords those defendants extra rights that are not provided to non-governmental employees. We would like to express our distaste about this law and recommend reconsideration.

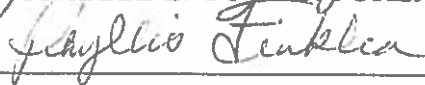
We would like to add that we recognize the importance and value of serving our community as members of this jury. We have learned a great deal and we would like to thank the many people who made this service easy for us. Jamita Bowden, Kelly McMichael and the bailiff, K McNeil kept the process running smoothly and greeted us daily with cheerful attitudes. Their positive spirit helped us navigate the sometimes frustrating and emotionally taxing experience of serving on a grand jury.

We are thankful for the patience and accommodation of all of the experts who took time out of their busy days to give us presentations and answer our questions about process, law and their various departments.

Finally, we want to thank you all for your service.



MICHELLE L. YOUNG, FOREMAN



PHYLLIS G. FINKLEA, ASST. FOREMAN



KELLY B. VOGEL, SECRETARY



VICTORIA P. WALSH, ASST. SECRETARY

AISHA ABDUL-LATIF

LUIS C. ALEMAN, JR.

DONALD BESS

ALEXEI BUDSAN

TRACY T. ELLIS

ENGIDAWORK A. ENGIDAYE

CAROLYN F. EVANS

MISTY FLETCHER

WANNEE GLASS

CHRISTOPHER C. GRIFFIN

BLANCHE E. HUGHEY

PATRICIA L. HUSSAIN

TONY T. MARTIN

WILLIE MCNAIR, II

CATHY L. MORGAN

SUSAN H. MOW

ZEWDU NEGBASH

MARIA C. REA

MARGARET L. STANLEY

WILLIAM STEWART, JR.

DORIS TURNER-BAILEY

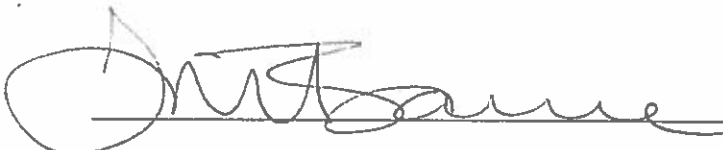
MICHAEL V. WEBER

ORDER

The within and forgoing presentments have been filed in open Court,

IT IS HEREBY ORDERED that said presentment be filed and published, as requested, in the County Legal Organ.

SO ORDERED this 27TH day of April, 2017.



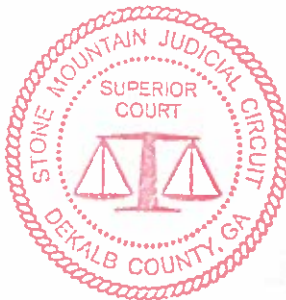
HONORABLE TANGELA BARRIE

DEKALB SUPERIOR COURT
STONE MOUNTAIN JUDICIAL CIRCUIT

ACKNOWLEDGED:



SHERRY BOSTON
DISTRICT ATTORNEY



State of Georgia, DeKalb County,
The undersigned officer of DeKalb Superior Court certifies that this is
a true and correct copy of the original document which is on file and of
record in the Office of the Clerk of Superior Court. Witness my hand
and seal of the Superior Court of DeKalb County Georgia.

This 27th day of April 2017

Signature: _____
Deputy Clerk, DeKalb County Superior Court

FILED
2017 APR 27 PM 12:59
CLERK OF SUPERIOR COURT
DEKALB COUNTY GA