

17 GP1002

**DEKALB COUNTY GRAND JURY PRESENTMENTS
MAY-JUNE 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 Courtney L. Johnson** in the DeKalb Superior
Court on **May 2, 2017** respectfully submits the following presentments.

INDICTMENTS

This Grand Jury was presented with (370) cases during the **May-June 2017** term. Of these
cases (364) True Bills and (6) No Bills were returned. An additional (193) 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 Courtney L. Johnson** that these general presentments be published in whole
in the County Legal Organ.

SCANNED

Recommendations:

- We recommend a review of the systems used to call people for jury duty. For example, one grand juror was called for regular jury service while still serving on the grand jury. Other grand jurors noted having been called for jury service multiple times in the past few years, while others had never been called at all.
- On the first date of the session when the jury was selected, the jurors noticed that people who loudly complained, even if they said “Ready,” were not selected to serve on the jury, whereas people who simply said “Ready” without complaining were selected. The selection process should be randomized between all people who say “Ready” in order to be fairer; grand jury service is a burden for everyone regardless of whether they verbalize it on the first day.
- We recommend raising the pay to at least \$50 per day.
- The seating in the grand jury room is extremely uncomfortable, especially given that jurors sit for hours at a time. Additionally, jurors could use clipboards or tables to make notes on the calendars during each case.
- For the ease of court staff, we recommend the large computer screen be attached to the wall in the front of the room. It was cumbersome to move it around in such tight quarters.
- We were grateful for the small fridge but it is in dire need of being defrosted.
- Jurors asked for a vending machine in the small break room outside of the hall where there was also a bathroom. They do not cost the county anything, as companies supply them free and stock them.
- We recommend printing the calendars on both sides of the sheets to save paper since office supplies are a commodity. Some also recommended inquiring at stores such as Wal-Mart, Costco, and Sam’s to give office supplies to the court staff after the school year has started. Many large companies do this with artificial Christmas trees and other products to nonprofit agencies.
- When first getting started, the grand jury members have never done this before and don’t know what to ask or not ask. It would be helpful to give an example of a simple

case and what questions may be appropriate remembering we only need probable cause. Assistant District Attorney, Kelly McMichael did a great job explaining probable cause on the first day, but reviews might be useful. It might also be helpful to give further guidance on the specific types of evidence that do or do not constitute probable cause. For example, jurors were often unsure how to treat the evidence of victim testimony when there was no corroborating evidence of any kind.

Additionally, there were times the grand jury felt unclear as to the overall purpose of the grand jury and how, specifically, the grand jury serves as a meaningful check in the justice system given that we see so little of the evidence in these cases.

- Jurors felt it might be easier to look up the criminal statutes in the handout we received if they were in alphabetical order.
- Daily reminders of the importance of jurors arriving on time, staying awake, and keeping their cell phones put away would be helpful. At orientation, it should also be stressed to the foreperson and assistant foreperson the importance of addressing any problems in these areas early in the session so that bad habits are not formed.
- On some cases, the evidence presented seemed insufficient. Jurors asked for photos or more information on several cases but none was available on some of the cases. It might behoove the state to have extra info on cases that are not clear-cut.
- Please remind ADAs that when there are multiple defendants on one case and numerous charges, it is important to be especially clear in reading the charges so that jurors are sure which charges apply to which people. It would also be helpful to specifically point out when the indictment does not match the charges listed on the calendar.
- One attorney asked the grand jury each time she entered, “does anyone know of or is related to John Doe or Mary Smith (defendant and victim),” so that we could leave the room immediately. This was very helpful. Two jurors knew of two separate cases but we were well into the facts before they realized they knew involved parties. We recommend that occur on each case.

- Please stress to witnesses the importance of reading over their case files before giving testimony. While many witnesses were very good, others clearly had not reviewed files and were not prepared. Additionally, please emphasize to witnesses the importance of arriving on time for their subpoenas. Finally, please remind witnesses not to mention the race of defendants.

Jail Visit:

Our jail visit was educational and well organized. The grand jurors' eyes were opened with the amount of work and staff needed to make the jail a safe place for all. The grand jury recommends that jail personnel salaries be looked at to be commensurate with other jails in the Atlanta area. It is very costly to lose staff, especially well-trained, good staff to other agencies due to lower pay.

It was also noted by leadership at the jail that when the water goes out at the jail for whatever the reason (water main break, water department working on lines, etc.) it is a much bigger problem than expected. Toilets cannot be flushed, hands can't be washed, medical staff is greatly affected, there is no water for drinking or cooking, etc. We recommend that the county commissioners assess a way for a water tanker to hook into the water line at the building so that water can be back flowed into the building when water is shut off.

To conclude, we would like to emphasize that Deputy K. McNeil and Kelly McMichael were wonderful to work with, always professional and courteous.

Tax Commissioner Annual Report

As required by O.C.G.A. 48-5-161, tax commissioner, Irvin J. Johnson, submit the cashbook and execution docket to the Grand Jury. A summarized copy of this annual report for the year of 2016 is attached.



2016 Annual Report

as of December 31, 2016

Irvin J Johnson

DeKalb County Tax Commissioner

Property Tax Statistics 2016

	<u>Applied For</u> <u>Tax Year 2016</u>	<u>Total Digest</u> <u>Tax Year 2016</u>
Basic Homesteads	9,437	118,313
Senior/Special	2,875	24,711

Property Tax Collection Rates

Tax Year 2016	97.19%
Tax Year 2015	99.41%
Tax Year 2014	99.68%
Tax Year 2013	99.71%
Tax Year 2012	99.77%
Tax Year 2011	99.78%
Tax Year 2010	99.81%

Liens issued for Tax Year 2015	13,421
Properties Sold at Tax Sale - 2016	157

Motor Vehicle Statistics 2016

Registrations Processed	526,399
Titles Processed	82,844
Insurance Transactions	19,292

Collections Statistics 2016

Property Tax excluding Public Utility

<u>Entity</u>	<u>Billed</u>	<u>Collected</u>	<u>% Collected</u>
County	\$341,282,203	\$331,027,087	97.00%
School	\$427,843,027	\$417,720,027	97.63%
State	\$6	\$6	100.00%
Other Authorities	\$95,512,099	\$91,589,003	95.89%
Total	\$864,637,334	\$840,336,123	97.19%

2016 Public Utility has a due date of 02/28/17 - billed amount \$17,047,495

Motor Vehicle

	<u>Collected</u>
County	27,423,861
School	29,361,897
State	82,101,628
Other Authorities	2,700,656
Total	\$141,588,041

Grand Total Collections/Distributions **\$981,924,164**

2017 TC Budget Request	8,399,661
% of Overall Collections	0.86%
% of County Collections	2.34%

Paul Salter

PAUL SALTER, FOREMAN

James Lanier

JAMES LANIER, ASST. FOREMAN

Monica McGannon

MONICA MCGANNON, SECRETARY

Rosemary Kellison

ROSEMARY KELLISON, ASST. SECRETARY

ERICA BLACK
STAN BROOKS
WILLIAM CARPENTER
FREDRICK CHAPMAN
KELLY CRABTREE
WENDELL DIXON
DAVID ELSWICK
TYHANNA ESHAM
PRISCILLA FAIRLEY-LACOUR
BRITTANY HARRIS
BRANDIE HEATH
JORDYN JACKSON
AMARECH KURFESSA
DIANA MILES
JONATHAN PAS
ANDREA RICHARDSON
CHRISTINE SMITH
CHELSEA THORNTON
CAROL TROMBETTA
RANDALL TURNER
CAROL WILLIAMS
CENCERA WILLIS

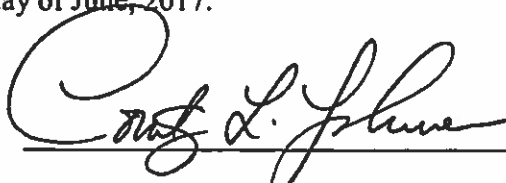
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ORDER

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.

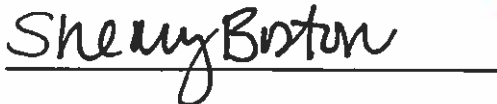
SO ORDERED this 29TH day of June, 2017.



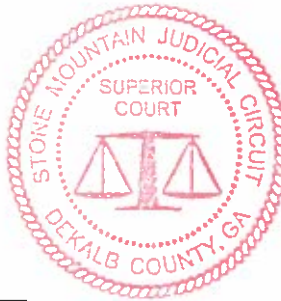
HONORABLE COURTNEY L. JOHNSON

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 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 29th day of June 2017

Signature: [Handwritten Signature]
Deputy Clerk, DeKalb County Superior Court