

Office of the District Attorney
Blue Ridge Judicial Circuit
Cherokee County

2017 Annual Report



90 North Street, Suite 390
Canton, Georgia 30114

TABLE OF CONTENTS

MISSION STATEMENT	1
CASELOADS	2
TRENDS OF OPENED & DISPOSED CASES	3
DOMESTIC VIOLENCE DIVISION	4-6
2017 TRIALS AND PLEAS	7-8
WHITE COLLAR / ELDER ABUSE DIVISION	9-12
VICTIM WITNESS ASSISTANCE PROGRAM	13
TRAINING AND OUTREACH	14
CRASH INVESTIGATION & PRE-TRIAL DIVERSION	15
DRUG ACCOUNTABILITY COURT	16-17
RECOGNIZING EXCELLENCE	18

OFFICE OF THE DISTRICT ATTORNEY
BLUE RIDGE JUDICIAL CIRCUIT

SHANNON G. WALLACE
District Attorney



Cherokee County Justice Center
90 North Street, suite 390
Canton, GA 30114
Phone 770-479-1488
Fax 770-749-3105

Dear Cherokee County Stakeholder:

I am pleased to provide our community with our Annual Report for 2017. The purpose of this report is to provide you with a window into the functioning of your criminal justice system, to educate you about the nature of crime in our community, and to inform you of our efforts to achieve justice for victims and support crime prevention efforts in our county.

Within the report you will see graphic illustrations of the trends in crime in our county, but I want to highlight some of our successes and also some current challenges, as well. In 2017, we focused on including the developing and implementation of a pre-trial diversion program to address low level felony offenses, particularly with our youthful offenders outside the courtroom. This new program allows for appropriate offenders to reimburse victims for financial losses, succeed in maintaining sobriety and perform community service in lieu of receiving a criminal conviction. We also spent 240 hours training our law enforcement, the community and other criminal justice partners.

Thank you for the opportunity to serve as your District Attorney. It is a wonderful privilege to serve the citizens of Cherokee County. Our office looks forward to continuing our work to achieve our goal of a safer, better Cherokee County and State of Georgia.



Sincerely,

A handwritten signature in blue ink that reads "Shannon Wallace".

Shannon Wallace
District Attorney
Blue Ridge Judicial Circuit

Mission Statement:

The Mission of the Blue Ridge Judicial Circuit District Attorney's Office is to seek justice, to act with integrity, and to collaborate with our partner agencies in the criminal justice system in order to protect the citizens of Cherokee County and the State of Georgia.

Duties of the Office of District Attorney:

The duties of the District Attorney are established by the Georgia Constitution and laws passed by the Georgia General Assembly as codified in O.C.G.A § 15-18-6. The primary duties of the District Attorney are to prosecute felony offenders, to protect victims and witnesses of crime, to serve the citizens of Cherokee County and to ensure justice is properly served. The objective of this office is to carry out these duties and functions in the most efficient and effective manner as possible.

Divisions

Superior Court Division

The Superior Court Division is comprised of three teams assigned to the three Superior Court judges in our county. Each team has an assigned deputy chief that is responsible for overseeing cases and staff assigned to their respective courtrooms, as well as prosecuting cases to which they are assigned. In addition, each team has two assistant district attorneys to share in the courtroom caseload. The teams are also comprised of investigators, victim advocates and support staff.

Domestic Violence Division

The Domestic Violence Division handles cases of intimate partner violence, including sexual assaults, and physical assaults, including homicides. The unit, partially funded by federal grant dollars, works closely with the Cherokee Family Violence Center and law enforcement to ensure victim safety.

White Collar/Elder Abuse Division

The White Collar / Elder Abuse Division prosecutes cases involving victimizations of senior citizens, including physical abuse, neglect and financial fraud against the aging population; as well as complex financial crimes against all victims. The unit works closely with law enforcement, adult protective services and many community based organizations to ensure the safety of the county's vulnerable elderly population.

Juvenile Court Division

The Juvenile Court Division is responsible for prosecuting felony and misdemeanor cases involving juveniles. The division prosecutes truancy, run-away, curfew violations and other status offenses which are now considered CHINS. The prosecutors in Juvenile Court work closely with the staff of Juvenile Court, the local school system and various agencies to ensure that the community is protected and the interests of the juvenile are served.

Magistrate Court Division

The Magistrate Court Division is responsible for ensuring inspection of warrants presented for 72 hour hearings, reviewing and requesting special conditions of bond, and representing the State in preliminary hearings.

Appellate Division

The Appellate Division, to which one attorney is assigned, handles all appeals for felony convictions in our county.

Accountability Courts Division

The Accountability Courts Division is responsible for overseeing cases in Drug Court, Treatment Court (addressing mental health) and the newly established Veterans Court. The Drug and Treatment Courts are voluntary, post-conviction courts and require application and admission to participate. Veterans Court is a pre-adjudication accountability court which requires extensive review of the applicant's military and mental health histories for admission. This court is focused on addressing the needs of combat veterans.

Pre-Trial Diversion

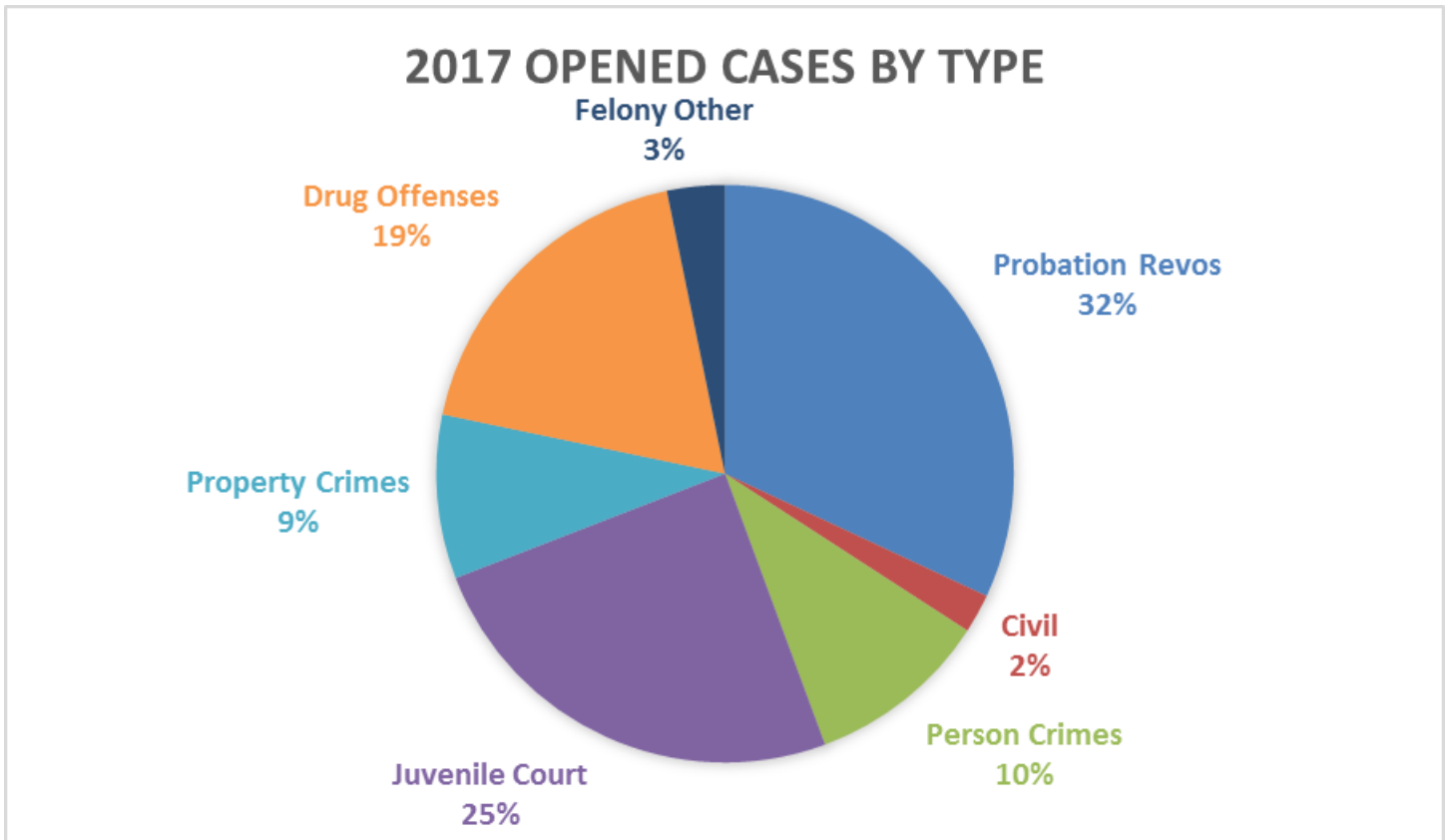
The Pre-Trial Diversion Program is responsible for managing low level offenders accepted into the program. This important program is primarily focused on first time youthful offenders who can benefit from supervision and the opportunity to pay restitution to their victims without going through the criminal justice system.

Victim Services Division

The Victim Witness Assistance Program is responsible for providing notification, support, and referrals to victims of crime in Cherokee County. Advocates walk with victims throughout the criminal justice process.

CASELOADS

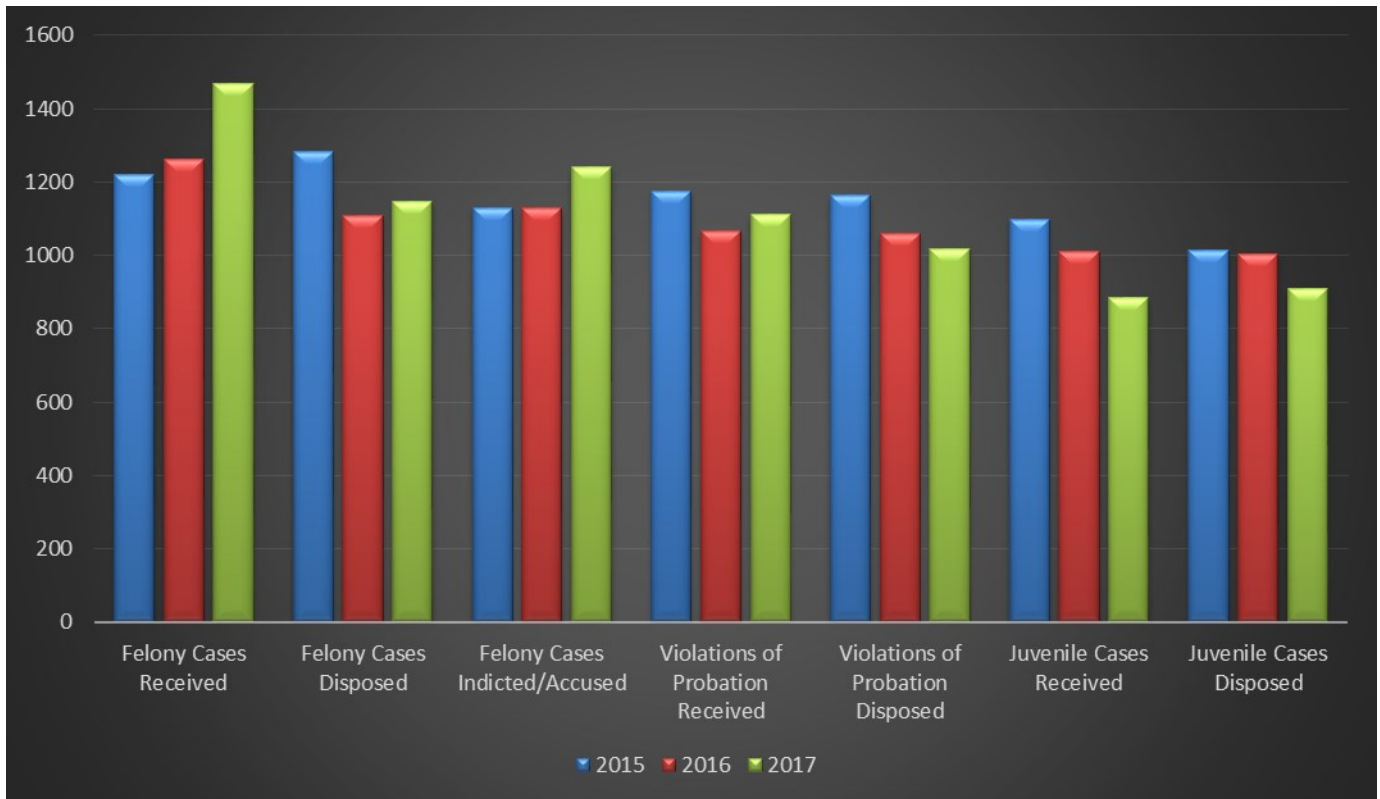
In 2017, the Office of the District Attorney received **3,466 cases** for prosecution, showing a **14%** increase in felony cases received from the previous year. Although probation revocations and juvenile court matters comprise the highest number of cases opened in the office, it is important to note that they are generally less time consuming than other types of cases as neither involve the processes of presentation to the Grand Jury or trials by jury.



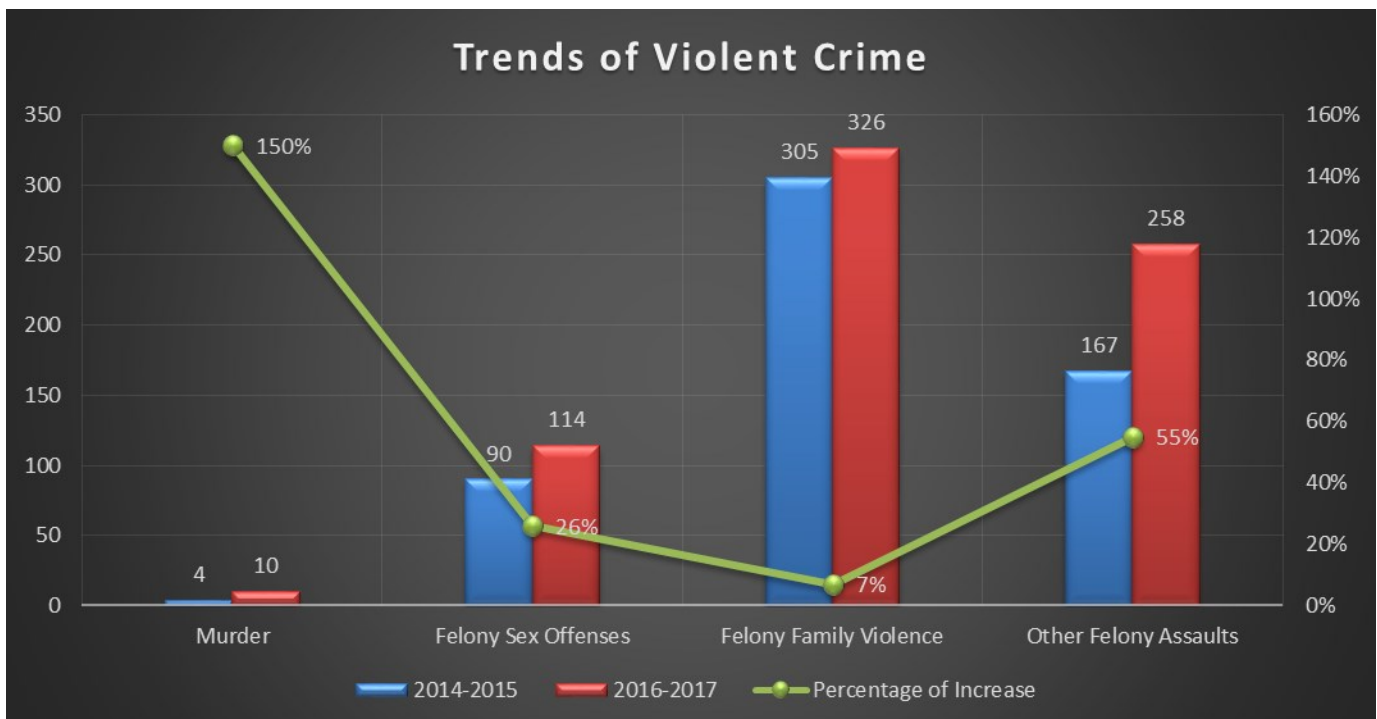
After a new case is entered into the system in the District Attorney's Office, files are given to our P.O.S.T. certified investigators to assess the case and collaborate with law enforcement about any additional needed investigation, to complete the case file and to make recommendations to our prosecutors about potential issues with the case or other avenues to investigate prior to indictment. Our investigators work as partners with our prosecutors to bring cases to Grand Jury and finally to resolution at trial or through a guilty plea.



Trends of Opened and Disposed Cases



The chart above illustrates the number of felony, violation of probation, and juvenile cases our office has received, disposed, and indicted/accused in 2015-2017.

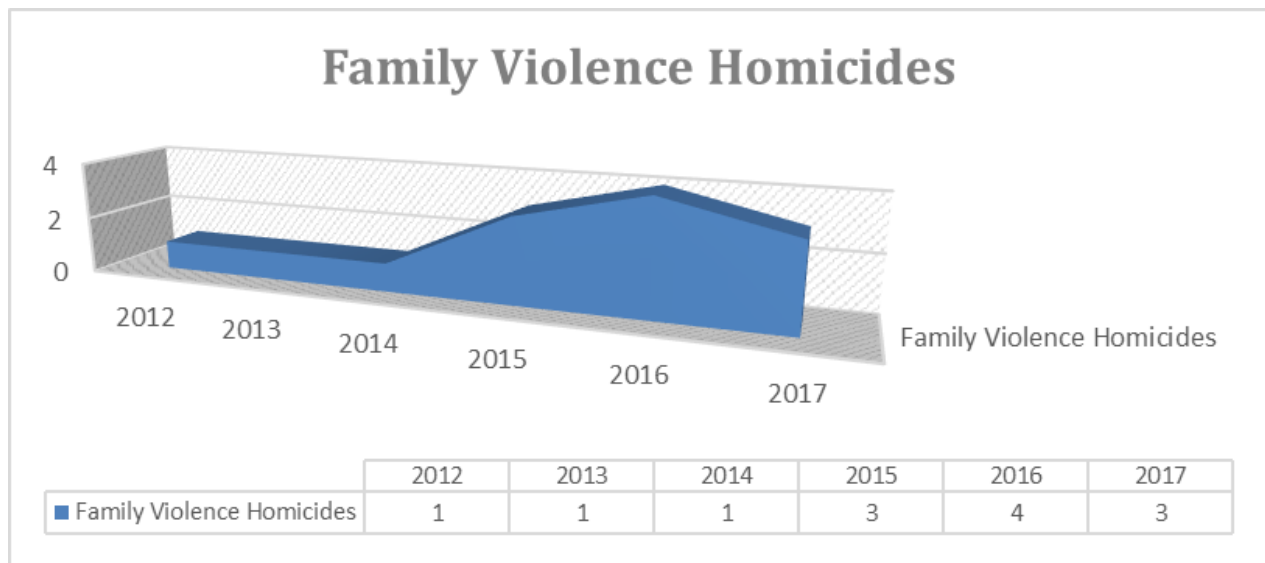


Domestic Violence Division

Domestic violence is a crime that affects victims irrespective of their age, race, economic status, or educational background. A college educated professional otherwise thriving in her career is just as likely to suffer at the hands of a batterer as a victim existing at the very margins of society.

Not only is domestic violence universal in its reach, but it is extremely prevalent in the community as well. **One in every four women** will be domestically abused in her lifetime and an estimated 1.3 million women suffer intimate partner abuse every year. These numbers are staggering, but don't accurately reflect the real problem as most cases of domestic violence are never reported to police. Victims often do not participate in the prosecution of their abusers and often sympathize with them due to the effects of physical and emotional abuse.

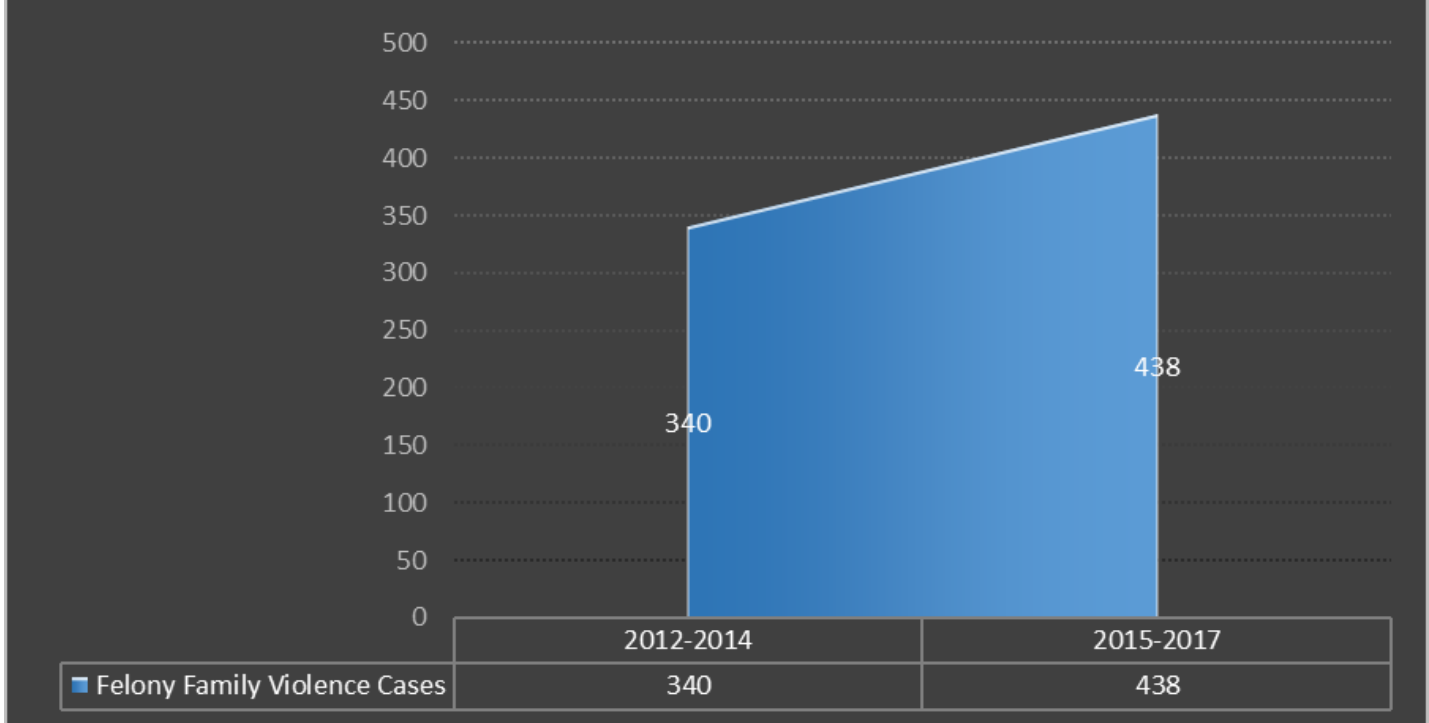
These victims suffer far reaching consequences as a result of their abuse. Beyond the apparent physical injuries, they suffer from deep emotional trauma, lost wages, and medical and mental health costs. Additionally, these effects extend beyond just the victim. Children who are in the home also suffer physically, emotionally, and are at risk for perpetuating this violent behavior in the future. Continued support of this specialized unit is essential for holding offenders accountable for their actions, protecting victims, and maintaining a safe community.



According to the 13th Annual Georgia Domestic Violence Fatality Review Report, Cherokee County had a total of twelve domestic violence related deaths from 2012-2016. Cherokee County had three domestic violence related deaths in 2017 alone. The numbers for family violence homicides reflect three murder-suicides in which our office assisted in the investigation and provided victim assistance services to the family of the deceased victim.



Felony Family Violence Cases



*From the 2015-2017 time period, there was a **28% increase** in the number of felony family violence cases received in Cherokee County from the number of cases received from the 2012-2014 time period.*

The Domestic Violence Unit currently consists of one federal grant-funded prosecutor, a federal grant-funded victim advocate, and an investigator and legal assistant whom are county-funded. The legal assistant splits her time between the Domestic Violence Unit and the Pre-Trial Diversion Program Unit. The unit prosecutes cases in each of the three different Superior Court courtrooms and also handles matters in Magistrate Court as the need arises.

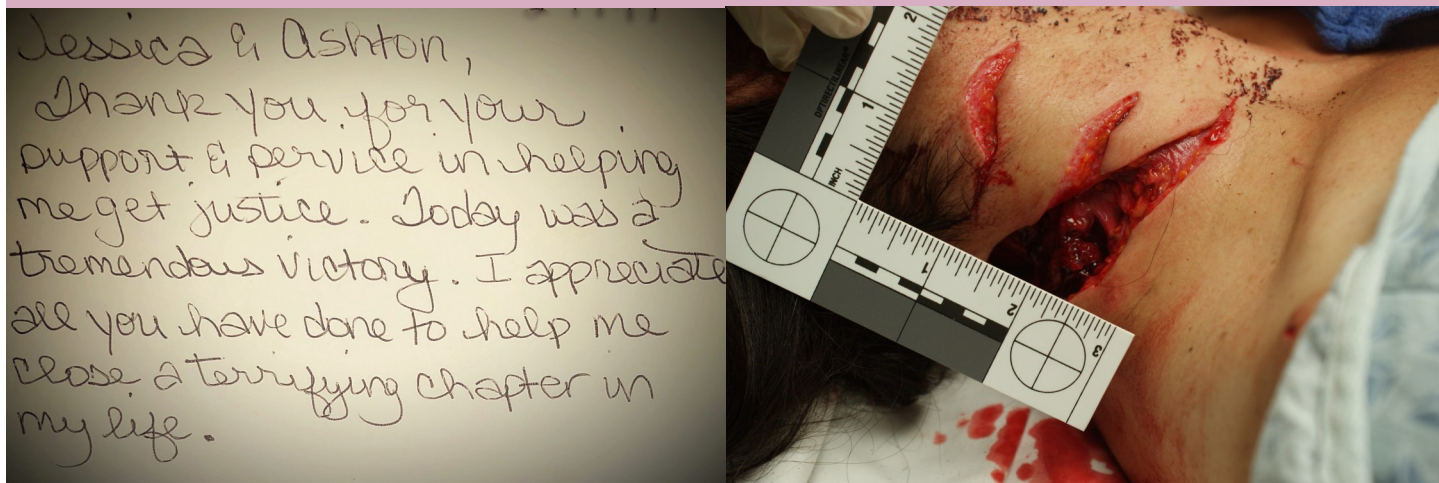
In January of 2017, the District Attorney realized the volume of cases being assigned to the unit was too large for one prosecutor to bear. Until more prosecutors are added to this Unit, the focus of the cases assigned to the unit has been narrowed to aide in giving serious intimate partner violence cases the attention they need and the non-intimate partner domestic violence cases are being handled by various prosecutors in the individual courtrooms.

As of January, 2018, the Domestic Violence Prosecutor had **108 active cases** that she is handling. Even in the absence of non-intimate partner cases, the Domestic Violence prosecutor from the unit continues to have an excessive caseload, given the increasing severity in the cases coming in to the office. This is unfortunate as all family violence cases are serious and would greatly benefit from the specialized attention of the unit.

Additionally, the demographic characteristics of the county are evolving and the Hispanic population is increasing. Frequently, cases involving Hispanic families, particularly those with language barriers, require increased attention so that the victims will understand the system and feel comfortable. With the increasing number of serious domestic violence cases in our county, an additional prosecutor is needed in order to effectively handle these serious and often complex cases.

State v. Freddie Arthur Sanchez

In this case, the defendant used a box cutter to slice his wife's neck open, cutting dangerously close to her spine and jugular vein. Despite the serious injuries, which went all the way through the tissue in the front of her neck, she survived. Facing a highly-prepared case, which was extremely time consuming for the prosecutor, the defendant entered a guilty plea to two counts of aggravated assault, family violence and two counts of aggravated battery, family violence. He was sentenced to **40 years to serve in prison.**



State v. Andre Elam

In this case, the defendant punched his child's mother in the face so hard that it broke her orbital bone and she eventually had to have surgery to remove her eye due to the injury. He also strangled her and spit on her while she was unconscious, all while their son was watching. After the prosecutor prepared the case for trial, the defendant entered a non-negotiated guilty plea to aggravated battery, family violence, aggravated assault, family violence, battery, family violence, cruelty to children 3rd degree, and simple battery, family violence. He received a sentence of **25 years to serve 15 in prison.**

State v. Robert Thomas Jordan

Defendant fired a gun off next to his girlfriend's head during an incident where he held her captive in his camper all night. He then drove his girlfriend to his parent's house and pointed the gun at his step-father and mother, and then threatened to kill his girlfriend, step-father and mother. The defendant also beat his girlfriend on a prior occasion with a piece of wood. None of the victims supported the prosecution of this case and the Unit worked hard to gather information to hold this offender accountable. The defendant entered a non-negotiated guilty plea to 5 counts of aggravated assault, family violence; 3 counts of terroristic threats; 2 counts of battery, family violence and 1 count of false imprisonment. Defendant was sentenced defendant to **15 years to serve 5 in prison.**

2017 Trials and Pleas

State v. Carl Anthony Lewis

On July 24, 2016, Carl Anthony Lewis entered his Woodstock home and executed his step-son, 19-year-old Bryce McCallum, shooting him in the head and chest as Bryce sat in the family living area. The shooting took place several days after Bryce intervened upon discovering Lewis beating his younger brother. After a physical altercation between both the young men and Lewis, all three left the home for several days, returning home the night before the murder. Lewis left the home in the morning hours of July 24, 2016, while the victim was still asleep and then came back home after the victim's mother left for work and executed Bryce. Lewis fled the scene, disposing of his cell phone by throwing it out the window of his vehicle while traveling down Highway 92 in Woodstock. After seeing a Woodstock Police Officer directing Sunday morning traffic outside of First Baptist of Woodstock, Lewis turned his vehicle around and approached the Woodstock officers stating that emergency help was needed at his home. The investigation yielded evidence of prior domestic violence committed by Lewis against the boys' mother, including episodes in which the victim had intervened, as well as prior incidences of violence against the victim and his brother. After the State prepared the case for trial, the defendant entered a guilty plea on September 13, 2017, to malice murder and cruelty to children in the first degree, and received a **life sentence to serve in prison.**



State v. Ylario Garcia-Jarquín

On July 28, 2016, Edel Cortes Mendoza was shot and killed in his favorite Canton restaurant, the Taqueria Oaxaquena. His murder was completely captured on the restaurant's surveillance system. During a weeklong jury trial in August 2017, jurors watched Ylario Garcia-Jarquín taunt and intimidate the victim before shooting him to death in the crowded restaurant. Jurors learned about how officers with the City of Canton Police Department and Cherokee County Sheriff's deputies immediately responded to the area and found the shooter hiding in a creek. Ylario Garcia-Jarquín was convicted of malice murder, felony murder, aggravated assault, and possession of a gun during the commission of a crime. He received a sentence **life plus 25 years to serve in prison.**



State v. Shane Ladner

Investigative Reporter Randy Travis began a series of reports casting significant doubt upon Ladner's claims of combat injuries and a subsequent investigation by the Cherokee County Sheriff's Office and the Federal Bureau of Investigation ensued in regard to the actual military service of Ladner. During the Sheriff's investigation, Ladner lied to investigators claiming that he had received the Purple Heart Award and claiming that his injuries were related to abdominal shrapnel wounds received in combat. It was thereafter discovered that Ladner had obtained tax benefits by lying to the Cherokee County Tax Commissioner's Office and that he provided a fraudulent DD-214 to support his claims. Ladner was tried by a Cherokee County jury in April 2017, for numerous counts of felony false statements. Mr. Ladner was convicted of six counts of making false statements to government officials. The successful prosecution of this case relied heavily upon the teamwork and testimony of other veterans. Prosecutors relied, as well, upon the knowledge and training of District Attorney Investigator John Fitzmayer, a former Marine Corp Sniper Team Leader.



"I was very please to learn the successful outcome of the trial...justice was served and the scoundrels who falsely play on the sympathy and trust of their fellows will at least be aware that they do so at their own peril."

- Retired Colonel Roland Weisser, M.D.,

State v. Justin St. Germain

This case involved incest by a father on his daughter that took place over a period of years in multiple jurisdictions and came to light when the child disclosed to her mother during a divorce. The child tragically told her mother: "I think I've been having sex with Dad." The child disclosed that she was abused between the ages of six and ten revealing she had been subjected to oral sodomy and forcible rape in her interview Anna Crawford Childrens' Center. The child testified at trial along with witnesses from law enforcement, Children's Healthcare of Atlanta and the Anna Crawford Childrens' Center. St. Germain was convicted of three counts aggravated child molestation, two counts child molestation, and incest. He was sentenced to **life with 35 years to serve in prison without the possibility of parole.**

White Collar / Elder Abuse Division

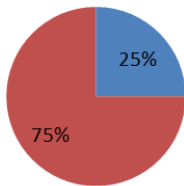
The White-Collar / Elder Abuse Division is comprised of an attorney, investigator, financial analyst, and an administrative assistant. The objective of this unit is to bring improved focus to the increase in offenses committed against our seniors and vulnerable adults within Cherokee County, especially cases of financial fraud. Cases of white-collar financial crimes such as identity theft and fraud, financial transaction card fraud, employee theft, and elder exploitation have markedly increased in recent years.

The unit is also tasked with prosecuting complex, large scale, financial fraud cases that involve racketeering. *The investigation and prosecution of complex financial fraud and racketeering cases differs greatly from the prosecution of many other crimes.* In cases involving drug offenses or property crimes, such as burglary, the investigation would typically include compiling lists of illegal substances recovered and the facts surrounding the seizure or documenting the items taken from a dwelling and the facts that may lead to the identity of the burglar. In stark contrast, cases involving identity fraud, financial transaction card fraud, and complex financial employee theft, such as racketeering, can often require specialized knowledge, as well as significant training and experience to successfully investigate and prosecute these types of offenses efficiently. The investigation of all white collar crimes and complex financial cases are labor intensive requiring multiple subpoenas of bank records and detailed analysis of those financial records received. Likewise, there are typically thousands of pages of records to sort, review, and interpret in order to successfully prosecute these types of offenses. The creation of this unit has drastically increased the productivity in investigating and prosecuting complex, large scale white collar and elder abuse cases in Cherokee county.

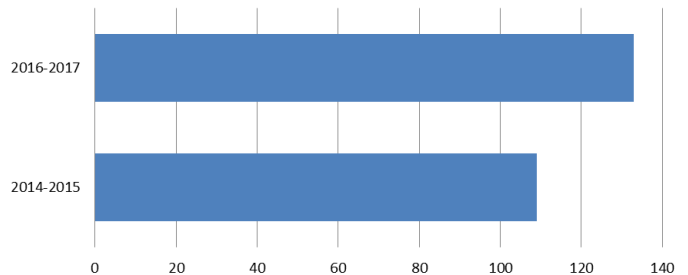
Within the first two years of the White-Collar/Elder Abuse Division, our Office has seen a vast increase in the amount of cooperation between the Office of the District Attorney, law enforcement and Adult Protective Services from the Georgia Division of Aging as well as victim service providers with respect to all financial crimes and all cases of elder abuse.

Types of Cases Involving Victims Over 65 Years of Age

■ Violent Crime ■ Property Crime



White Collar / Elder Abuse Cases



■ Cases assigned to the Unit since creation in 2014 reflect a 22% increase over the last two years.



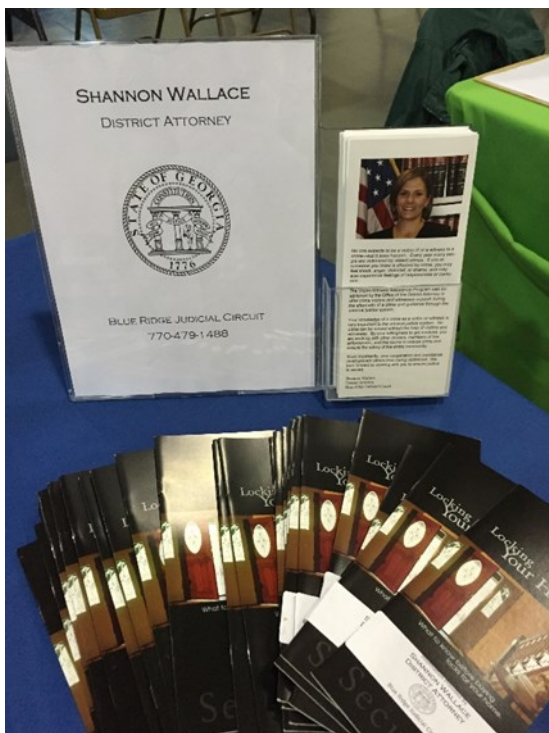
The Cherokee County Elder Abuse Work Group:

In close cooperation with regional staff members of the Division of Aging, Adult Protective Services (APS) and law enforcement agencies throughout Cherokee County including the Sheriff's Office, the Woodstock Police Department, the Canton Police Department and the Holly Springs Police Department, the Office of the District Attorney has created the Cherokee County Elder Abuse Work Group. Beginning in June 2017, the Cherokee County Elder Abuse Work Group has met monthly in order to staff each new report of potential cases of abuse of Elder Persons or Adults with Disabilities that have been reported by the public to the Division of Aging's Adult Protective Services hotline 1-866-55AGING (1-866-552-4464).

As a result of this collaboration, Adult Protective Services may now transmit newly received reports of potential abuse of a vulnerable adults to the Office of the District Attorney as well as each law enforcement agency throughout the County to monitor, in real time, each new report of potential abuse of elder person or disabled adults as it is received by APS. Each month the newly received reports are compiled and placed on an agenda for each monthly meeting chaired by the Office of the District Attorney. This early look at each new intake report by Adult Protective Services, law enforcement and the Office of the District Attorney ensures that each case is addressed from a multidisciplinary perspective, resulted in a continuous coordinated approach to cases in which the abuse of elder persons and vulnerable adults are confronted.

Since June, 2017, the Cherokee County Elder Abuse Work Group has staffed over one hundred and fifty (150) Adult Protective Services Intake Reports with APS Staff working alongside law enforcement from across the County. Since the creation of the Elder Abuse Work Group, the Office of the District Attorney has kept a detailed database listing the specifics of each intake report. The intake reports detail every type of report concerning elder persons or disabled adults ranging from non-criminal cases of self-neglect to the most serious financial or physical abuse.

In 2018, Representative Sharon Cooper of Marietta authored HB 635, the Disabled Adults and Elder Persons Protection Act. Should this bill become law, it would authorize the creation of Adult Abuse, Neglect and Exploitation Multidisciplinary Teams. This important legislation would result in increased coordination throughout the State between the Georgia Bureau of Investigation, the Georgia Division of Aging and APS. It would also enhance the ability of APS to share sensitive case information to additional entities such as Senior Services and other community partners within a multidisciplinary group. The Cherokee County Elder Abuse Work Group is poised to transition to becoming one of the first Adult Abuse, Neglect and Exploitation Multidisciplinary Teams in the State as a direct result of its work conducted in 2017.



White Collar / Elder Abuse Division

Mission Statement:

To seek justice, act with integrity, and collaborate with partner agencies in the criminal justice system in order to serve and protect potential and actual victims of financial fraud, and protect the most vulnerable citizens of Cherokee County through the apprehension and prosecution of individuals who injure or exploit our citizens through financial fraud or elder abuse.



State v. Michael Mason

A 69-year-old mother who had recently lost her husband had her 40-year-old son living with her. The son had a history of substance abuse and physical abuse. In November 2016, law enforcement got a call to the residence to assist APS in interviewing the mother and learned that the mother was afraid of her son as he had been threatening her to get money. APS and LE also learned that a few weeks prior, the son had lost his temper, kicked and broke a door. The mother's bank also filed a report with APS regarding suspected financial exploitation by the son. The District Attorney's Office was able to obtain victim's bank records showing significant loss. Recorded calls placed by the defendant to the victim were discovered revealing the defendant had called his mother names and threatened her. After many interviews and an extensive follow up investigation by the District Attorney's Office, the defendant entered a plea to exploitation of an elder person. The defendant was sentenced to **20 years to serve 5 years in prison** and ordered to have no further contact with his mother.

State v. William Milligan and Kevin Maddox

A vice president of a technology company conspired with a subcontractor to falsify invoices submitted to his company. Together the vice president and the subcontractor betrayed the trust of the company and embezzled more than \$700,000. The technology company discovered the theft after and reported it to the Holly Springs Police Department. Together, the Holly Springs Police Department and the Office of the District Attorney continued to investigate the matter and combed through the vast amount of financial and corporate business records and the defendants were charged under the RICO statute. The subcontractor defendant cooperated with law enforcement and ultimately testified at the trial of the vice president defendant. After a four day trial, the vice president was convicted of racketeering and sixty-one counts of theft by taking as a fiduciary. The vice president was sentenced to **40 years with 12 years to serve in prison**. The subcontractor received **40 years with 5 years to serve in prison**. Both defendants were ordered to pay restitution in the combined amount of **\$755,691.00**.



Elder Abuse Luncheon

In July of 2017, by and through funding granted from S.A.L.T. Triad, Office of the District Attorney hosted the monthly Cobb Elder Abuse Task Force, Law Enforcement Elder Abuse Luncheon. The luncheon was attended by over thirty five representatives of law enforcement from Cherokee County, Cobb County, the Attorney General's Office, Healthcare Facilities Regulation, Adult Protective Services and the Georgia Bureau of Investigation as well as the Offices of the District Attorney for both Cherokee and Cobb Counties. The Law Enforcement Luncheon occurs once each month for most of the year and is a chance for law enforcement to share critical information concerning current cases being worked as well as alerts about scams and crimes affecting elder persons and vulnerable adults in our area.

At-Risk Adults Crime Tactics (ACT) Certified Specialist Program

Beginning in 2015, the Office of the District Attorney in partnership with the Georgia Department of Human Services and Division of Aging, hosted the At-Risk Adults Crime Tactics (ACT) Training. The extensive two-day training included all aspects of elder abuse including neglect, exploitation, unlicensed personal care homes, Adult Protective Services, Healthcare Facility Regulation, and related Georgia laws. The training included a certification, continuing education credits for law enforcement, fire / EMS and lawyers. The training was attended by local law enforcement agencies throughout the County. Looking to the future, our Office is scheduled to again host this important training at the Bluffs in May of 2018. This training will be for all first responders, prosecutors and law enforcement throughout the state.

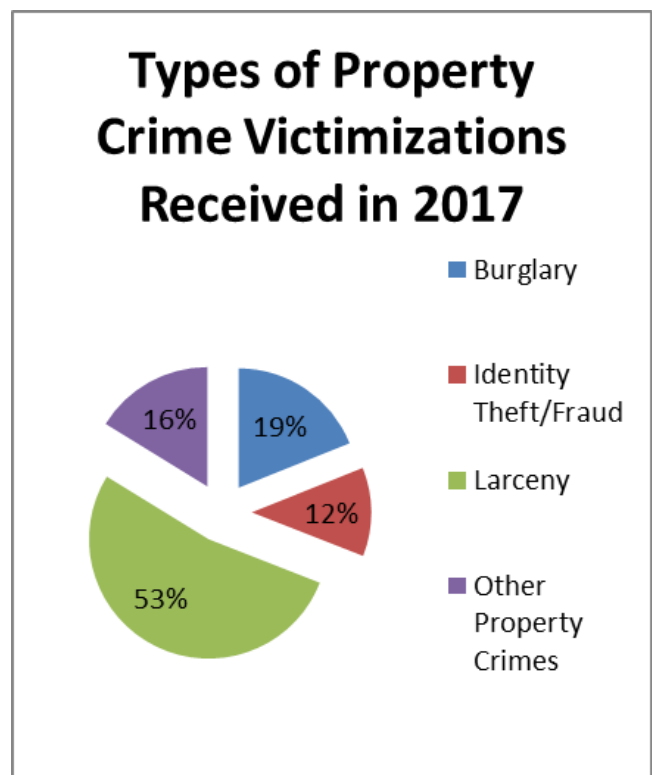
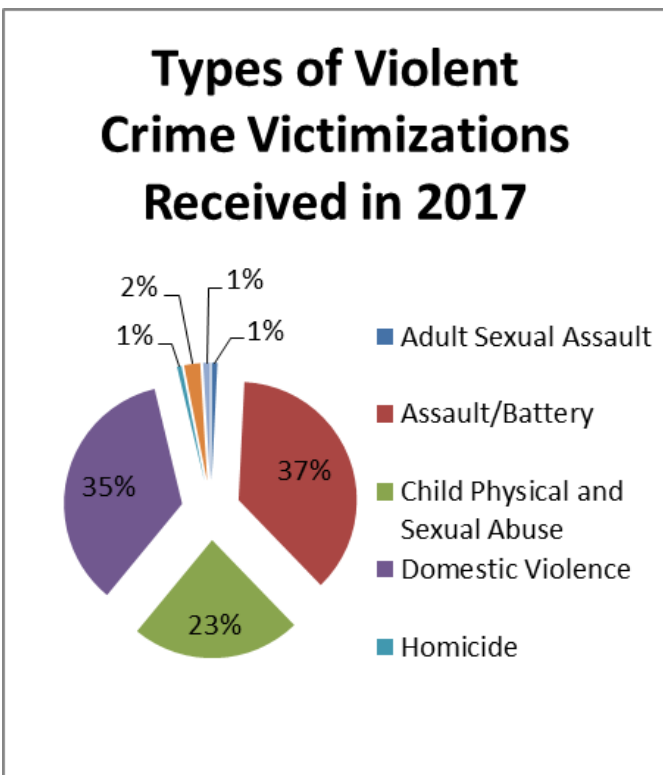


Senior Extravaganza –hosted by SALT

Victim Witness Assistance Program

The Victim Witness Assistance Program was established by the Office of the District Attorney to offer crime victims and witnesses support during the aftermath of a crime and guidance through the criminal justice system. The program provides crime victims with the information and care necessary to recover from the trauma of victimization. The Victim Witness Assistance Program's primary goal is to uphold the Crime Victim's Bill of Rights allowing the victim to be informed, present and heard. The presence of a victim advocate allows victims of crime to exercise their rights, thus preventing further victimization by the criminal justice system. The victims assisted by the Office of the District Attorney are victims of violent crime, such as assault, child molestation, domestic violence, and homicide, and victims of property crime, such as burglary, entering auto, and identity fraud. Access to this important program that cares about the well-being of the victim provides the catalyst necessary to facilitate a positive experience in the criminal justice system and recovery from trauma.

The program currently contains 7 staff advocates and is overseen by a Coordinator whom also handles cases. During 2017, the program assisted **2,563 victims of crime** in new and existing cases prosecuted by the Office of the District Attorney, showing a **35% increase** in victims assisted from the previous year. The advocates start their work quickly once a felony arrest occurs. They contact victims of offenders whose case appears before the Magistrate within 72 hours of arrest and stay with the case through its lifetime, to include post-conviction work that assists in keeping the victim informed of events once the criminal case is resolved, such as release from custody, restitution payments, and when the offender violates their probation.



Training and Outreach

During 2017, the Office of the District Attorney coordinated and provided 240 hours of training free of cost for at least 1266 law enforcement officers, as well as numerous lawyers, students, and civilians, in Cherokee County and around the State of Georgia. This includes hosting statewide training programs in conjunction with the Prosecuting Attorney's Council and the Cherokee County Domestic Violence Task Force providing valuable information on topics such as The Medical Forensic Exam – Beyond the Basics: Strangulation, Toluidine Blue Dye, and Drug Facilitated Sexual Assault and Understanding Depression and Suicide-A Closer Look at the Crisis.



District Attorney Investigator is coaching Creek View High School students about evidence presentation for their upcoming Mock Trial.



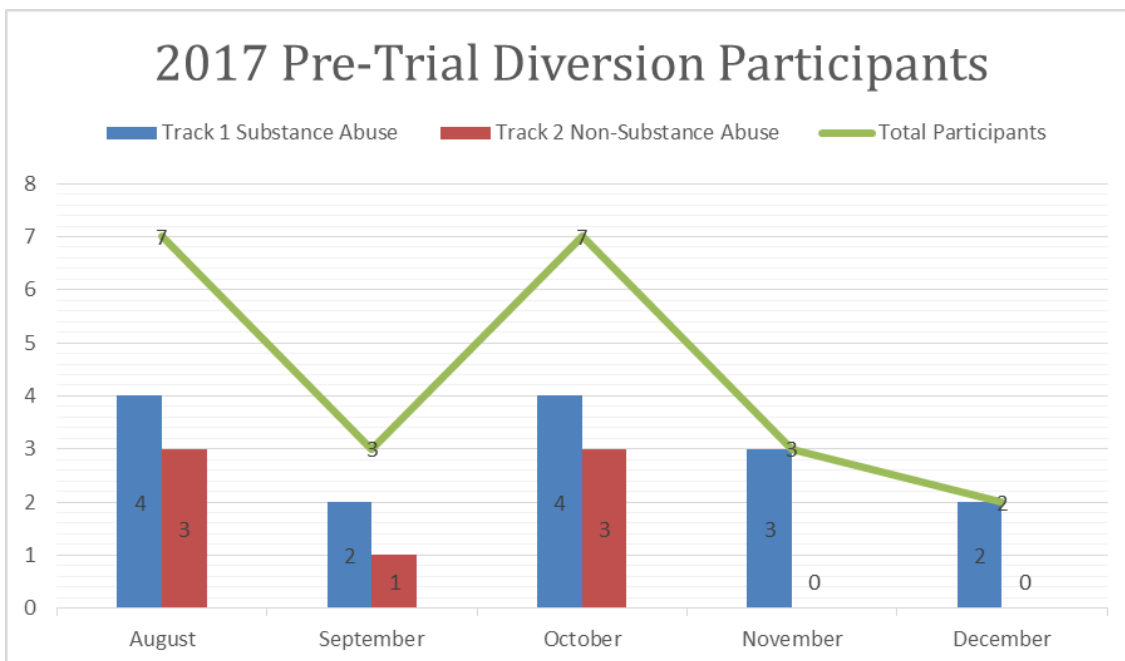
Cherokee County is a community that honors fallen victims and as they do each year, District Attorney staff members attended the 2017 Annual Domestic Violence Candlelight Vigil hosted by the Cherokee Family Violence Center. During the vigil, as the candles are lit, a list is read of every homicide victim lost due to intimate partner violence in Georgia within the last year. The two silhouettes in the photo above represent two such homicide victims in cases pending prosecution in the District Attorney's Office.

Crash Investigation Division

In January 2017, a multi-agency response team for complex traffic crashes was established in Cherokee County. Known as the Crash Investigation Unit, this team of specialists includes experts from the Cherokee County Sheriff's Office, Woodstock, Canton and Holly Springs Police Departments and the Office of the District Attorney. The unit, activated for traffic crashes that include serious injuries and/or fatalities, provides professional and scientific analysis and reconstruction of crashes. In March 2017, the Assistant District Attorney appointed to the Crash Investigation Unit attended the Crash Reconstruction and Vehicular Homicide Training presented by the Prosecuting Attorney's Council of Georgia. This important training included courses on crash reconstruction methodologies, location crash site demonstration, the mechanics of crash reconstruction, and crash reconstruction data retrieval. Going forward in 2018, the Crash Investigation Unit will attend a series of monthly trainings hosted by the Cherokee County Sheriff's Office. Each of the scheduled trainings will last approximately three hours. Since the mobilization of the Crash Investigation Unit, Cherokee County has seen a 700% increase in arrests involving serious injury by motor vehicle and/or vehicular homicide, almost certainly due to enhanced investigation techniques and teamwork.

Pre-Trial Diversion Division

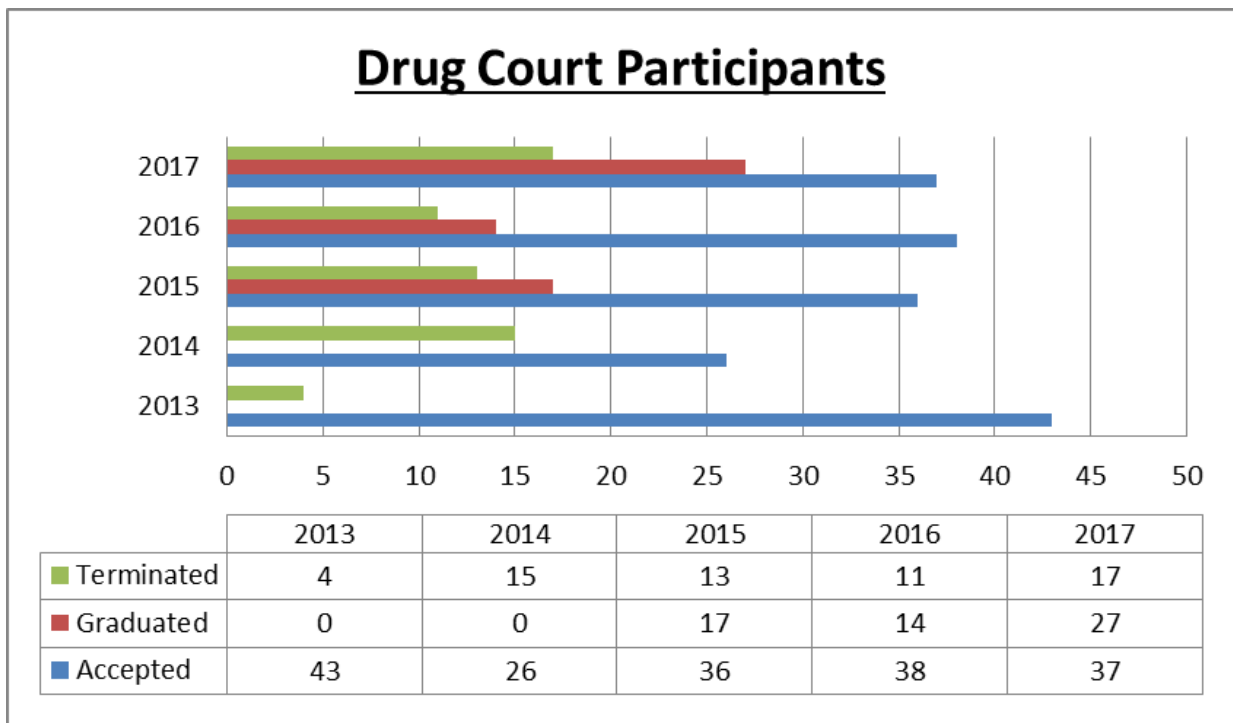
In August 2017, the Office of the District Attorney began accepting cases into the newly launched Pre-Trial Diversion Program. The program was created as an alternative to prosecuting offenders in the traditional manner through the criminal justice system. This program is designed to serve low level, low risk offenders with no previous felony convictions who are charged with non-violent crimes in the Superior Court of Cherokee County and are charged with an offense for which the law does not provide a mandatory minimum sentence of incarceration or imprisonment that cannot be suspended, probated or deferred. This program is designed to meet the needs of certain non-violent offenders in an attempt to deter future criminal conduct while also minimizing loss to these victims through payment of restitution by the offender; to serve the courts by reducing the number of less serious cases being processed by the criminal justice system which will permit more time for the system to focus on more serious crimes; and to protect the community by closely supervising and monitoring these offenders following arrest until final disposition of their case through the use of community resources appropriate for the offender and the case. Offenders accepted into the program are placed in either Track 1 or Track 2. Track 1 focuses on substance abuse, based on the original charges as well as the substance abuse history or evidence provided that indicates the participant has a substance abuse problem. Track 2 is designated for non-substance abuse offenders. By the conclusion of 2017, the program enrolled 22 participants, with 6 participants successfully completing to date. Thus far, administrative program fees in the amount of \$15,600 have been added to the general funds of Cherokee County by this program.



Drug Accountability Court Division

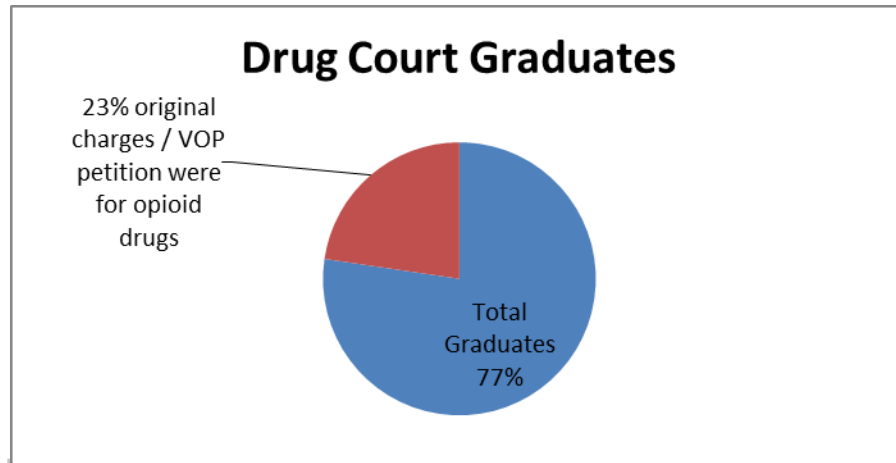
The philosophy of the accountability courts in our county is that when a defendant's crimes are largely the direct result of addiction, mental health issues, or combat during military service, there are instances where it is in the best interest of the community to attempt to rehabilitate the individual by addressing the core issues. This approach involves investing in the development of treatment programs in an effort to prevent recidivism and prioritize incarceration for those who are a real danger to society. Throughout Georgia, there is a movement to build accountability courts to eliminate the need to imprison citizens who have the potential to lead productive and independent lives.

In 2013, Superior Court Judge Ellen McElyea began the Cherokee County Drug Accountability Court. Cherokee DAC is a four-phase program that takes a minimum of two years and a maximum of three years to complete. The program is designed for adults who have been charged with a felony offense and have an identified substances abuse problem that likely has a causal relationship to the individuals' criminality. The program is based on total abstinence from drug use. Each phase of the program has specific activities required and goals that must be met before participants can apply to move to the next phase. The program is largely grant funded; however, participants pay significant fees which contribute to sustaining the program. To date, twenty-two percent of the total entrants into the program have successfully completed the program and graduated.



The national opioid epidemic has received significant attention over the last 5 years. It is widely understood that prescription painkillers are often a gateway drug for street drugs, such as heroin, as well as combinations of opiates created in illegal labs which peddle almost certain death. Cherokee County has anecdotally experienced a similar rise in opiate addictions which has not been fully captured by the case management database. Despite difficulties with reporting, the Office of the District Attorney and her sister agencies have a commitment to better tracking moving forward.

Some inferences may be drawn from two different sources, the first being drawn from the Cherokee County Drug Accountability Court. To date, there have been **58 graduates**, of which **13 graduates** had charges that involved opioids. Of those 13, **9** cases involved **heroin** and **2** involved abuse of **prescription medications**. Additionally, **60** individuals were terminated from the program for violations. Of those 60, **11** were **opioid** users, with **6 using** heroin and **5 abusing** prescriptions. Of significance is the fact that drug court participants, and even more so graduates, account for only a fraction of the total drug arrests in Cherokee County.



DID YOU KNOW?

“Law-enforcement encounters with fentanyl nationwide rose to more than 14,000 in 2015 from about 1,000 in 2013, according to federal data. Fentanyl, which is 50 times more powerful than heroin, has been used legally for decades, including as a painkiller for cancer patients. But in the past five years, illegal forms of the drug, often produced in China and Mexico, have quickly spread throughout the country and contributed to a broader opioid epidemic that has killed tens of thousands of people.

Two to three milligrams of fentanyl—the equivalent of five to seven grains of table salt—is enough to cause respiratory depression, cardiac arrest or death, according to the U.S. Drug Enforcement Administration, which issued new guidelines for first responders in June. Overdosing can occur from inhaling or touching fentanyl, which drug dealers often mix with heroin because it is cheaper and has a higher potency.”

Fentanyl Isn't Just Deadly for Drug Users: Police Are Getting Sickened, WSJ, 7/28/2017

SPOTLIGHT ON DRUG AWARENESS

In 2018, CMANS began a project to track all drug-related overdoses where deputies from the Cherokee Sheriff’s Office responded (based on availability of data). To date, the Cherokee Sheriff’s Office has responded to 28 drug-related overdoses, of which 19 were saves and 9 resulted in death. Based on paraphernalia found at the scene, most of the overdoses involve suspected heroin and/or heroin and pharmaceuticals. Heroin along with methamphetamine and pharmaceutical-grade fentanyl patches have also been found at overdose scenes. This data is intended to be used to identify possible clusters of activity to assist CMANS agents and patrol officers in locating heroin/opioid use hot spots. This is a pilot project with CSO. CMANS has also begun working with the cities to include their overdose data.

RECOGNIZING EXCELLENCE

Each year, District Attorney Wallace recognizes employees who have performed outstanding service to the office. Employees of the Year exhibit excellent qualities of innovation and leadership. The Office of the District Attorney is proud to recognize our outstanding Employees of the Year for 2017.



Zack H. Smith
Prosecutor of the Year

Instinctive, Passionate, and Innovative



Deanna Jarrett
Investigator of the Year

Dependable, Forthright, and Perseverant



Marcia Mosher
Team Member of the Year

Intuitive, Determined, and Committed