

2018 Annual Report



Office of the District Attorney
Blue Ridge Judicial Circuit
Cherokee County
90 North Street
Canton, GA 30114

Committed to Justice and Integrity

DUTIES OF THE OFFICE

The duties of the Office of the District Attorney are established by the Georgia Constitution and laws as codified in O.C.G.A §15-18-6.

Primary duties are to prosecute felony offenders, protect victims and witnesses of crime, serve the citizens of Cherokee County, and ensure justice is properly served. We carry out these duties and functions in the most efficient and effective manner possible.

District Attorney Shannon Wallace leads a team of prosecuting attorneys, investigators, victim advocates and support personnel. Divisions and units within the office include:

- Accountability Court
- Appellate Court
- Domestic Violence Unit
- Juvenile Court
- Magistrate Court
- Pre-Trial Diversion
- Superior Court
- Victim Services
- White Collar/Elder Abuse Unit



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

Dear Cherokee County Stakeholder:

I am pleased to provide the community with our 2018 Annual Report. The purpose of this report is to provide you with a window into the functioning of the criminal justice system, educate you about the nature of crime in our community, and inform you of our efforts to achieve justice for victims and support crime prevention efforts in our county.

In 2018, we prosecuted thousands of felonies, including five murder cases that involved domestic violence. We continue to monitor the opioid crisis in Cherokee County and throughout the state. Our office takes part in a variety of initiatives that save overdose victims, rehabilitate drug users, and prosecute drug dealers.

Our Pre-Trial Diversion and Accountability Court programs enable non-violent and first-time offenders to rehabilitate rather than be incarcerated. Through Juvenile Court, we help change the lives of young people so they don't become career criminals.

Our office is committed to justice and integrity, and working to achieve a safer Cherokee County. Thank you for the opportunity to serve as your District Attorney.

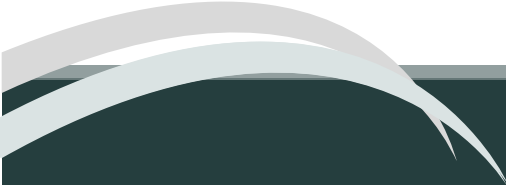
Sincerely,

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

Shannon Wallace
District Attorney
Blue Ridge Judicial Circuit

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CRIME TRENDS IN CHEROKEE COUNTY

Family Violence — One heartbreaking trend this year was a significant increase in the number of murder cases related to family violence. In 2018, five murder cases were directly tied to family violence. These cases are highlighted on pages 6-10 of this Annual Report.

Drug Overdoses — Another trend seen in Cherokee County and throughout the country is rampant opioid drug addiction, fentanyl laced heroin, and opioid drug overdose fatalities. In fact, between 1999 and 2017, the number of overdose deaths in Cherokee County increased five-fold. See pages 12-13.

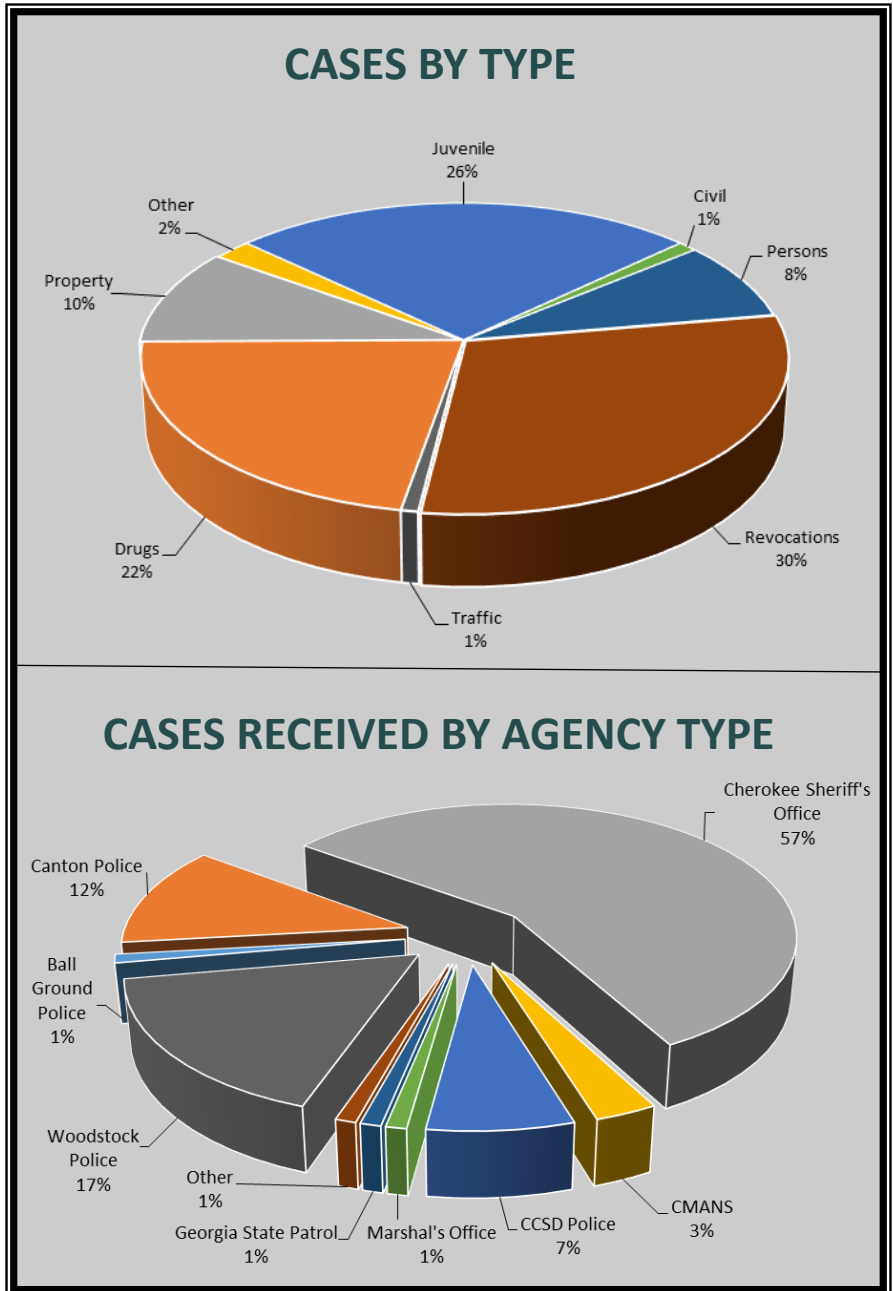
Drug Busts — One way to fight illicit drug use and its effects is to bring drug dealers to justice. In 2018, the District Attorney's Office received 1,383 felony drug warrants for prosecution.

Elder Abuse — As the senior population increases, so does the prevalence of crimes against elders. The District Attorney's Office investigates and prosecutes elder abuse crimes. See pages 20-21 for the latest in elder abuse in Cherokee County.

2018 OPENED CASES IN COUNTY

CASELOAD REFLECTS CRIME TRENDS

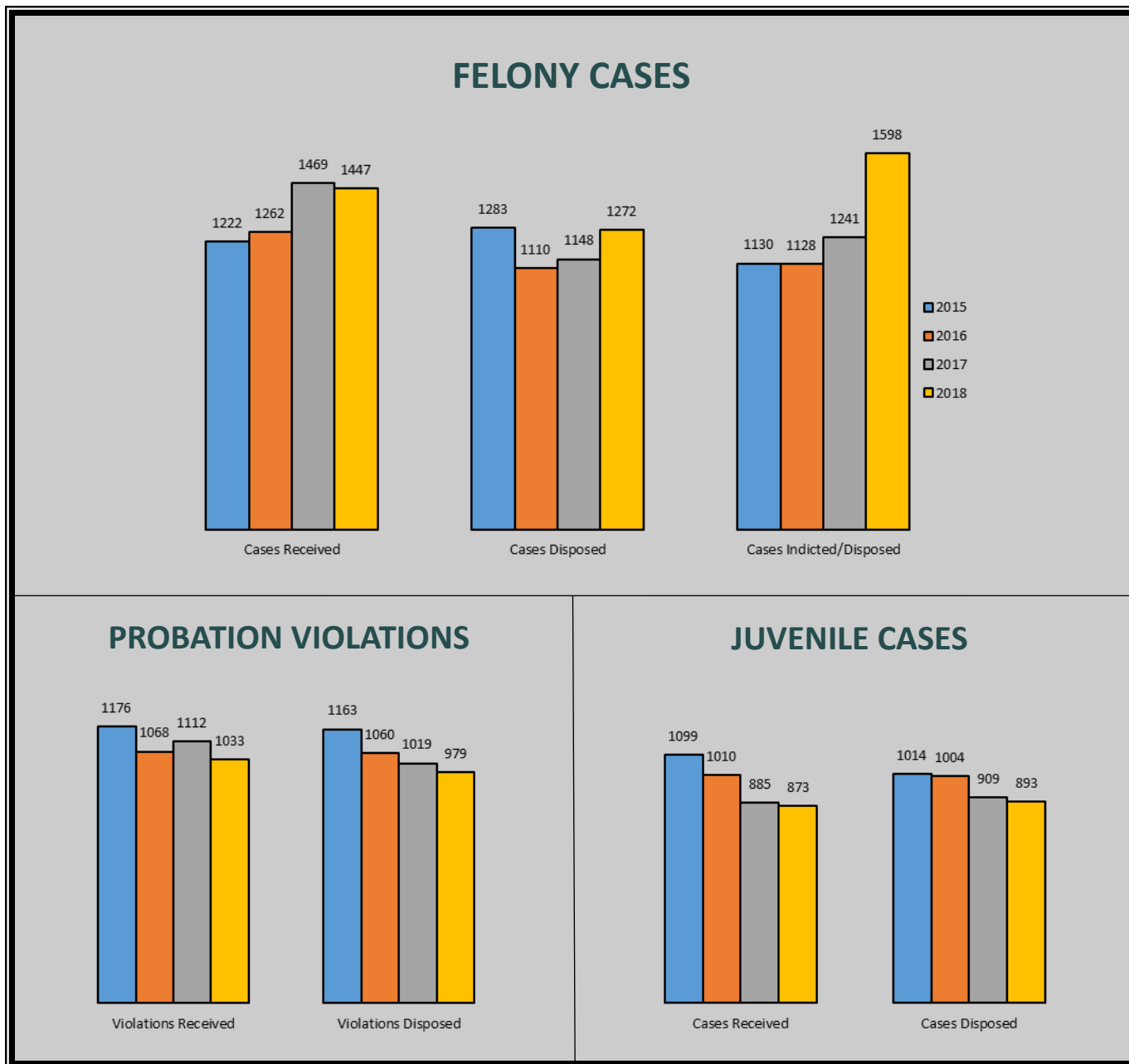
The District Attorney's Office received 1,447 cases for prosecution and 997 probation revocations in Cherokee County in 2018. Categorized by type of crime, opened cases provide an overview of community crime trends.



OPENED/DISPOSED CASES

TRENDS FROM 2015-2018

The following charts illustrate felony, probation violation, and juvenile cases the DA's Office received, disposed, and indicted/accused in the past four years.



IMPACT ON COMMUNITY

The District Attorney's Office is involved in initiatives beyond the courthouse, including:

The Children's Haven

Anna Crawford Children's Center

Canton Police Department, Fourth Amendment presentation

Cherokee County Domestic Violence Task Force

Cherokee County FOCUS Board

Cherokee County School District, teen dating violence presentations

Cherokee County Seniors and Law Enforcement Together (S.A.L.T.) Triad

Cherokee Family Violence Center

Child Abuse Multidisciplinary Team and Child Abuse Protocol

Child Fatality Annual Training and Review Meetings

Creekview High School, mock trial curriculum

Family Violence Conference, hosted by Georgia Commission on Family Violence

Heroin Working Group, U.S. Attorney's Office of the Northern District of Georgia

Leadership Cherokee, Cherokee County Chamber of Commerce

Northwest Georgia Repeat Violent Offender Meeting, U.S. Department of Justice

Statewide Human Trafficking Task Force

Sutalle Baptist Church, presentation on crimes impacting children

University of North Georgia, Police Academy, active shooter training

SERVING CHEROKEE COUNTY

IN PURSUIT OF JUSTICE AND INTEGRITY



Cherokee County remains one of the safest places to live in Georgia due to excellent law enforcement and effective prosecution of crimes committed in our county.

Within the District Attorney's Office, prosecuting attorneys, investigators, victim advocates, and administrative assistants work together to make sure cases are filed, investigated, and prosecuted in an efficient and cost-effective manner, all while keeping crime victims informed and supported throughout the process.

Members of the District Attorney's Office make vital contributions beyond the courthouse. They serve on multi-disciplinary task forces, participate in training and conferences, support nonprofits, and participate in community groups.

We are honored to serve the citizens of Cherokee County.

INSIDE THE COURTHOUSE

In 2018, the District Attorney's Office received **1,447** cases for prosecution, handled **997** probation revocations, presented **798** cases to the Grand Jury for indictment, processed **800** accusations, closed **1,272** felony cases by plea, and staffed **237** cases of potential elder abuse.

In addition, the office collected **\$24K** in administrative fees

through its pre-trial diversion program,

assisted **2,467** crime victims,

handled **873** juvenile cases

and assisted law enforcement **24/7**

in fighting crime throughout Cherokee County

OUTSIDE THE COURTHOUSE

In 2018, the District Attorney's Office

provided **130** hours of training on firearms/use of force, courtroom testimony, teen dating violence, and other issues.

This training benefitted **1,358** law enforcement officers, lawyers, high school students, and members of the community.

2018 OUTSTANDING EMPLOYEES



Every year, Cherokee County District Attorney Shannon Wallace honors outstanding employees who have provided exceptional service to the District Attorney's Office.

The 2018 Employees of the Year are (from left to right): Monica Moore, Investigator of the Year; William Hunter, Prosecutor of the Year; and Jessica DeGourville, Team Member of the Year.

2018 MAJOR CASES CLOSED

DOMESTIC VIOLENCE AND MURDER

Every minute of every day in the United States, 20 people become victims of intimate partner domestic violence. Children often witness this violence and become victims themselves. In Georgia, on average, 130 people die every year due to domestic violence. Georgia ranks in the top 10 nationally for the rate at which men kill women.*

In 2018 in Cherokee County, five murder cases were disposed, all of which involved domestic violence. Victims included an infant daughter, sister and brother, girlfriend, estranged wife, and mother.

- **Nicholas Charles Campbell** entered a guilty plea on March 21, 2018 to felony murder, cruelty to children in the first degree, and violation of the Georgia Controlled Substances Act. He was sentenced to life in prison.
- **Jose Oscar Tierrablanca-Gierro** entered a non-negotiated guilty plea on October 17, 2018 to two counts of felony murder, six counts of aggravated assault, and possession of a knife during the commission of a felony. The State requested two consecutive life sentences, but the judge ordered these life sentences to run concurrently. He was sentenced to life in prison.
- **Michael Keith Russell** was tried by a jury and convicted October 26, 2018 of malice murder, felony murder, aggravated assault-family violence, aggravated battery-family violence, false imprisonment, and violation of the Georgia Controlled Substances Act. He was sentenced to life without parole.
- **Darrell L. Eaker II** was tried by a jury and convicted on October 29, 2019 of malice murder, aggravated assault-family violence, possession of a firearm during the commission of a felony, criminal damage to property in the first degree, and discharge of a gun near a highway or street. He was sentenced to life without parole plus 16 years.
- **Michael Jacobs** entered a guilty plea on November 2, 2018 to malice murder, aggravated assault-family violence, and two counts of aggravated battery-family violence. He was sentenced to life in prison.

LETHALITY INDICATORS IN DOMESTIC VIOLENCE

INDICATOR	PREVALENCE
History of Domestic Violence Against Victim.....	91%
Exhibits Controlling Behavior and/or Monitors Victim	56%
Threats to Kill Victim	55%
Alcohol/Drug Abuse in Perpetrator	52%
Suicide Threats and Attempts	37%
Prior Child Abuse.....	26%
Possessiveness or Severe/Morbid Jealousy of Victim	26%
Non-Fatal Strangulation Assault	23%

Georgia Domestic Violence Fatality Review, 2018

*Sources include:

The National Coalition Against Domestic Violence and the 2018 Georgia Domestic Violence Fatality Review

STATE V. NICHOLAS CAMPBELL

INFANT CIARA CAMPBELL KILLED IN FIT OF RAGE



Ciara Campbell was only 23 days old when she was killed by the man who claimed her as his daughter. Nicholas Campbell took methamphetamine, then went on a rage that left tiny Ciara fighting for her life. Her injuries: Acute subdural hemorrhage. Multifocal brain parenchymal hemorrhage. Bilateral retinal and perineural optic hemorrhage. Cervical cord parenchymal. Perineural and intraneural hemorrhage. Right orbital plate fracture and bruises on the face. Complete midshaft fracture of the right clavicle. Left ribs, three through seven, fractured. Fracture of the distal metaphysis on the left radius. Metaphyseal fracture on the left ulna. Distal metaphyseal fracture on the left posterior distal fibula. Metaphyseal fracture on right distal femur.

Born on November 20, 2015, Ciara lived with her mother Alyssa Kincaid and the defendant in the basement of a home owned by the defendant's mother. Right after moving into the home, Alyssa and the defendant's mother witnessed the defendant shaking Ciara then dropping her in a bassinet. Other incidents followed. The women agreed that the defendant should not be permitted to take care of the baby alone because he might injure her.

The week of Ciara's death, the defendant and Alyssa used methamphetamine. The defendant continued using it through the week. On December 11, 2015, the day Ciara died, the defendant and Alyssa had been arguing. After taking more meth, the defendant fell asleep. Alyssa placed Ciara in her Boppy pillow to sleep, then stepped outside to talk to a friend. An hour and fifteen minutes later, she came back inside. Ciara was still in her Boppy, but the defendant had woken up and was angry. He complained that Alyssa had been gone too long. He said the baby had soiled her diaper and was breathing funny. Alyssa saw that the baby was cold to the touch, was gasping, and had labored breathing. The defendant's mother rushed to the basement and called 911. During the call, the defendant is heard in the background speculating that he will be blamed for this.

Ciara was transported to Northside Cherokee, where doctors suspected child abuse due to a displaced fracture of the clavicle. Ciara was life-flighted to Children's Hospital of Atlanta, but it was too late. The newborn was no match for the defendant and his rage. Days later, Ciara was taken off life support and succumbed to her multiple injuries.

On November 17, 2017, Alyssa Kincaid agreed to testify against Nicholas Campbell and pled guilty to cruelty to children in the second degree and violation of the Georgia Controlled Substances Act. Judge Ellen McElyea sentenced her to 15 years, with 7 years to serve in confinement.

On March 21, 2018, just prior to trial, Nicholas Campbell entered a guilty plea to felony murder, cruelty to children in the first degree, and violation of the Georgia Controlled Substances Act. Judge Ellen McElyea sentenced the defendant to life in prison.

STATE V. J. OSCAR TIERRABLANCA-GIERRO

BRUTAL STABBING OF SIBLINGS ANTONIA AND OMAR RUIZ



When police responded to 911 calls on July 22, 2016, they found two victims covered in blood at the entry to their Canton apartment. A man lay dead, with multiple stab wounds, and a woman clung to life, her lungs rattling as she breathed her last painful breaths. EMS attempted to save the woman's life, while Georgia Bureau of Investigation came to the scene to assist in the investigation.

Hours later, J. Oscar Tierrablanca-Gierro turned himself in to the Smyrna Police Department. He had fled the scene and driven to his brother's house in Smyrna, where his family advised him to turn himself in. He made a statement to the GBI and was arrested for both deaths.

The tragedy was another case of family violence. The defendant had once lived with Antonia and their 18-month-old daughter in their Canton apartment, but the defendant eventually moved out. Antonia lived with her brother Omar and worked two jobs to make ends meet. She frequently complained that the defendant did not provide sufficient financial support and was not involved in their daughter's life. The two argued often about this.

Not long before the murders, the defendant said he wanted to rekindle their relationship. He began to monitor Antonia's movements and accused her of having a relationship with another man. On July 20, they made plans to go out, but the defendant never showed up. The next day the defendant bought flowers to make up with Antonia. He said he planned to surprise her when she got home from work. The defendant arrived at 11 p.m. on July 21, entered the apartment to leave the flowers, then waited in the parking lot in his van. After Antonia came home, the defendant texted Antonia to ask if he could visit. She replied no. He entered the apartment anyway.

The defendant went first into Antonia's bedroom where the two began to argue. At some point, the altercation became physical and Omar tried to help his sister. Witnesses reported hearing a fight at 1 a.m. They heard a woman screaming for help and yelling "ya-ya," which translates to "enough" or "no more."

The defendant used three weapons to stab his victims: scissors, which left slash marks and stab wounds then broke during the assault; a screwdriver with a removable bit, which left more stab wounds and became dislodged in Omar's shoulder; and a knife, which ultimately killed both victims. The siblings were stabbed in the torso, chest, back, arms, legs, and face. They tried to protect themselves but ultimately succumbed to the defendant's rage.

On October 17, 2018, just prior to trial, J. Oscar Tierrablanca-Gierro entered a non-negotiated guilty plea to two counts of felony murder, six counts of aggravated assault, and two counts of possession of a knife during the commission of a felony. After his guilty plea, the State requested two consecutive life sentences, but the judge ordered the life sentences to run concurrently. Judge Jackson Harris sentenced the defendant to life in prison.

STATE V. MICHAEL RUSSELL

SECOND CHANCE ROMANCE TURNS DEADLY FOR CHRISTY WALLER



On March 3, 2017, Michael Russell brutally murdered his girlfriend, Christy Waller. He hogtied, strangled, and beat the 41-year-old mother of two in their Woodstock apartment, then left her to die.

No one expected Christy's life to end violently. She was sweet and loyal, a good friend and a good mother. In 2015, she separated from her husband and moved into her parents' home with her children. Later that year she rekindled a romance with the defendant, who moved in with Christy and the kids. By October 2016, the defendant had worn out his welcome. Christy's parents suspected he was on drugs. "He cussed me like a dog," said Christy's mother. Christy had to choose between her mother and her boyfriend. She chose her boyfriend. Christy and the defendant moved to Woodstock with Christy's 11-year-old son, while her 17-year-old daughter stayed in Marietta to finish high school. At some point, the relationship became abusive. Christy's daughter begged her mother to leave him. Christy admitted that the defendant hit her, said crazy things, and accused her of cheating. But Christy didn't want to give up on the relationship and felt she could help the defendant overcome his meth addiction.

Eventually, Christy left the defendant, but a short time later she returned. The apartment was a mess, due to the defendant's drug-induced psychosis and violent rages. On March 3, 2017, her first morning back, the defendant brutally attacked Christy while her son slept in the next bedroom. The defendant tied her hands and leg with nylon cord. He struck her multiple times with his fists and a computer circuit board. He strangled her. He hit her so hard that blood splattered on the bedroom wall. When the defendant was done, he laid with her. Then he changed out of his blood-soaked pants, shot up some meth, and stopped by Christy's son's bedroom.

His appearance terrified the child who later said the defendant was disheveled, had shaved his head, and had a crazed look about him. The defendant told the boy that his mom was at work and asked if he wanted to go to a place where no one could find them. The child said no. The defendant left, taking Christy's wallet and car. Around noon, the boy tried to call his mother. He could hear the phone ringing in the apartment but did not leave his room. Instead, he texted his sister who promised she would come to the apartment as soon as school was out. At 4:15 p.m. she arrived with two friends and made the horrifying discovery. Later that evening, the defendant returned to the scene, still driving Christy's car. After police read his Miranda rights, the defendant admitted to killing Christy.

On October 26, 2018, Michael Keith Russell was tried and convicted of malice murder, felony murder, aggravated assault-family violence, aggravated battery-family violence, false imprisonment, and violation of Georgia Controlled Substances Act. Judge Jackson Harris sentenced the defendant to life without the possibility of parole.

STATE V. DARRELL L. EAKER II

AUDRA EAKER ASSASSINATED BY ESTRANGED HUSBAND



On December 27, 2016, at the age of 43, Audra Eaker lost her life in an act of domestic violence. Her husband, Darrell L. Eaker II, murdered her by shooting her inside the car she was driving on Highway 92 in Woodstock.

Audra married young and took on a traditional role as homemaker. Early in her marriage, she struggled with miscarriages and the death of two children. They adopted one child and were finally able to have a second child. When the children became more self-sufficient, she found a job outside the home, changed her hairstyle, and spent more time with friends. She got a tattoo that said, "Love her but leave her wild." The defendant did not support her independent spirit and became increasingly violent and abusive. He tried to exert power over her and control her, even using a tracking app to monitor her at home, work, her friend's house, and the YMCA.

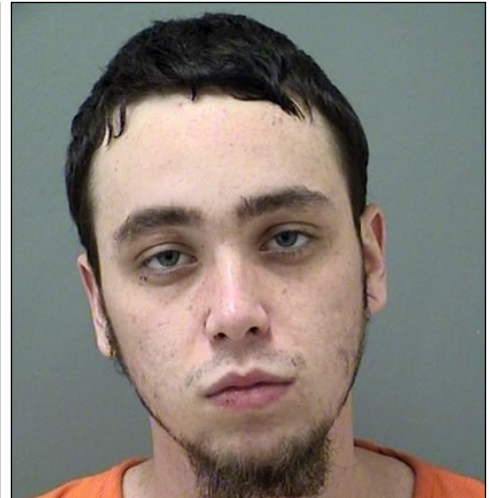
No one but Audra knows exactly when the domestic violence started, but witness testimony and evidence show physical and emotional abuse in the months prior to the murder. In May 2016, Audra's brother overheard a loud argument during which Audra screamed for her brother to get the kids out of the house. In September 2016, Audra's friend Brandy noticed that Audra had a black eye. That same month, Audra recorded her husband ranting at her: "I [obscenity] hate you," he said. "You are dead to me. I want to kill you, [obscenity] bitch." At some point, Darrell moved into the basement. The marriage was estranged.

On December 27, 2016, Audra and the defendant went to a party at Brandy's house. The defendant became intoxicated, so Audra made him leave the party. In the past, when he got drunk, he would lash out, curse Audra, push her, hit her, even wish her dead. Audra felt she could handle him. She ushered him out of the party and didn't let him drive the car. During the ride home, the defendant took Audra's H&K .45 caliber handgun out of her glove box, removed it from the holster, put it in fire mode, chambered a bullet, pointed the gun at Audra's head, and pulled the trigger eight times, hitting her five times. He also hit another vehicle driving by. He executed his wife, then dropped the weapon, did not attempt any life-saving actions, and walked away from the vehicle.

On October 29, 2018, Darrell Eaker II was convicted of malice murder, aggravated assault, family violence, possession of a firearm during commission of a felony, criminal damage to property in the first degree and discharge of gun near highway or street. Visiting Judge Larry Salmon sentenced the defendant to life without parole plus 16 years. By murdering Audra, the defendant effectively sentenced his son to dialysis for life. The medically fragile boy needs a kidney transplant. Audra was a perfect match and had planned to be his donor.

STATE V. MICHAEL JACOBS

MENTALLY ILL MAN BRUTALLY STABS HIS MOTHER



On Sunday, January 3, 2016, Michael Jacobs stabbed and beat his own mother, 54-year-old Melony Jacobs. After the assault, he called 911 to report that he had killed his mother during a domestic dispute in their apartment in unincorporated Woodstock.

In a brutal frenzy, the defendant stabbed his mother dozens of times with a large kitchen knife, causing sharp force injuries to her head, neck, torso, and extremities. While trying in vain to stop the attack, Melony suffered defensive wounds on her hands and arms. At one point, the defendant penetrated his mother's cervical spine with the knife, then pulled out the knife and continued stabbing her. Melony died when the defendant stabbed her in the neck, severing the carotid artery and jugular vein.

Upon arrival at the apartment, police saw the defendant on his cell phone. Inside the apartment the police observed signs of a violent incident in the bedroom and the bathroom. Melony was lying on the bathroom floor, deceased. A kitchen knife covered in blood was lying next to her. While police placed handcuffs on the defendant, he said, "[Obscenity]! This is [obscurity] up, man." He also said, "I'm sorry, Mom. I'm sorry."

The defendant has a long history of mental illness. He grew up in New Jersey, completing high school while in a residential treatment program. After his parents divorced, his mother moved to Georgia and the defendant later joined her. Over the years, he had episodes in which he thought of hurting himself and others. He sought treatment numerous times and was diagnosed with schizophrenia.

Police charged the defendant with felony murder and malice murder. He was transported to the hospital for treatment to injuries in his hands and was then booked into the Cherokee County Adult Detention Center where he later attempted to strangle an inmate in the medical unit.

On November 2, 2018, Michael Jacobs pled guilty but mentally ill to malice murder, aggravated assault-family violence, two counts of aggravated battery-family violence, and aggravated assault of an inmate. Judge David Cannon, Jr. sentenced the defendant to life in prison.

DRUG TIMELINE*

3,400 B.C. — Sumerians called **opium** the “joy plant.”

1300s — Greeks, Persians, and Egyptians used opium to treat pain and ease nausea.

1800s — Opium was the catalyst for China’s Opium Wars.

1803 — A German scientist develops **morphine**, the precursor to all opioids, including fentanyl, codeine, and oxycodone.

1832 — **Codeine** is prescribed for pain relief and as a cough suppressant.

1890 — In Germany, **Heroin** is used as a morphine substitute and marketed as a cough suppressant for children.

Early 1900s — **Heroin addiction** in the U.S. and Europe skyrockets.

1914 — US Congress passes the Harrison Narcotics Tax Act to control the use of opiates.

1950s — **Oxycodone** is introduced in the US for the terminally ill.

1990s — A **600%** increase in prescriptions of opioids leads to the worst drug epidemic in US history.

2002 — **11 opioid overdose** deaths reported in Cherokee County, according to the Georgia Department of Public Health.

2011 — The CDC identified the opioid drug epidemic as a “major public health problem.”

OPIOID CRISIS

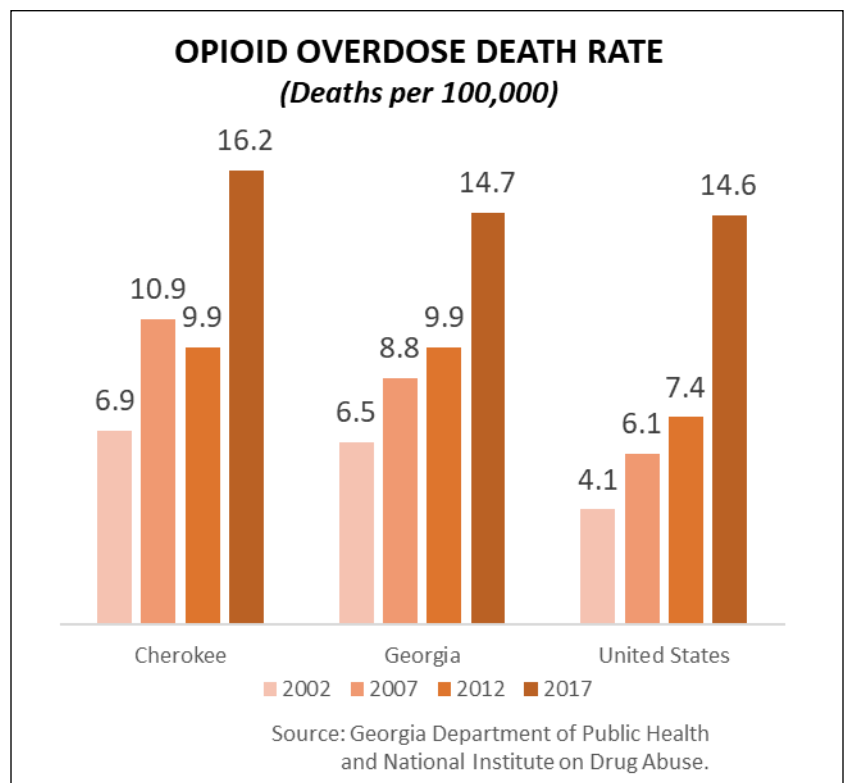
ADDICTION AND OVERDOSES IN CHEROKEE COUNTY

Between 2013 and 2017, more than 67,000 people died of synthetic-opioid-related overdoses — exceeding the number of U.S. military personnel killed during the Vietnam, Iraq, and Afghanistan wars combined.

— The Washington Post, March 13, 2019

Opioid overdoses now outpace auto accidents as an accidental cause of death in the US.

— Fortune Magazine, February 2019



“It’s no secret that Cherokee County is located in what has been identified as the opioid triangle,” said Woodstock City Manager Jeff Moon.

— Cherokee Tribune & Ledger-News, March 22, 2018

Opioid overdose deaths affect all income levels, ages, and ethnic groups. The crisis has hit communities across the country, and throughout Cherokee County.

DISTRICT ATTORNEY'S OFFICE RESPONDS

Cherokee County has initiated numerous tactics to respond to the opioid crisis. The District Attorney's Office supports and participates in these initiatives and others, including:

- ◆ **Anti-Overdose Medication Narcan**

County-wide, law enforcement officers and EMS personnel are trained to administer Narcan.

- ◆ **Drug Accountability Courts**

Jail time does not cure addiction; treatment does. Through drug accountability courts, offenders overcome addictions so they can move forward to pursue productive lives in society.

- ◆ **Cherokee Multi-Agency Narcotics Squad (CMANS)**

The District Attorney is an active participant in CMANS, a multi-agency drug task force dedicated to the safety, well-being, and quality of life of the citizens of Cherokee County.

- ◆ **CMANS Heroin/Opioid Team (HOT)**

This intelligence-based team focuses on heroin and other synthetic opioids while also investigating the diversion of legitimate prescription drugs to the street.

- ◆ **Heroin Working Group of U.S. Attorney's Office**

The District Attorney's Office participated in the Heroin Working Group, which was established in 2015 by the U.S. Attorney's Office of the Northern District of Georgia. The purpose of this group is to study and address the heroin/opioid problem in Georgia.

- ◆ **Prosecuting Drug Dealers**

By working closely with law enforcement, the District Attorney's Office aggressively prosecutes drug dealers, which limits the availability of illegal drugs on the streets.

*Sources include:

Centers for Disease Control and Prevention, Georgia Department of Public Health, and the National Institute on Drug Abuse.

"Heroin, Morphine, and Opiates." The History Channel, August 21, 2018.

Higham, Scott. "The Fentanyl Failure." The Washington Post. March 13, 2019.

Makris, Nicole. "Prescription Drugs Are Leading to Heroin Addictions." *Healthline*. February 26, 2016.

U.S. Department of Health and Human Services. *Facing Addiction in America: The Surgeon General's Spotlight on Opioids*. September 2018.

2012 — **22 opioid overdose** deaths in Cherokee County.

2013 — **Fentanyl**, a synthetic opioid more potent than heroin reaches the streets.

2014 — **Killer heroin** is laced with fentanyl, the DEA warns.

2014 — **5,695 die** nationally from fentanyl and other synthetic opioids.

2014-2015 — The **death rate** from synthetic opioids increases 72 percent. Heroin deaths increase by 21 percent.

2015 — The DEA issues a "Nationwide Alert on Fentanyl." Traffickers order fentanyl over the dark web using bitcoin and other cryptocurrency. A dose of Fentanyl (the size of a few grains of salt) can kill a person.

2016 — **19,720 die** nationally from fentanyl and other synthetic opioids. The majority of opioid overdose deaths were unintentional.

2016 — Traffickers buy pill presses to lace fentanyl into counterfeit pills like Vicodin, Xanax, and Oxycodone.

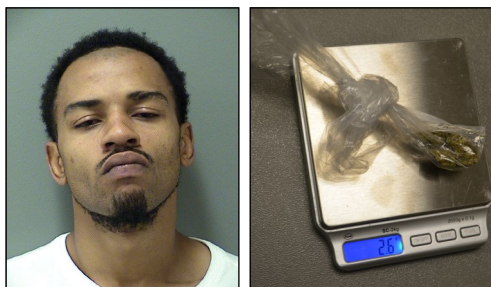
2017 — **11.1 million** American teens and adults misused prescription pain relievers, and 886,000 used heroin.

2017 — The **opioid crisis** is nationwide, according to the U.S. Department of Health and Human Services .

2017 — **40 opioid overdose** deaths in Cherokee County.

FELONY DRUG CONVICTIONS IN 2018

PUTTING DRUG DEALERS BEHIND BARS



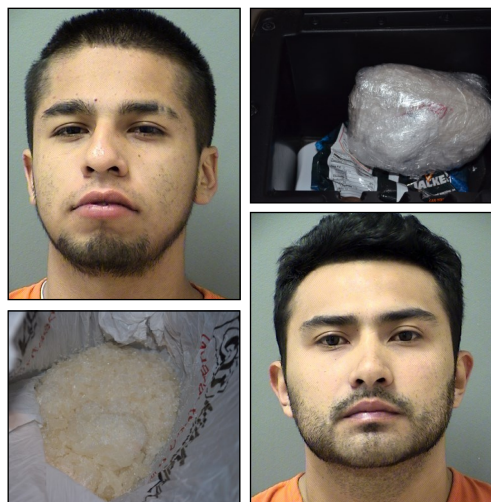
This man sold methamphetamine, cocaine, and opioids to young people in Canton.

Man Deals Drugs in “The Cut”

Investigators received a tip that someone was selling drugs to young people in “The Cut,” an area outside of Canton. In November 2016, law enforcement pulled over the suspected drug dealer for a traffic violation and found bags of illegal drugs and a revolver in his vehicle.

In May 2018, Essam Drinkard, 32, pled guilty to possession of heroin with intent to distribute, trafficking in methamphetamine, trafficking in cocaine, possession of a schedule IV controlled substance-alprazolam, possession of a controlled substance with intent to distribute-hydrocodone, possession of marijuana, possession of a controlled substance with intent to distribute-fentanyl, and possession of a firearm by a convicted felon.

He was sentenced to 30 years to serve the first 15 years in the state prison system. He also received a fine of \$400,000.



These defendants got caught with 400 grams of methamphetamine.

Investigation Leads to Arrest of Meth Dealers

The Cherokee Multi-Agency Narcotics Squad (CMANS) conducted an investigation that led to the arrest of two drug dealers in March 2016 in Canton. At the time of the arrest, the men possessed more than 400 grams of methamphetamine.

In February 2018, Julio Gomez-Mondragon, 21, pled guilty to trafficking methamphetamine. He was sentenced to 30 years to serve the first 15 years in the state prison system. He also received a fine of \$300,000.

Junior Lopez Perez (aka Yair Lopez Perez), 28, pled guilty to trafficking methamphetamine. He was sentenced to 18 years to serve in the state prison system and received a fine of \$300,000.

FELONY DRUG CONVICTIONS IN 2018

PUTTING DRUG DEALERS BEHIND BARS

Drug Dealer Hides 400 Grams of Meth

In April 2017, police arrested a Canton man who was wanted on warrants in Cherokee County and other places in the southeast. CMANS had been staking out his home after receiving a tip that he was trafficking methamphetamine.

After a traffic stop, a search of the man's pickup revealed 400 grams — nearly a pound — of methamphetamine hidden in a false bottom of a propane tank. The drugs had a street value of \$27,000.

In August 2018, Michael Lindsey Howell, 52, pled guilty to trafficking methamphetamine. He was sentenced to 25 years to serve in prison and received a fine of \$1,000,000.



This Canton resident tried to hide his stash of methamphetamine in a propane tank.

Defendants Caught Selling Meth in Store Parking Lot

In May 2017, CMANS agents arrested meth dealers conducting a drug sale at a Walmart in Woodstock. Two women took part in a sale of about 32.9 grams of meth, which law enforcement collected at the scene. One of the women had a second bag of meth in her purse, with approximately 28.3 grams of meth.

In February 2018, Hannah Leigh Law, 24, pled guilty to sale of methamphetamine and trafficking methamphetamine or amphetamine. She was sentenced to 20 years to serve the first 10 years in confinement in the state prison system. She also received a fine of \$200,000.

Katherine Rose Young, 29, also pled guilty to sale of methamphetamine and trafficking methamphetamine or amphetamine. She was sentenced to 10 years to serve in the state prison system and received a fine of \$200,000.



These women got caught selling meth from a Honda Civic parked at a Woodstock Walmart.

NATIONWIDE STATISTICS*

- ◇ In the United States, an average of 20 people experience intimate partner physical violence every minute of every day.
- ◇ One in four women are victims of intimate partner violence.
- ◇ About 70 percent of victims of intimate partner violence are strangled by their partner.
- ◇ The nationwide domestic violence hotline receives more than 20,000 calls every day.
- ◇ One in six women and one in 19 men report they have been stalked.
- ◇ In a nationwide survey, 9.4% of high school students said they were hit, slapped, or physically hurt by their boyfriend or girlfriend.
- ◇ Domestic violence victims miss nearly 8 million work days each year. The loss in pay is equivalent to 32,000 full-time jobs.

GEORGIA LAW

- ◇ In 2014, Governor Nathan Deal signed House Bill 911, which enables law enforcement to charge strangulation as a felony assault.

OCGA §16-5-21(a)(3)

DOMESTIC VIOLENCE UNIT INTIMATE PARTNER VIOLENCE



The Domestic Violence Unit handles family violence cases, with a focus on intimate partner violence. Partially funded by a \$70,000 federal grant, this unit now includes two prosecutors, two victim advocates, one investigator, and a legal assistant.

In 2018, the Domestic Violence Unit closed 99 domestic violence cases, all of which involved intimate partner violence.

Since family violence cases may lead to intimidation and future harm to the victim, within days of receiving a new case in the District Attorney's Office, an investigator obtains initial incident reports and criminal history, and a victim advocate contacts the victim to set up an interview.

The team reviews the entire abusive history of the defendant and takes into account the safety of the victim.

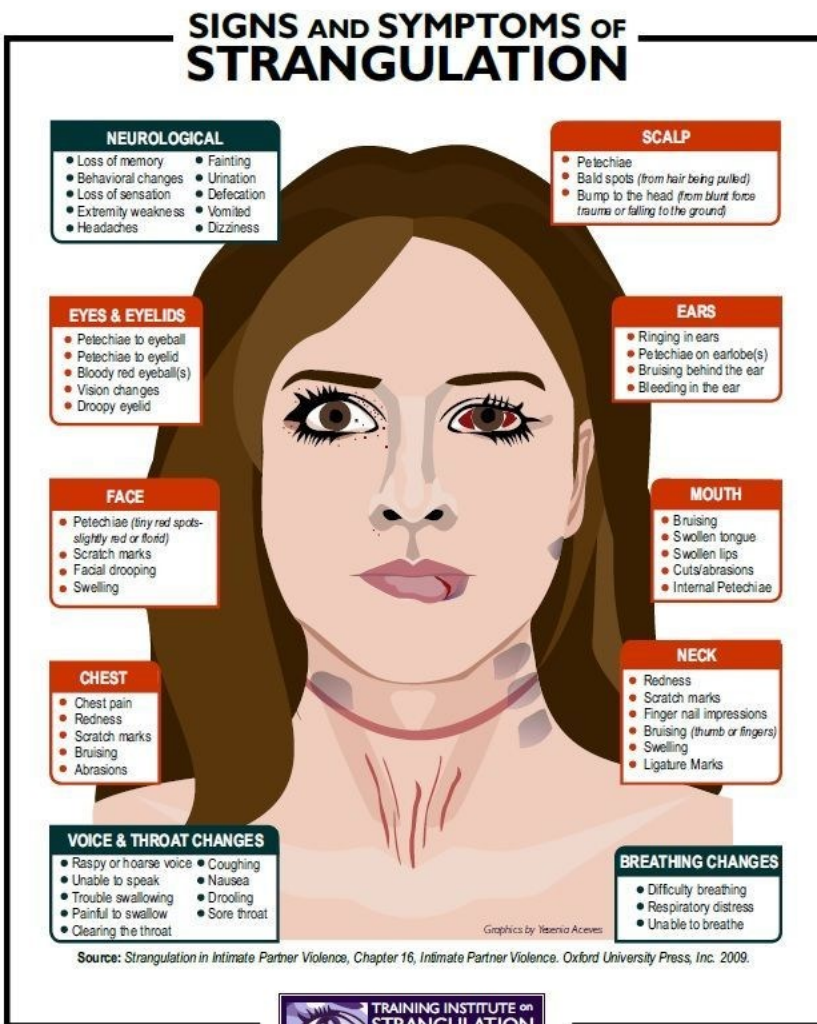
While violent crimes committed under the umbrella of domestic violence may sometimes look the same as non-family crimes, the cases offer complex challenges. These crimes involve people within the same family or household. The defendant is someone they love or care deeply about.

Emotional attachments make it easier for victims to forgive or overlook the danger they are in. Domestic violence victims are often reluctant to participate in the legal process. They may not want their loved one to be punished, or they may believe the incident is isolated and won't happen again. Sometimes victims recant their statements or minimize the defendant's actions.

STRANGULATION INJURIES IN DOMESTIC VIOLENCE

Sometimes domestic violence is obvious – black eye, bruising, broken limbs. However, the majority of domestic violence cases in Cherokee County involve strangulation. When victims suffer strangulation, many people do not recognize the signs and symptoms.

Law enforcement officers are trained to look for visible signs of strangulation and to ask specific questions when interviewing victims. In many cases, strangulation injuries are not visible. Visible strangulation injuries include neck bruising and “petechiae spots,” which appear on the face, scalp, mouth, earlobes, eyelids, and eyeballs. Strangulation can also damage the throat, causing difficulty breathing, swallowing, and talking.



FACTS ABOUT STRANGULATION

- ◇ Strangulation is one of the most lethal forms of domestic violence. Victims may fall unconscious within seconds, and die within minutes.
- ◇ Abusers use strangulation as a means to exert power and control.
- ◇ Strangulation can have a devastating psychological effect on surviving victims.
- ◇ Victims of one episode of strangulation are more likely to become a homicide victim at the hands to their abuser.
- ◇ The most vulnerable part of the body is the neck.
- ◇ It takes very little pressure to strangle someone — just 4 pounds of pressure leads to unconsciousness within 10 seconds and brain death within 4 minutes.

*Sources include:

Georgia Domestic Violence Fatality Review Project
National Domestic Violence Hotline
Training Institute on Strangulation Prevention

IMAGES OF DOMESTIC VIOLENCE



DOMESTIC VIOLENCE UNIT 2018 STRANGULATION CONVICTIONS

Anthony Swaney Aggravated Assault

In August 2017, Canton Police Department received an alarming video that showed a man grabbing a woman in a choke hold, body slamming and striking her multiple times, and choking her a second time as she lay on the bed. All of this was caught on a small video camera set up in the victim's home. Police officers interviewed the victim, then arrested her boyfriend.

After being released on bond, the defendant was caught back at the victim's residence and charged with aggravated stalking.

On October 2, 2018, the defendant pled guilty to aggravated assault. At the non-negotiated plea hearing, the state requested 15 years, 5 years to serve, with the remainder on probation. After watching the video evidence, Judge John Sumner sentenced the defendant to 10 years to be served on probation.

Blake Douglas Harvey Aggravated Assault

On June 4, 2017, a young woman walked into the Woodstock Police Department to report a crime. Her boyfriend Blake Harvey had brutally attacked her in a hotel room they were sharing.

The victim said she was on the phone talking to a friend when her boyfriend came out of the shower. The defendant lunged at her and started to strangle her. The woman lost consciousness and woke up in her own urine. He strangled her several more times, hit her, and held a knife to her throat. He threatened to slit her throat and stab her stomach. The victim finally convinced her boyfriend to let her leave. She called a friend who took her to the police department.

Blake Douglas Harvey pled guilty on April 23, 2018 to aggravated assault-family violence, false imprisonment, and battery-family violence. Judge Jackson Harris sentenced the defendant to 10 years, with the first 5 years to serve in confinement.

Eric Waffle Aggravated Assault

In January 2018, deputies from the Cherokee Sheriff’s Office responded to a domestic abuse call and found a woman crying and clutching her chest. In addition to two black eyes and a swollen upper lip, she had bruising on her right arm, left breast, and right armpit. She was having trouble breathing and her voice was shallow and raspy — clear signs of strangulation. EMS transported her to Northside Cherokee for evaluation.

The victim reported that she and her ex-boyfriend were arguing four days prior. She said that the defendant pushed her in the chest, causing her to fall backwards and hit a lamp and the wall. When the couple’s children started crying, she begged her boyfriend to stop. He then struck her in the face and told her she needed to shut her “big fat mouth.” He pushed her in the chest again, causing her to fall on the floor, where he choked her, then picked her up by the hair and dragged her.

Eric Waffle pled guilty to aggravated assault and battery on December 18, 2018. Judge Tony Baker sentenced the defendant to 10 years of probation. At the time of his plea, the victim was not interested in assisting prosecution.

Michael Keith Pulley Aggravated Assault

In April 2017, a woman was driving on Interstate 75 in Cherokee County with her boyfriend. They began to argue. The man cussed and yelled at the woman, who told him to stop talking to her that way. The man then grabbed her with two hands around her throat. She had difficulty breathing and driving the vehicle. When she pulled over to the side of the road, the man let go of her neck. She told him to get out, then drove away and called 911.

The police officer observed visible bruises to the woman’s neck, consistent with strangulation. Michael Keith Pulley was arrested at the scene. On October 17, 2018, he pled guilty to aggravated assault-family violence. Judge Jackson Harris sentenced the defendant to 15 years of probation.

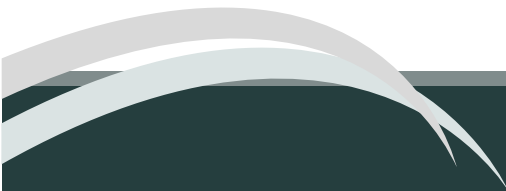
**DOMESTIC VIOLENCE
UNIT CASELOAD**

The Domestic Violence Division handles all intimate partner violence cases. In 2018, this unit received:

- 143 total intimate partner cases
- 19 intimate partner cases that involved strangulation victims
- 15 intimate partner cases with child witnesses

**VIOLENCE COMMITTED
BY INTIMATE PARTNER**

YEAR	CASES RECEIVED	CASES CLOSED
2018	143	99
2017	123	42
2016	160	102



MULTIDISCIPLINARY TEAM

In order to address widespread elder abuse, the District Attorney's Office established a multidisciplinary team with the Georgia Division of Aging, Cherokee Senior Services, and all law enforcement agencies in Cherokee County.

The Cherokee County Adult Abuse, Neglect, and Exploitation Multidisciplinary Team reviews incoming reports of suspected abuse or neglect received by the Division of Aging's mandated reporter hotline. Team members view reports and coordinate responses, sharing vital information with each other.

TASK FORCE MISSION

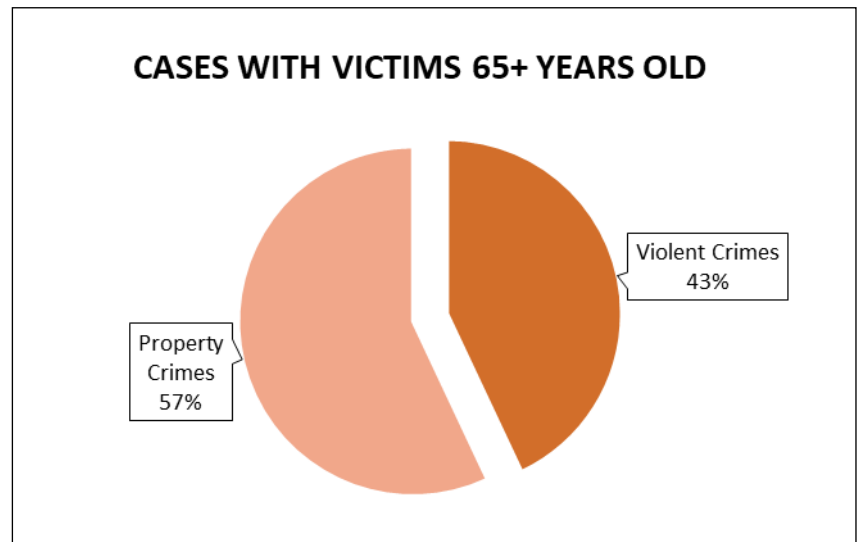
To seek justice, act with integrity, and collaborate with partner agencies in the criminal justice system in order to serve and protect potential and actual victims of financial fraud, and protect vulnerable citizens through the apprehension and prosecution of individuals who injure or exploit our citizens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

RECOMMENDATIONS

The task force recommends training elders about possible scams, training mandated reporters about reporting possible elder abuse, and training law enforcement agencies.

ELDER ABUSE PROTECTING THE VULNERABLE

The White Collar/Elder Abuse Division handles elder and vulnerable adult abuse, neglect, and exploitation, as well as white-collar financial crimes. The division includes one prosecutor, one investigator, one financial analyst, one victim's advocate, and an administrative assistant.



THE ABUSE OF ELDERS IN CHEROKEE COUNTY

Elder abuse is typically physical, emotional, or financial. Most often, the abuse comes from family members. Many seniors are victims of financial exploitation in which someone they trust fraudulently accesses their assets. Other common cases involve a caregiver who fails to provide basic necessities for an elder.

In 2018, the Cherokee County Adult Abuse, Neglect, and Exploitation Multidisciplinary Team reviewed 187 cases. After investigating the cases, the team determined whether claims were substantiated. More than half were substantiated, and 54 were recommended for criminal prosecution.

Criminal prosecution cases included domestic violence, financial exploitation, physical abuse, romance scams, and internet fraud. In many cases, elders did not want to see their caregiver relatives prosecuted.

ELDER ABUSE CASES CLOSED IN 2018

Jean Wilner Edouard Cruelty to Elderly

In July 2012, Jean Edouard used yellow nylon rope to bind an elderly man with dementia to his wheelchair. The man’s waist and legs were secured to the wheelchair. The victim was a resident at a private nursing home, operated by the defendant’s wife. The elderly resident had been locked in the basement for six weeks. When police arrived, the man’s room was filthy and smelled like urine. The defendant indicated that he had tied the elderly man to the wheelchair because he was hard to handle due to his dementia.

On August 17, 2018, Jean Edouard pled guilty to cruelty to a person 65 years of age or older. He received a sentence of 15 years with the first 3 years to be served in prison and the remainder on probation.

Loretta Dorena Harmon Identity Fraud

Loretta Harmon opened numerous credit cards in an elderly relative’s name. She also signed and cashed checks made payable to the victim and her deceased husband, without authorization. She was arrested in October 2017.

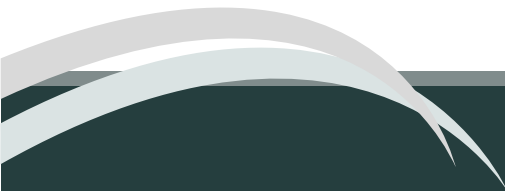
The defendant pled guilty on May 30, 2018, to three counts of identify fraud and one count of exploitation and intimidation of an elderly person. She was sentenced to 10 years to be served on probation. She is prohibited from having any contact with family members named in the plea agreement.

COMMON FINANCIAL CRIMES

- Health Care/Medicare/Health Insurance Fraud
- Counterfeit Prescription Drugs
- Funeral and Cemetery Scams
- Telemarketing
- Internet Fraud
- Investment Schemes
- Sweepstakes and Lottery Scams
- The Grandparent Scam
- Door-to-Door Sales Fraud

2018 ELDER ABUSE CASES

Abuse by Caregiver or Relative	16
Abuse by Other Person	3
Theft of Property by Caregiver or Relative	24
Theft of Property by Other Person	8
Scam/ID Theft	23
Neglect by Caregiver or Relative	14
Self-Neglect	6
TOTAL	94



FINANCIAL CRIMES

When people think of financial crime, the term “white-collar crime” often comes to mind. This term originated in 1936 in reference to the white-collared shirts that businessmen often wore.*

Today, white-collar crime refers to a range of nonviolent criminal behavior involving deceit, concealment, and violation of trust.

The motivation behind these crimes is financial. White-collar criminals seek to obtain money, property, or services for their benefit.

WHITE-COLLAR CRIMES

- Theft by Deception
- Credit Card Fraud
- Insurance Fraud
- Ponzi Schemes
- Theft of Intellectual Property
- Welfare Fraud
- Counterfeiting
- Telemarking Fraud
- Bankruptcy Fraud

RICO

A federal law passed in 1970, the Racketeer Influenced and Corrupt Organizations Act (RICO) was enacted to combat organized crime.

The law covers a variety of racketeering activity including money laundering, counterfeiting, embezzlement, mail and wire fraud, drug trafficking, bribery, and numerous illegal business practices.

WHITE-COLLAR CRIMES

PROSECUTING FINANCIAL/NON-VIOLENT CRIMES

The White Collar/Elder Abuse Division also handles the prosecution of white-collar financial crimes such as identify theft, employee theft, and complex financial fraud cases that involve racketeering.



WHITE COLLAR CASES CLOSED IN 2018

Teresa F. Huber RICO



In January 2017, a representative from a Woodstock firm told police that a trusted employee had stolen money for years and covered it up by manipulating the company’s bank statements.

The employee was fired as soon as the thefts were discovered. Through her racketeering activity, she amassed more than \$225,000, which she used to pay for personal credit cards.

Teresa Faye Huber pled guilty on August 13, 2018 to one count of racketeering and 20 counts of theft by taking as a fiduciary. Judge Jackson Harris sentenced her to 20 years with the first 4 years to be served in confinement.

Gregory T. Nichols.....RICO



In October 2017, a Holly Springs resident became the focus of an investment scheme investigation. Portraying himself as a stock trader, Gregory T. Nichols convinced victims to invest in his company, promising a high-rate of returns.

The defendant took \$600,000 from one victim, \$400,000 from another, and \$65,000 from a third. He created fake reports for his clients to entice them to invest more funds. These reports included false TD Ameritrade and TradeStation Securities account statements.

Gregory T. Nichols pled guilty on November 8, 2018, to one count of racketeering and three counts of theft by deception. Judge David Cannon, Jr. sentenced him to 40 years with the first 4 years to be served in confinement.

Kim Elizabeth Sasser Theft



From 2016 until 2017, an employee at a small family-owned business in Holly Springs fraudulently ordered supplies from an office supply store, then had the purchases delivered to personal addresses.

The orders included iPads, which she later sold on craigslist or gave to family members. In total, Kim Sasser stole more than \$13,000 from her employer who was shocked to discover a trusted staff member had violated the company in this way.

On October 3, 2018, Kim Sasser pled guilty to 15 counts of theft by taking. Judge David Cannon, Jr. sentenced her to 15 years to be served on probation.

FACTS ABOUT FRAUD*

The Federal Trade Commission stated that 25% of the 1.4 million fraud cases reported in 2018 involved loss of money — a total of \$1.48 billion, which is a 38% increase over 2017.

Most common frauds in 2018 were imposter scams, debt collection, and identity theft.

More young people reported losing money to fraud than older people. However, when senior citizens lost money, the amount tended to be higher, an average loss of \$751 versus \$400 for people in their 20s.

A preferred method of payment for scammers was wire transfers (total of \$423 million in 2018). The second preferred payment was gift cards, which saw a 95% increase paid to scammers last year.

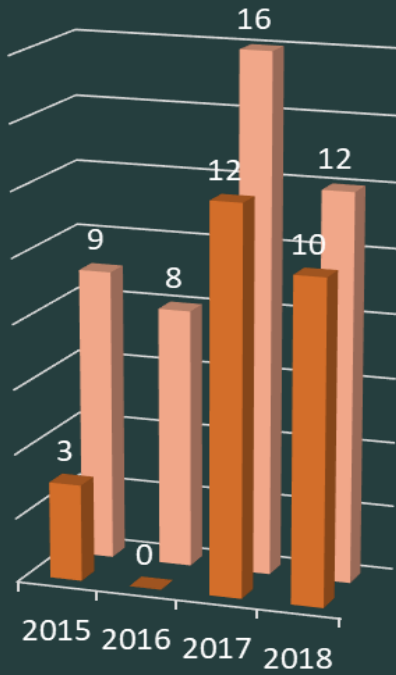
Credit card fraud on new accounts increased 24%. In fact, misusing someone’s information to open a new credit card account was reported more often than other forms of identity theft in 2018.

Georgia was among the top three states for fraud and identity theft.

*Sources include:

Federal Bureau of Investigation
Federal Trade Commission

**SERIOUS INJURY
CRASHES
WARRANTS RECEIVED**



- Vehicular Homicide
- Serious Injury

CRASH INVESTIGATION UNIT
MULTI-AGENCY RESPONSE TEAM

Established in Cherokee County in 2017, the Cherokee Multi-Agency Crash Investigation Unit includes experts from the District Attorney’s Office, the Cherokee Sheriff’s Office, and all local police departments. Working together, the unit provides scientific analysis and reconstruction of complex traffic crashes with serious injuries and/or fatalities.

When serious accidents occur, the Cherokee Sheriff’s Office sends trained officers with a drone and FARO 3D laser scanner to capture and analyze the scene. This technology helps officers capture evidence and reconstruct the accident so they can determine the cause of the crash and make the charging decision.

A prosecutor and an investigator from the District Attorney’s Office serve on this team. In 2018, both team members attended the Cherokee Sheriff’s Office training sessions, where they advanced their knowledge in areas such as diagramming accidents and how to calculate speed based on skid marks. In addition, the prosecutor completed advanced training in Crash Reconstruction and Vehicular Homicide Training offered by the Prosecuting Attorney’s Council of Georgia.

When serious accident cases are assigned to the District Attorney’s Office for prosecution, staff members conduct additional investigation in order to prove the case beyond a reasonable doubt. Part of this investigation includes revisiting the accident scene to take photos to show the jury what the area looked like at the time of the accident.

The work that the Crash Investigation Unit does in Cherokee County is critical to ensuring that justice is served. Through continuous training, effective technology, and collaboration among agencies, the Crash Investigation Unit has seen a 150% increase in arrests involving serious injury by motor vehicle and/or vehicular homicide in the last two years.

TRAFFIC CRASHES: SERIOUS INJURY CASES IN 2018

James Edward Powell..... Hit and Run



In November 2016, a red pickup truck hit a pedestrian on a rural road, causing serious head and face injuries to the victim. The driver did not slow or stop.

When police tracked down James Powell, they noticed he had cleaned the right side of his truck. He initially told police he had removed tree sap

from the truck. Later, he said he hit a deer. Police responding to the incident found broken pieces of mirror glass where the victim lay after the accident. GBI investigators determined the glass pieces fit the rearview mirror of the truck. DNA evidence also identified the victim's hair in the broken mirror.

On April 23, 2018, James Powell pled guilty to hit and run, tampering with evidence, and failure to report an accident. Judge Jackson Harris sentenced him to 8 years with the first 2 years to be served in confinement.

Erin Elizabeth CockeHit and Run, Reckless Driving



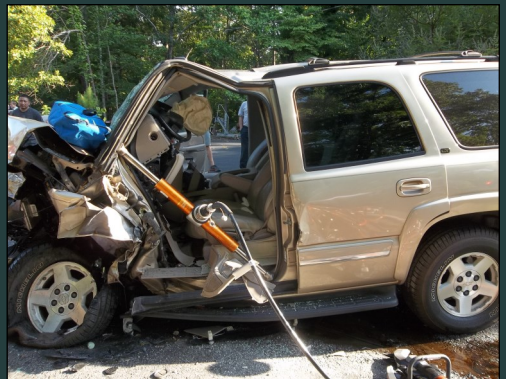
In May 2017, Erin Cocke was involved in two separate collisions. The first accident was a hit and run on Highway 5. Immediately after that collision, she ran head-on into a vehicle on Butterworth Road, causing serious injuries to two passengers in that vehicle. The Cherokee Sheriff's Office marked the scene and took photos, noting

the lack of skid marks indicated the defendant did not attempt to stop her vehicle to avoid a collision. No weather conditions would have caused her to lose control of her vehicle. She was cited for failure to maintain lane, reckless driving, serious injury by motor vehicle, speeding, and driving too fast for conditions.

On April 6, 2018, the defendant pled guilty to hit and run, two counts of serious injury by vehicle, and reckless driving. Judge Judy McElyea sentenced her to 10 years with the first year to be served in confinement.



James Powell initially denied involvement in the hit and run accident, but evidence gathered at the scene proved his guilt.



Erin Cocke was driving recklessly one evening. She didn't stop after hitting one car, then hit another car head-on, causing serious injuries to the driver and passenger.

GOAL OF CHEROKEE JUVENILE COURT

The purpose of Juvenile Court is to rehabilitate juveniles so they don't continue committing crimes as adults.

Prevalent juvenile cases include:

- Theft
- Vandalism
- Simple Assault
- Underage Drinking
- Drug Abuse
- Disorderly Conduct
- Curfew Violations
- Truancy
- Running Away

HELPING FAMILIES

Children are more likely to commit deviate acts when they are experiencing issues like domestic violence, negligent parents, poverty, and other problems in their homes. The Multisystemic Therapy (MST) program provides counseling that helps the whole family.

From 2017 to 2018, Cherokee County reduced out-of-home placements of juveniles by 86% through the MST program and funding from the Juvenile Justice Incentive Program. This grant fund distributed more than \$38.6 million in state and federal grants to assist Georgia juveniles.

Governor Nathan Deal appointed District Attorney Shannon Wallace to serve on the Juvenile Justice Incentive Grant Committee, which manages this fund.

CHEROKEE COUNTY JUVENILE COURT

BACKGROUND OF PROGRAM

The Juvenile Division handles all Juvenile Court complaints. The division includes one prosecutor, one investigator, a victim's advocate, and an administrative assistant. The District Attorney's Office reviews all Juvenile Court complaints to determine if they are prosecutable. In 2018, this division received 680 cases, of which 342 were charged.

WHAT IS JUVENILE COURT?

Juvenile Court is a separate justice system designed specifically for minors up to the age of 16. Cases are divided into criminal and civil court. Criminal court includes delinquency, traffic violations, and Children in Need of Services Cases (CHINS).

Delinquency refers to when juveniles engage in behavior that would be prosecuted as a crime if committed by an adult. If the behavior is something considered wrong for a child but not an adult, such as skipping school or running away, it's considered a CHINS case.

Civil Court includes dependency/Department of Family Services cases, as well as addiction and behavioral issues.

JUVENILE COURT PROGRAMS

The purpose of Juvenile Court is to rehabilitate children. Several programs have been established to help young people make the changes needed so they do not continue to commit crimes.

1. **Multisystemic Therapy (MST)** — Family dynamics can lead a child to run away, take drugs, or act out in other ways. This family therapy program helps kids as well as the entire family. Minors are screened for participation in this program, which includes a weekly visit with a therapist in the home.
2. **Teach One to Lead One (T1L1)** — This character-building program for children teaches them integrity, honor, and leadership. Participants are asked to perform volunteer work, such as working in a soup kitchen.

PRE-TRIAL DIVERSION

OPTION FOR NON-VIOLENT OFFENDERS

The Pre-Trial Diversion Program offers low-level, low-risk, non-violent offenders an alternative to the traditional criminal justice system. Participants are eligible for the program as long as their offense does not require a mandatory minimum sentence of incarceration or imprisonment that cannot be suspended, probated, or deferred.

GOAL OF PRE-TRIAL DIVERSION

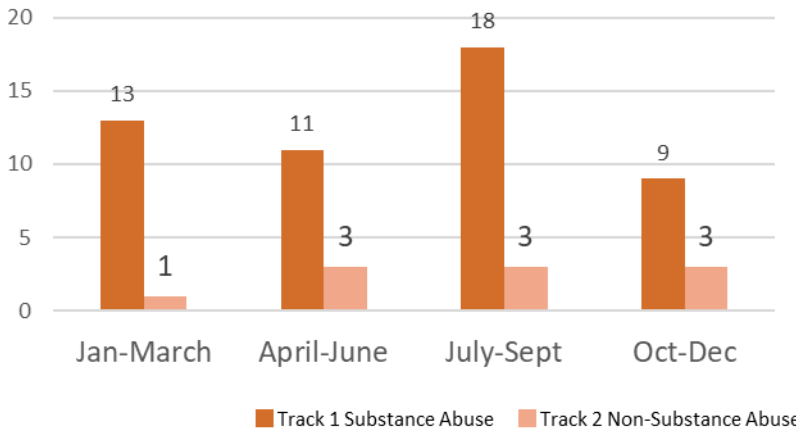
The goal is to break the cycle. Through the Pre-Trial Diversion program, many first-time offenders can be successfully rehabilitated, which protects the community in the long term.

PROGRAM SUCCESS

In the first two years of this program, 73 offenders participated, with 42 successfully completing the program.

Through the Pre-Trial Diversion program, \$8,701 has been recovered in restitution payments to victims. The program has also generated administrative fees in the amount of \$32,965, which has been added to the general funds of Cherokee County.

TOTAL PARTICIPANTS OF PRE-TRIAL DIVERSION PROGRAM IN 2018



IMPACT OF THIS DIVISION

The program benefits the victim, court, and community, while deterring future criminal conduct.

Victims receive restitution from offenders upfront. Courts can focus on more serious crimes when less serious ones are removed from the criminal justice system. Communities are better protected when offenders are closely supervised and monitored until final disposition of their case. The program offers two tracks:

Track 1 Substance Abuse Offenders, for participants who committed a crime involving substance abuse or have a substance abuse problem

Track 2 Non-Substance Abuse Offenders

ADDRESSING THE ROOT OF THE PROBLEM

Accountability Court programs provide defendants with intensive court supervision in collaboration with the prosecutor, defense attorney, law enforcement, probation, and treatment professionals. When crimes are largely the result of a substance abuse disorder and/or mental health issues and when the defendant is appropriately screened for accountability court, it is in the interest of the community to attempt to rehabilitate the individual by addressing core issues in an effort to reduce recidivism and prioritize incarceration for the individuals who are a real danger to society.

These programs are designed for defendants who are suffering from substance abuse addiction and/or mental health issues (high needs) and have characteristics that predict poor outcomes in standard rehabilitation programs. The high risk/needs population commits a majority of all crimes. The National Drug Court Institute (NDCI) and the National Association of Drug Court Professions have conducted numerous studies showing that focused treatment on high risk/need individuals reduces crime twice as much as those serving less serious offenders and returns approximately 50% greater cost benefits to communities.

ACCOUNTABILITY COURTS SUPERVISION AND REHABILITATION PROGRAMS



DRUG ACCOUNTABILITY COURT (DAC)

In 2013, Superior Court Judge Ellen McElyea began the Blue Ridge Judicial Circuit Drug Accountability Court (DAC). The five-phase DAC program requires a minimum of 18 months to graduate. Beginning in 2016, DAC added a required six month period after completion of DAC where the defendant must continue drug testing and follow any recommended treatment through social support groups such as Narcotics Anonymous and Alcoholics Anonymous.

In 2018, 24 participants graduated from drug court. These participants represent a total of 110 prior separate crimes committed in Cherokee County over the course of their lifetime (including juvenile offenses). The majority of their crimes were drug and theft offenses. At this time, only one participant has committed a new offense. Through targeting this population of offenders, DAC helps to reduce crime in Cherokee County by rehabilitating individuals who may be more likely than other offenders to commit theft and drug offenses.

TREATMENT ACCOUNTABILITY COURT

In 2016 Probate Court Judge Keith Wood began the Cherokee County Treatment Accountability Court (TAC). This program requires a minimum of 18 months to graduate. TAC is designed to help defendants suffering from mental health issues that likely contribute to criminal behavior. TAC serves both felony and misdemeanor offenders from Superior and State Court.

TAC's first graduates completed the program in 2017. In 2018, nine defendants graduated from TAC. Two of the participants were former drug court participants. In those cases, the District Attorney's Office was able to coordinate with the treatment providers in both programs to address the needs of those participants. One of those participants was able to successfully work with DFACS and gain stable housing and employment while in the program. Each of those factors has been shown to reduce recidivism.

VETERAN'S TREATMENT COURT

In 2017, State Court Judge Dee Morris began the Cherokee County Veteran's Treatment Court (VTC). The five-phase VTC program requires a minimum of 18 months to graduate. VTC provides treatment for defendants who are veterans suffering from substance abuse and/or mental health issues usually resulting from their service. Most participants suffer from PTSD due to combat or other trauma in the military. Due to the unique nature of issues facing veterans, veterans suffering from mental health and/or substance abuse issues perform better in treatment programs with other veterans. VTC matches defendants with mentors who are themselves veterans. The veteran mentors are community members who volunteer their time to guide defendants through the program. In some instances, a defendant successfully completing VTC will have his charges dismissed.

At this time, 16 defendants have been accepted into the program. VTC expects to have at least two participants graduate from the program during the summer of 2019. Only one participant has been terminated from the program.

OUR ROLE

The role of the District Attorney's Office within Accountability Court is to ensure public safety, advocate for victims' interests, and protect due process by conducting legal screens of defendants to determine eligibility to the programs, filing all required legal documents, and participating in and enforcing a consistent and formal system of sanctions/terminations in response to violations of program rules.

National Drug Court Institute studies show that when a prosecutor attends accountability courts, cost savings are 171% relative to programs without a prosecutor. There is also a 35% reduction in recidivism when the prosecutor regularly attends court sessions compared to programs without the prosecutor.*

BREAKING THE CYCLE

One recent drug court graduate had five prior offenses, starting as a juvenile. His family had a history of drug use and crime, and this young man looked like he was headed down the same path.

Through this program, the defendant started working full-time and entered college. He now has a bright future ahead of him.

*Sources include:

National Drug Court Institute
National Association of Drug Court Professions

CRIME VICTIM'S BILL OF RIGHTS

The General Assembly hereby finds and declares it to be the policy of this state that victims of crimes should be accorded certain basic rights just as the accused are accorded certain basic rights. These rights include: (1) The right to reasonable, accurate, and timely notice of any scheduled court proceedings or any changes to such proceedings; (2) The right to reasonable, accurate, and timely notice of the arrest, release, or escape of the accused; (3) The right not to be excluded from any scheduled court proceedings, except as provided in this chapter or as otherwise required by law; (4) The right to be heard at any scheduled court proceedings involving the release, plea, or sentencing of the accused; (5) The right to file a written objection in any parole proceedings involving the accused; (6) The right to confer with the prosecuting attorney in any criminal prosecution related to the victim; (7) The right to restitution as provided by law; (8) The right to proceedings free from unreasonable delay; and (9) The right to be treated fairly and with dignity by all criminal justice agencies involved in the case.

OCGA §17-17-1

VICTIM ADVOCATES HELPING THOSE AFFECTED BY CRIME



The Victim Witness Assistance Program offers crime victims and witnesses support and guidance as they navigate through the criminal justice process. Through this program, dedicated victim advocates ensure that victims are informed, present and heard, effectively upholding the Crime Victim's Bill of Rights.

In 2018, nine staff advocates assisted 2,767 victims of crime in new and existing cases, showing a 7% increase in victims assisted over the prior year. The District Attorney's Office receives \$250,774 in federal grants to fund victim advocate salaries.

HELPING CRIME VICTIMS

Advocates help victims of violent crime and property crime, including assault, child molestation, domestic violence, homicide, burglary, entering auto, and identity fraud. By taking care of the victim's well-being, advocates provide the catalyst necessary to help crime victims exercise their rights and recover from trauma.

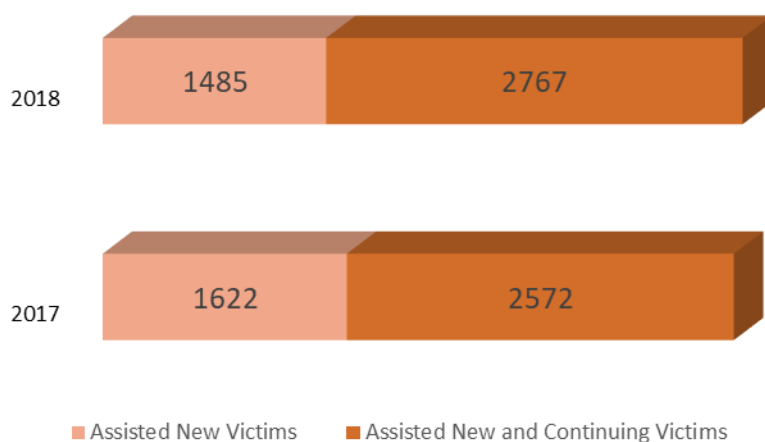
Within 72 hours of a felony arrest, victim advocates reach out to those affected by the crime and stay with the case throughout the process. Advocates provide notification of court dates, obtain restitution information, assist in applying for crime victims' compensation, attend meetings with the prosecutor, and accompany victims to court. After conviction, victim advocates keep victims informed of important events, such as release from custody, restitution payments, and violation of probation.

SERVICES FOR CRIME VICTIMS AND WITNESSES

The Victim Witness Assistance Program provides the following services to victims and witnesses to crime:

- Information about the status of the victim's court case
- Notification of court proceedings
- Explanation of the criminal justice system
- Orientation to the courtroom setting
- Accompaniment to and from the courtroom
- Moral support in the courtroom
- Advocacy with any problems the victim may have as a result of the crime or court appearances
- Referral to social service agencies, counselors, and others who can assist the victim
- Employer intervention to explain time missed from work due to required court appearances
- Assistance in completing the victim impact statement
- If applicable, parole notification so victims know when an inmate is expected to be released from prison

ASSISTING VICTIMS AND WITNESSES



ROLE OF VICTIM ADVOCATES

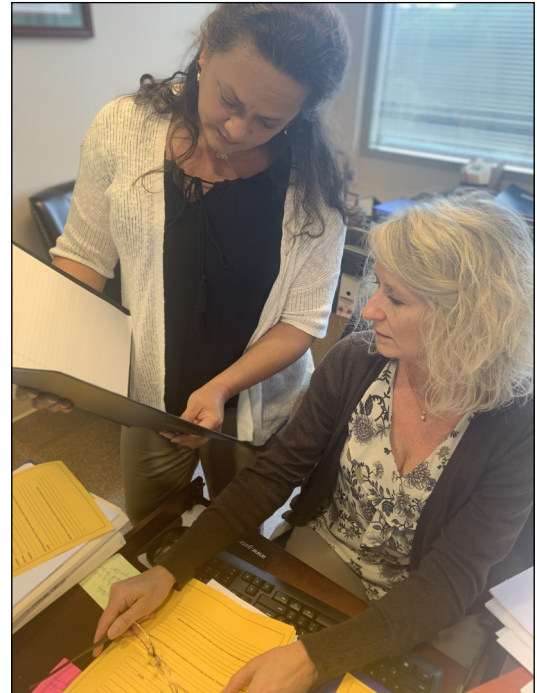


Victim advocates support crime victims and witnesses by providing information, emotional support, and assistance in finding resources and filling out paperwork. They also go to court with victims and attend court on behalf of victims.

In 2018, victim advocates assisted victims in requesting \$516,000 in restitution for their financial loss as a result of crime. Prosecutors request that defendants be ordered to pay restitution to victims as part of their sentence.

DISTRICT ATTORNEY'S OFFICE — HELPING CITIZENS THROUGHOUT CHEROKEE COUNTY





MISSION STATEMENT

*Office of the District Attorney
Blue Ridge Judicial Circuit*

*To seek justice, to act with integrity, and to work
with our partner agencies to protect the citizens of
Cherokee County and the State of Georgia.*



Committed to Justice and Integrity

OFFICE OF THE DISTRICT ATTORNEY
Blue Ridge Judicial Circuit
Cherokee County
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Canton, GA 30114