



OFFICE OF THE DISTRICT ATTORNEY

Blue Ridge Judicial Circuit ■ Cherokee County, Georgia

2020 Annual Report

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THE YEAR IN REVIEW

A MESSAGE FROM DISTRICT ATTORNEY SHANNON WALLACE

Blue Ridge Judicial Circuit, Cherokee County, Georgia



When 2020 began, none of us could have predicted the effect COVID-19 would have on all aspects of our lives.

One thing that never changed was the need for law enforcement and the criminal justice system, neither of which ever shut down. In fact, Cherokee County saw increases in certain crimes and we had to quickly adjust the ways in which we conducted the business of the judicial system, all while adhering to numerous state and local judicial orders, as well as health guidelines issued by state and federal agencies.

Hearings that had always been in-person were converted to remote proceedings, with judges, prosecutors, defendants, defense attorneys, law enforcement officers, witnesses, and others all participating virtually.

Beginning in October, we were able to hold grand jury proceedings and some in-person hearings, with safety protocols strictly enforced. Unfortunately, we were unable to hold jury trials for most of 2020. In fact, the only jury trials held this year occurred prior to the beginning of the pandemic. The good news is that the Cherokee County Superior Court created a plan to safely restart jury trials in 2021.

Even with the challenges of the pandemic, in 2020, our team of **54** prosecutors, investigators, victim advocates, and administrators continued to move cases through the judicial system. We opened **1,459** new cases, received **858** probation revocations, presented **400** cases to the Grand Jury for indictment, processed **565** accusations, closed **912** felony cases by plea, and presented **5** cases to Cherokee County juries.

We also assisted **2,479** crime victims, closed **592** juvenile cases, staffed **235** cases of potential elder abuse, and worked with law enforcement **24/7** in fighting crime throughout Cherokee County. In addition, a total of **\$20,250** was collected through pre-trial diversion administrative fees, which go into the Cherokee County general fund.

During 2020, members of the District Attorney's Office provided virtual and in-person training on firearms/use of force, courtroom testimony, gang crimes, and domestic violence. Training benefitted hundreds of law enforcement officers, lawyers, victim advocates, and members of the community. Deputy Chief Assistant District Attorney David Holmes and Deputy Chief Assistant District Attorney Ashley Snow offered training to a statewide audience through the Prosecuting Attorneys' Council of Georgia.

Even with the many restrictions imposed during this pandemic, our staff remained committed to justice and integrity, collaboration with partner agencies, and the achievement of a safer Cherokee County.

We hope that you enjoy reading about our accomplishments during this most challenging year. As we move out of this pandemic, we look forward to returning to a semblance of normalcy, where we are able to meet in-person, gather together for training and events, conduct in-person hearings and jury trials, and continue to move cases through the criminal justice system. Thank you for your interest in the District Attorney's Office.

Shannon Wallace
Cherokee County District Attorney

STATISTICS & TRENDS

BACKGROUND

The Blue Ridge Judicial Circuit is one of the 49 judicial circuits in Georgia. The Circuit encompasses Cherokee County, which is the 7th largest county in the state.

Three Superior Court judges handle all felony cases for the estimated 269,500 citizens in the Circuit. In 2020, the District Attorney's Office received 2,916 cases for prosecution, including probation revocations and juvenile cases.

2020 CASELOAD BY TYPE

Due to statewide and local judicial emergency orders issued in response to the pandemic, courts were closed to in-person proceedings beginning on Monday, March 16.

Prior to that date, the District Attorney's Office closed 290 cases through in-person proceedings and 5 jury trials. Once remote court proceedings were instituted, the District Attorney's Office closed 627 cases through plea hearings with all parties participating using a web conferencing platform.

While the emergency orders resulted in a slowdown in the judicial process, technology enabled many cases to continue to move forward. The pie charts on the left provide a breakdown of criminal, juvenile, and revocation cases received and closed.

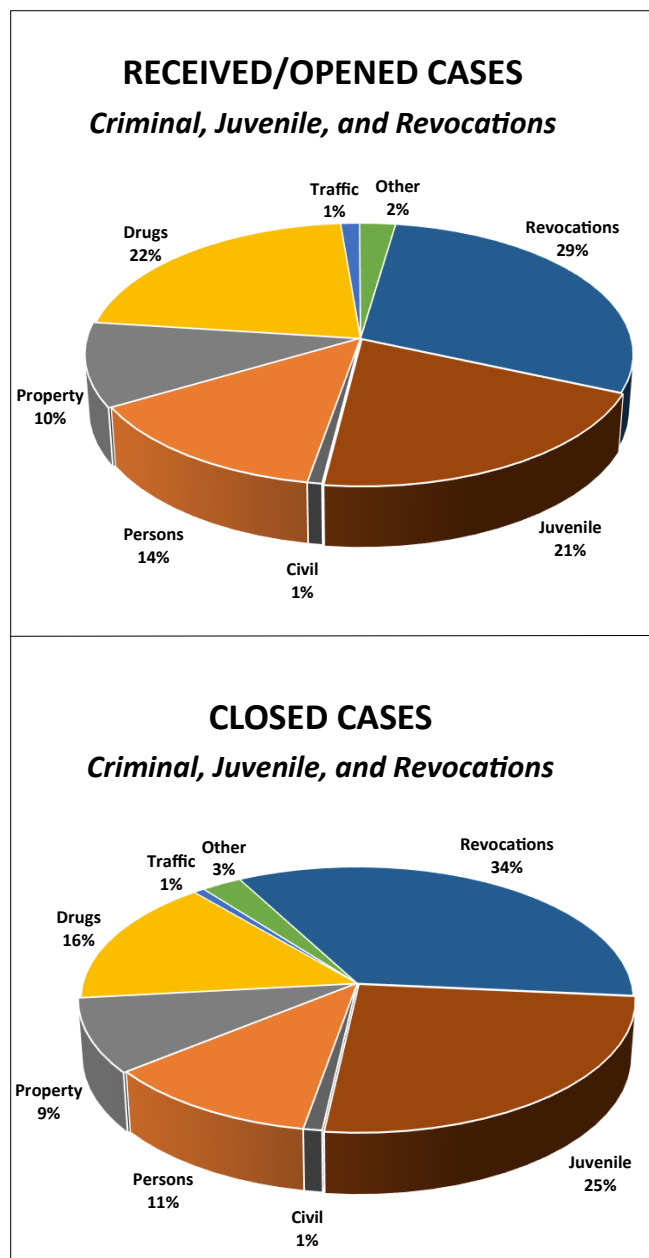
As in prior years, probation revocations represented the highest percentage of cases opened (29%). Upon petition by the Probation Department, a probation revocation hearing is conducted to determine whether probation should be revoked and, if so, what portion of the remaining sentence will be served in confinement as a result of the violation.

Drug crimes made up the second highest percentage of cases opened (22%). Felony drug cases include the purchase, possession, manufacture, distribution, sale, or trafficking of controlled substances. With regard to drug crimes, the majority of all felonies involve drugs on some level. For example, defendants committing crimes such as child abuse, family violence, vehicular homicide, and armed robberies are often under the influence of illegal drugs.

Juvenile cases made up the third highest percentage of cases opened (21%). The District Attorney's Office reviews juvenile delinquency and traffic cases to determine if they are prosecutable.

Traffic crimes include vehicular homicides, felony traffic with injury, and felony traffic without injury.

Property crimes encompass charges of burglary, theft, and fraud. Crimes against persons include domestic violence and non-domestic violence assaults, sexual assaults, and crimes against children.



STATISTICS & TRENDS

INTERAGENCY COLLABORATION

Effective prosecution starts with collaboration among agencies. The District Attorney's Office is committed to working with all law enforcement agencies, with the goal to build better cases, successfully prosecute those cases, and keep Cherokee County safe.

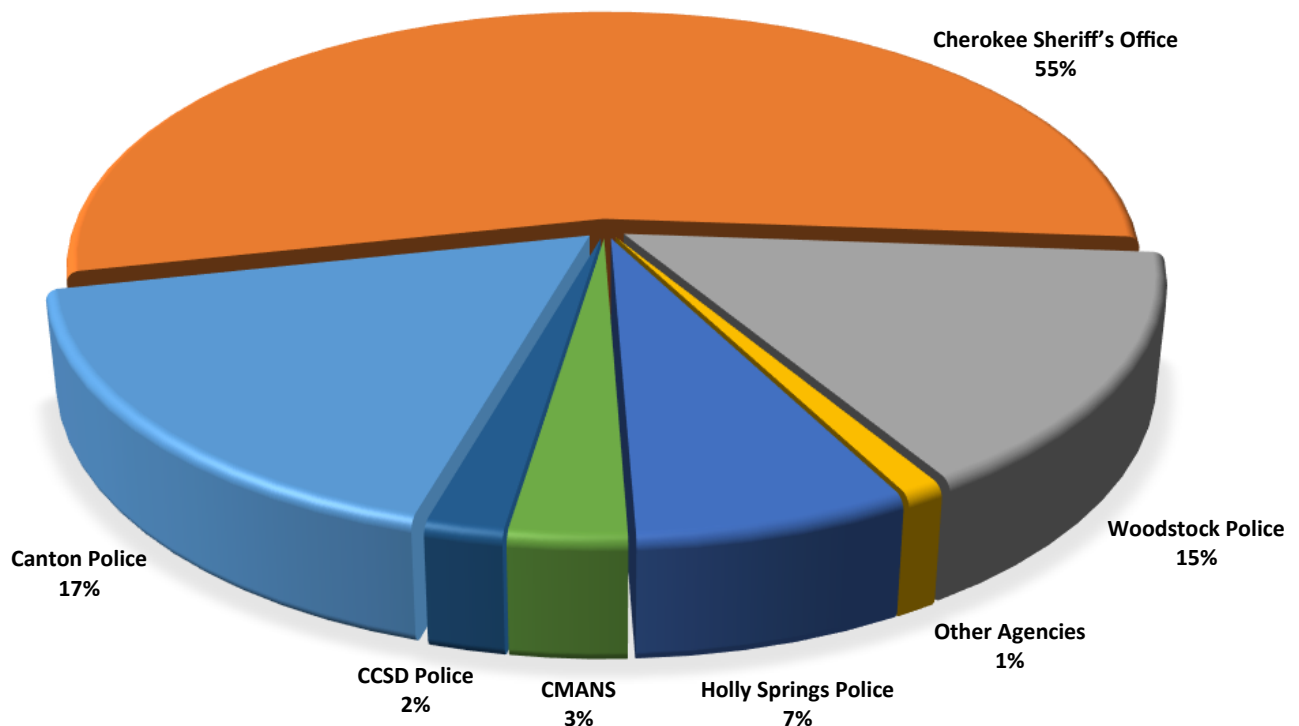
The District Attorney's Office receives cases from agencies throughout Cherokee County, including the Cherokee Sheriff's Office, Ball Ground Police, Canton Police, Cherokee County Marshal's Office, Cherokee County School District (CCSD) Police, Cherokee Multi-Agency Narcotics Squad (CMANS), Georgia State

Patrol, Holly Springs Police, and Woodstock Police. In addition, some cases are received from the Georgia Bureau of Investigation.

Throughout the year, our staff members offered instructional training to local agencies on domestic violence, gang crimes, and other current issues. By working with our law enforcement partners and others in the judicial system, we make sure that individuals charged with crimes are treated fairly, their cases are effectively prosecuted, and their constitutional rights are maintained.

2020 CRIMINAL, JUVENILE, AND REVOCATION CASES RECEIVED

By Law Enforcement Agency Type



Other agencies include Ball Ground Police, Cherokee County Marshal's Office, GBI, Georgia State Patrol, and Reinhardt University Public Safety.

STATISTICS & TRENDS



TRENDS IN CHEROKEE COUNTY

Statistics tracked over the past five years indicate that the number of criminal cases received by the Cherokee County District Attorney's Office continues to steadily increase.

By year-end 2020, the total number of cases received was 15.6% higher than cases received five years prior.

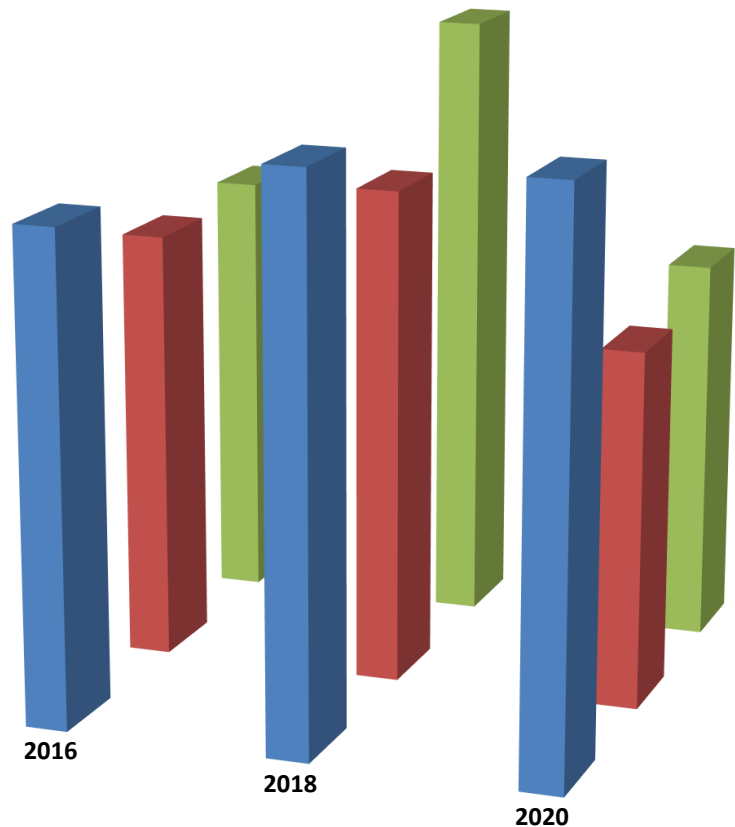
The following charts show trends for felonies, probation revocations, and juvenile cases, with the years 2016, 2018, and 2020 highlighted for comparison purposes.

Due to the pandemic and the resulting judicial emergency orders, fewer cases were received, indicted, and prosecuted in 2020 than would normally be expected. Once jury trials resume in 2021, the judicial system will begin to address this backlog of cases. As of May 2021, we have 1,004 cases on the trial calendar to be disposed.

TOTAL CRIMINAL CASES BY YEAR

*Received, Disposed,
and Indicted/Accused*

	2016	2018	2020
Received	1262	1447	1459
Disposed	1110	1272	917
Indicted/Accused	1128	1598	965

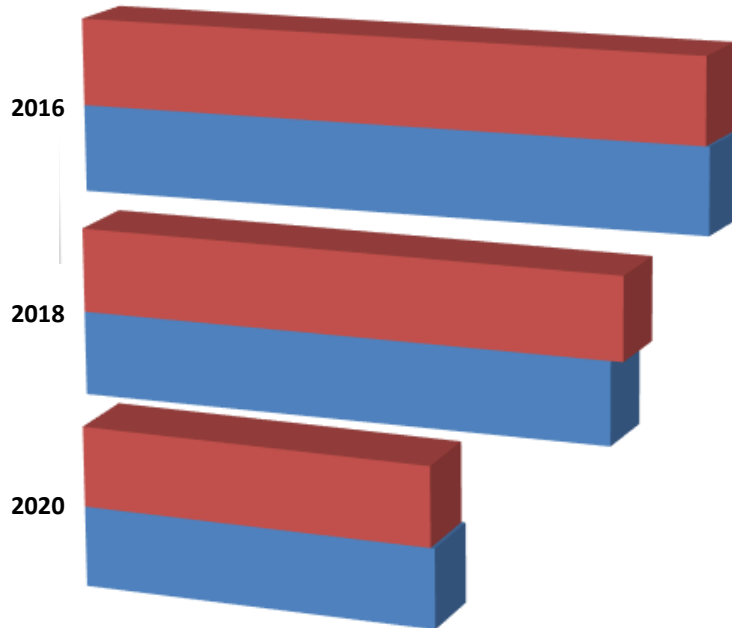


STATISTICS & TRENDS

JUVENILE CASES

*Received and Disposed**

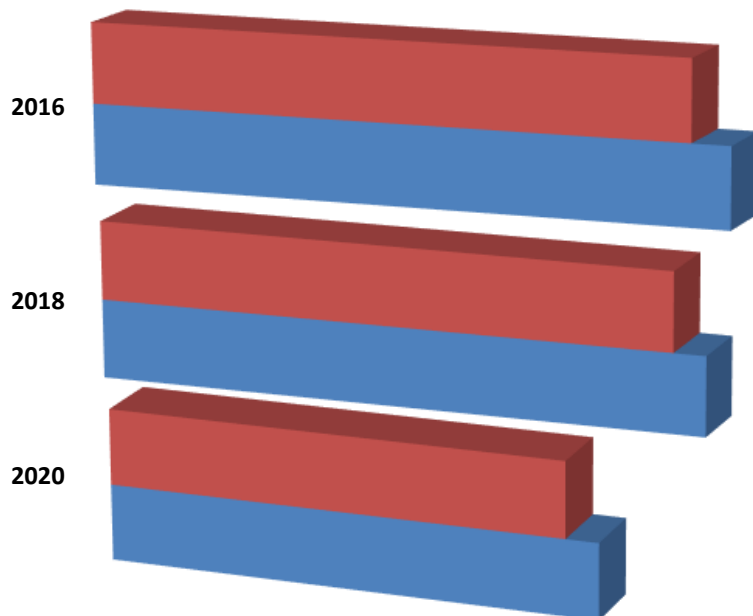
	2016	2018	2020
Received	1010	873	599
Disposed	1004	893	592



PROBATION VIOLATIONS

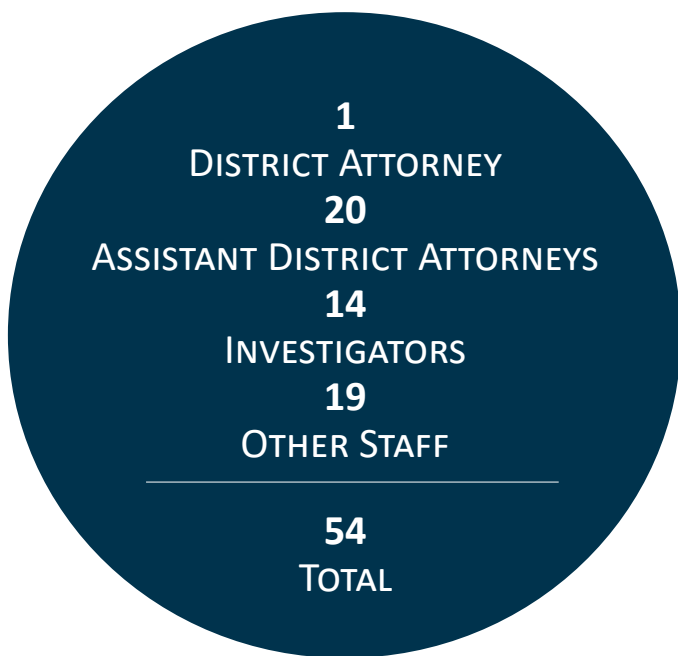
*Received and Disposed**

	2016	2018	2020
Received	1068	1033	858
Disposed	1060	979	801



*The number of received/disposed cases is lower in 2020 due to the pandemic.

OFFICE STRUCTURE



OVERVIEW

The District Attorney's Office prosecutes felony offenders who commit crimes in Cherokee County. Staff members are committed to ensuring that justice is properly served and that victims and witnesses of crime are protected.

Led by District Attorney Shannon Wallace, the Office handles a diverse docket of drug-related offenses, sex crimes, aggravated assault, child abuse, domestic violence, white collar crime, elder abuse, armed robbery, homicides, and many other felony crimes.

Divisions and units within the Office include: Accountability Court, Appellate Court, Domestic Violence Unit, Juvenile Court, Pre-Trial Diversion, Special Victims Unit, Superior Court Prosecution Units/Trial Teams, and Victim Services.

TRIAL TEAMS

Designated trial teams are responsible for felony cases assigned to the three Blue Ridge Judicial Circuit Superior Court Judges. Each trial team includes one deputy chief assistant district attorney, two assistant district attorneys, three investigators, one victim advocate, and one administrative assistant.

The teams work together to investigate cases, provide victim services, and close cases through plea hearings, bench trials, or jury trials.

ACCOUNTABILITY COURTS

When crimes are due to substance abuse and/or mental health, defendants may be eligible for special programs that include Drug Accountability Court, Treatment Accountability Court, and Veteran's Treatment Court.

These programs provide intensive court supervision and rehabilitation to help address core issues and reduce recidivism.

DOMESTIC VIOLENCE

A specialized Domestic Violence Unit handles family violence cases, including intimate partner violence. One deputy chief assistant district attorney, two assistant district attorneys, three victim advocates (who also support the Special Victims Unit), and one investigator are assigned to this unit, which is partially funded by a \$70,000 federal grant.

JUVENILE COURT

One deputy chief assistant district attorney, along with an assistant district attorney, investigator, victim advocate, and administrative assistant, are assigned to this division. The primary goal of Juvenile Court, in addition to accountability and public safety, is to offer treatment and services that will equip juveniles with the skills needed to be successful adults.

OFFICE STRUCTURE

PRE-TRIAL DIVERSION

Through this program, which was created pursuant to O.C.G.A. § 15-18-80, low-level, low-risk, non-violent offenders with no felony convictions are offered an alternative to the traditional criminal justice system. The program provides education, counseling, and treatment while ensuring victims receive restitution for crimes.

By statute, individuals 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.

The division includes one assistant district attorney and an administrative assistant.

SPECIAL VICTIMS UNIT

This newly-created unit handles physical and sexual offenses against children, as well as elder and vulnerable adult abuse, neglect, and exploitation.

The division includes one deputy chief assistant district attorney, two assistant district attorneys, one investigator, three victim advocates (who are also assigned to the Domestic Violence Unit), and an administrative assistant.

VICTIM ADVOCATE PROGRAM

Victim advocates provide support and guidance to victims while ensuring that they are informed, present and heard throughout the criminal justice process.

Our Office has nine victim advocates, including the Director of Victim Services.

HONORS & ACHIEVEMENTS

Cherokee County **Domestic Violence Task Force** was honored as Task Force of the Year by the Georgia Commission on Family Violence. Assistant District Attorney Rachel Ashe serves as co-chair of this organization.



In December 2020, District Attorney Shannon Wallace was sworn-in for her third term as elected district attorney for the Blue Ridge Judicial District.

Assistant District Attorney **Kelly Chavis** and Investigator **J.P. Miller** received 2020 Emergency Service Awards from the Canton Moose Lodge.

Deputy Chief Assistant District Attorney **Katie Gropper** was appointed by Gov. Brian Kemp to the Sexual Offender Registration Review Board.

Investigator **Kathleen Tallent** was honored as 2020 Investigator of the Year by the District Attorneys' Association of Georgia.

LiveSAFE Resources recognized District Attorney **Shannon Wallace** as a 2020 Woman of Achievement.

Assistant District Attorney **Robert Fickett**, Investigator **Brandon Owens**, and Victim Witness Assistant Coordinator/Post Conviction Advocate **Shelley Pritchett** were honored as District Attorney's Office Employees of the Year.

COLLABORATION



TRAINING & EDUCATION

During 2020, staff members provided training to community groups, law enforcement agencies, and statewide organizations. Staff members also attended training to ensure they are equipped with current tools to provide best quality service for citizens of Cherokee County. Beginning in March, all training was conducted remotely or with safety precautions in place.



In addition, the District Attorney's Office provided leadership for many organizations, including the Cherokee County Adult Abuse, Neglect, and Exploitation Multidisciplinary Team; Cherokee County Domestic Violence Task Force; Cherokee County Suicide Prevention Coalition; and the Georgia Child Fatality Review Board.

Several new individuals joined the staff in 2020, with swearing-in ceremonies conducted following requirements dictated by local conditions and judicial orders.



Some photos were taken prior to the beginning of the COVID-19 pandemic.

County officials and local agencies have worked together to ensure that the justice system remained in operation while limiting the risk of exposure to COVID-19.

JUDICIAL EMERGENCY ORDERS

The Superior Court of Cherokee County and the Supreme Court of Georgia issued judicial emergency orders to protect criminal defendants and their attorneys, prosecutors, deputies, courthouse staff, victims, witnesses, and members of the general public.

These judicial orders led to the cancellation of jury trials beginning in March and continuing through the end of the year.

In addition, orders required those entering the Justice Center to wear protective masks and have their temperatures taken, prioritized hearing cases “where an immediate liberty or safety concern is present,” and advised the use of technology in order to maintain social distancing.

ZOOM COURT

In response to these orders, Cherokee County Superior Court began to conduct hearings via *Zoom*, with proceedings livestreamed to *Vimeo* in order to ensure court remained open to the public.

The District Attorney’s Office utilized social media to announce when remote court was in session and provided links to the Court Administrator’s page so interested parties could watch the proceedings.

Parties involved in the judicial proceedings logged on to *Zoom* from their home or office, ensuring that court could proceed while protecting all participants. In addition to attorneys, prosecutors, judges, and Justice Center staff, Cherokee Sheriff’s Office deputies took part in these remote proceedings by using technology to access court proceedings and assist defendants from the Cherokee County Adult Detention Center.

LIMITING RISK OF EXPOSURE

During the pandemic, the District Attorney’s Office instituted new procedures, most notably handling court matters through videoconferencing and an online court system that utilizes electronic documents and signatures. Staff members worked diligently to move less serious cases through the jail quickly in order to prevent overcrowding.

The District Attorney’s Office collaborated with the Cherokee Sheriff’s Office, Solicitor-General’s Office, Clerk of Court’s Office, Superior and Magistrate Courts, and the local defense bar to ensure hearings pertaining to criminal matters continued to take place in a timely and efficient manner.

COVID-19 and the resulting judicial emergency orders have transformed daily practices and procedures. While processes have changed, the justice system never shut down, and the District Attorney’s Office had little interruption in operations throughout the pandemic.

Video conferencing and the online court system have enabled staff members to safely handle hearings and other court matters.

With this technology, the District Attorney’s Office has conducted the business of the court, while protecting the health and well-being of the public and all those involved in the judicial system.

JURY TRIALS

Even though the judicial process has kept moving throughout the pandemic, hundreds of cases await trial by jury in Cherokee County.

Jury trials are expected to resume in early 2021, with enhanced safety protocols in place.

STREET GANGS

GANGS IN CHEROKEE

Here’s a shocking fact — according to the Georgia Gang Investigators Association (GGIA), in 2020, Cherokee County had the 3rd highest number of gang warrants of all counties in Georgia.

At one time, criminal street gangs were a problem unique to major cities. Today, suburban and rural communities, like Cherokee County, are home to street gangs, ranging in size, structure, and membership.

Research conducted by the District Attorney’s Office revealed that 42 street gangs and 47 subsets currently operate in Cherokee County, with the most prominent gangs in our community being the Bloods and Ghostface Gangsters

Gang members are best known for committing violent, theft, and drug-related crimes. Some of these include armed robbery, aggravated assault, theft, entering autos, conspiracy to tamper with witnesses, felony narcotic sales, domestic violence, and other violent crimes. The GGIA estimates that 50-90% of violent offenses in Georgia relate to criminal gangs.

RESPONDING TO GANG CRIME

The District Attorney’s Office works in partnership with state, federal, and local law enforcement agencies to combat gang activity. Collaboration is critical in fighting gang crimes, as is continuous education and training. In fact, in 2020, we provided gang prosecution training for prosecutors, investigators, and local law enforcement.

We have several investigators on staff with advanced training and experience with criminal gangs. Our Office utilizes a grant-funded database platform to exchange information with agencies throughout Georgia, enabling more effective prosecution of gang-related criminal activity and better data on current gang members.

Sources:

Georgia Gang Investigators Association, GGIA.net.

Jones, Ron and Adrienne Haney, “Gangs Are Infiltrating Atlanta and Targeting its Children,” 11Alive, September 25, 2018.

McGee, Madeline, “Georgia’s Gang Situation ‘Getting Worse,’ Investigators Say,” The Atlanta Journal-Constitution, May 8, 2018.

National Gang Center, NationalGangCenter.gov.

United States Department of Justice, “Criminal Street Gangs,” Justice.gov, April 29, 2021.

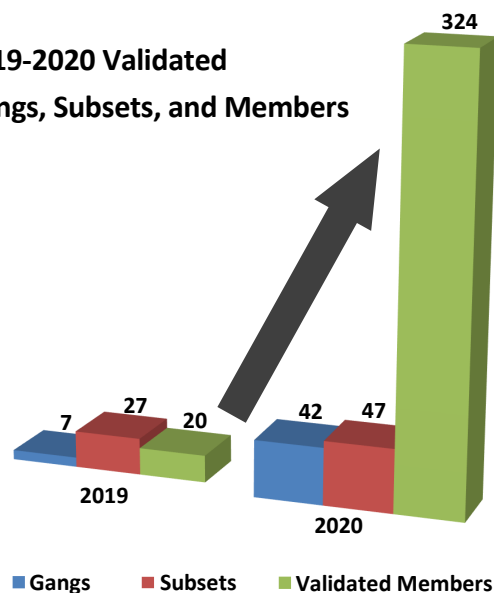
VALIDATED GANGS IN CHEROKEE COUNTY

Current statistics show a 1,520% increase in validated gang members in the past year.

2020 Validated Gang Members

Bloods _____	144
Ghostface Gangsters _____	100
Gangster Disciples _____	42
Crips _____	41
Good Fellas _____	33
Nine Trey _____	33
Young Slime Life _____	32
Sex Money Murder _____	27
Surenos _____	26
Paper Drugs Extortion _____	21
Rollin' 60s Crips _____	21

2019-2020 Validated Gangs, Subsets, and Members



SIGNIFICANT CASE

STREET GANG MEMBER PLEADS GUILTY TO ENTERING AUTOS AND THEFT

During a videoconference plea hearing, DeKalb County resident Rashad Alonzo Harris, 20, pled guilty and was sentenced on April 30, 2020, for charges related to entering autos in December 2018 and January 2019.

Charges included: Violation of the Street Gang Terrorism and Prevention Act (2 counts), entering an automobile (63 counts), theft by taking (20 counts), and theft by receiving (1 count).

On December 4, 2018, deputies from the Cherokee Sheriff's Office responded to a series of vehicle break-ins that occurred overnight in homes off Toonigh Road in Canton. In total, county residents reported 35 separate incidents of entering automobiles, with three guns stolen, in addition to the theft of other items including electronics, wallets, and cash.

Seven weeks later, on January 22, 2019, law enforcement from the Cherokee Sheriff's Office and Holly Springs Police responded to a series of vehicle break-ins in the vicinity of Hickory Road near Holly Springs Elementary School.

Residents reported 28 vehicles entered, with two guns stolen, in addition to the theft of wallets, gift cards and cash.

While investigating these crimes, the Cherokee Sheriff's Office obtained surveillance videos from residents that showed individuals entering and attempting to enter vehicles. In addition, deputies recovered cell phones that identified two suspects. Harris left his cell phone inside a stolen vehicle, and his accomplice, a juvenile from Gwinnett County, dropped his cell phone in a victim's yard.

Harris is a member of a criminal hybrid gang known as Bloxh Rixh, a subset of Gangster Disciples. He is believed to have recruited individuals to come to Cherokee County for the purpose of entering automobiles to steal firearms.

Harris received a 15-year sentence, with the first 3 years to be served in confinement and the remainder on probation. He was ordered to pay restitution to the victims in an amount totaling \$12,748.

He is also banished from Cherokee County when he's released on probation. Other conditions of probation include performing 200 hours of community service, no contact with a member or associate of a criminal street gang, and no contact with anyone who uses or possesses alcohol or illegal drugs.



The defendant fled from Cherokee Sheriff's Office deputies in this stolen vehicle, where deputies later found key evidence.



STATE VS. RASHAD ALONZO HARRIS

CHARGES

Violation of Street Gang Terrorism and Prevention Act (2 counts), entering an automobile (63 counts), theft by taking (20 counts), theft by receiving (1 count)

SENTENCE

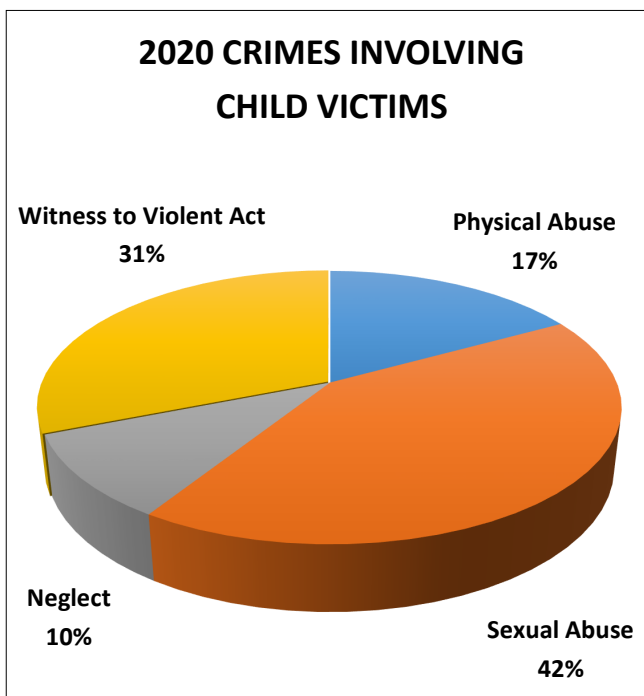
15 years, with the first 3 years to be served in confinement. Conditions of probation include payment of restitution to victims, 200 hours of community service, no contact with any member or associate of a criminal street gang, and no contact with anyone using or possessing alcohol or illegal drugs.

SPECIAL VICTIMS UNIT

PROTECTING THE VULNERABLE

Established in 2020, the new Special Victims Unit handles crimes involving children, the elderly, and adults with special needs.

The unit is comprised of one deputy chief assistant district attorney, two assistant district attorneys, three prosecutors, three victim advocates, an investigator, and an administrative assistant.



CRIMES AGAINST CHILDREN

When someone commits a crime in Cherokee County that involves a child, whether the crime is of a physical or sexual nature, the Special Victims Unit handles the case.

Young crime victims are often traumatized and reluctant or afraid to testify. Some victims are nonverbal due to age or development. Specialized training, investigative techniques, expert witnesses, forensic interviews, and often long jury trials are required to prosecute these cases. For this reason, having a dedicated unit is imperative to ensure justice for these special victims.

PREVALENCE OF CHILD ABUSE

Child abuse may consist of physical abuse, sexual abuse, neglect, and/or witness to violent act. The District Attorney's Office prosecuted cases involving 102 child victims in 2020. This is a 17% decrease in the number of child abuse victims from 2019, when cases involving 119 children were prosecuted.

During the pandemic, communities across the country experienced a decline in reports of child abuse, which has been attributed to shelter-in-place orders, school closures, and isolation. The Children's National Alliance reported that children's advocacy centers across the country served 21% fewer children in the first six months of 2020 than they did during the same period of 2019, according to the *Washington Post*.*

This national decrease is similar to the decrease in cases reported in Cherokee County. The expectation is that child abuse reports will increase as we move forward and children are back in school on a permanent basis.

SEXUAL ABUSE

The most prevalent child abuse crime in Cherokee County is sexual abuse, affecting 42% of all child victims in 2020. This serious crime includes sexual molestation, child pornography, sex trafficking, obscene internet contact with a child, and other crimes of a sexual nature.

Child molesters are often family members or friends who engage in grooming prior to sexually abusing a child. Internet predators typically use social media and mobile phone apps to engage potential victims. Individuals committing the crime of child pornography victimize a child throughout his/her lifetime since one pornographic image can be shared and viewed essentially forever.

Through effective prosecution and services provided by the Special Victims Unit, young victims receive the justice and help they need.

Sources

Parker, Molly. "Child Advocates Worry About Unreported Abuse During Pandemic." *Washington Times*. December 5, 2020. www.washingtontimes.com/news/2020/dec/5/child-advocates-worry-about-unreported-abuse-durin/

SIGNIFICANT CASES

MAN PLEADS GUILTY TO CHILD MOLESTATION OF TEEN HE MET ON APP

During a videoconference plea hearing conducted on October 14, 2020, Hezekiah Bradford, 24, entered a negotiated guilty plea and was sentenced on 2 counts of child molestation.

On August 22, 2019, the defendant visited the home of a juvenile he had met on *Grinder*, a phone app, the previous day. The child's age at the time was 15.

When the defendant arrived at the home, he sexually assaulted the teenager. Officers in the Woodstock Police Department investigated the incident and made the arrest.

Judge Tony Baker sentenced Bradford to 20 years with the first 12 years to be served in confinement and the remainder of the sentence on probation.

While on probation, Bradford is banned from Cherokee County, may have no contact with the victim or his family, must avoid alcohol and drug use, may not possess a firearm, and must adhere to sex offender special conditions including no contact with any child under the age of 18.

He must also register as a sex offender.

MAN PLEADS GUILTY TO OBSCENE INTERNET CONTACT WITH A CHILD

On July 21, 2020, Noe Adan Verdugo, 39, pled guilty to one count of computer pornography and one count of obscene internet contact with a child.

In March 2019, Verdugo used an online messaging app called *Meet24* to seduce, solicit, lure, and entice a 13-year-old girl named "Amanda" for the purpose of child molestation.

Amanda was actually a fictitious child created by an undercover Cherokee Sheriff's Office deputy from the Internet Crimes Against Children Unit. Verdugo invited Amanda to meet him in person for the

purpose of sexual intercourse. He also requested that she send him sexually explicit photos, and he texted her a pornographic image.

Chief Judge Ellen McElyea sentenced Verdugo to 30 years with the first 3 years to serve in prison.

While on probation, Verdugo may not possess a firearm, alcohol, or illegal substances. He must adhere to sex offender special conditions, including no contact with minors under the age of 16.

He must also register as a sex offender.

STATE VS. HEZEKIAH BRADFORD



CHARGES

Child Molestation (2 counts)

NEGOTIATED GUILTY PLEA

SENTENCE

20 years, with the first 12 years to be served in confinement.

Conditions of probation include banned from Cherokee County, no contact with the victim or his family, no alcohol or drugs, no firearms, and sex offender special conditions.

STATE VS. NOE ADAN VERDUGO



CHARGES

Computer pornography, obscene internet contact with a child

NEGOTIATED GUILTY PLEA

SENTENCE

30 years, with the first 3 years to

be served in confinement. Conditions of probation include no contact with any person under the age of 16, no alcohol or drugs, no firearms, and sex offender special conditions.

SPECIAL VICTIMS UNIT



During the pandemic, the Elder Abuse MDT temporarily suspended its meetings. The group later resumed meetings at the historic courthouse, where attendees could be socially distant.

COMMON SCAMS

Financial crimes often impacting seniors include:

- Medicare fraud
- Counterfeit prescription drugs
- Funeral and cemetery scams
- Internet fraud
- Investment schemes
- Sweepstakes scams
- Door-to-door sales fraud

ELDER ABUSE MDT

In 2017, the District Attorney's Office and community partners established the Cherokee County Adult Abuse, Neglect, and Exploitation Multi-disciplinary Team (MDT).

CRIMES AGAINST ELDERLY

The Special Victims Unit has specialized training and experience to effectively prosecute crimes against elderly citizens, who are often targeted by criminals.

In Cherokee County, most acts of elder abuse are committed by someone the victim knows.

Many of these elder abuse cases involve family members or caregivers committing physical, sexual, or emotional abuse, failing to provide essential care, or engaging in acts of financial exploitation.

In 2020, nearly 56% of all elder abuse cases in Cherokee County were committed by a caregiver or relative of the victim.

Elder abuse cases can be especially complicated since victims often do not wish to prosecute a family member, or the victim may suffer from medical problems that make it difficult for him/her to report the abuse.

Another type of crime committed against elders is financial exploitation. In many cases, a family member or caregiver steals from an elder, then uses the assets for his/her personal needs. In other cases, a criminal opportunist targets seniors with a scam.

This task force works to protect vulnerable adults from abuse or exploitation.

MDT members represent a variety of organizations including the Georgia Division of Aging - Adult Protective Services, District Attorney's Office, Cherokee County law enforcement agencies, Cherokee Senior Services, liveSAFE Resources, and others.

During 2020, the group met seven times to review 235 reports of suspected abuse or neglect of elders or vulnerable adults in Cherokee County. Of those reports, the MDT determined that 106 were substantiated allegations.

In the past three years, 27% of substantiated allegations of elder abuse in our county were scam/identity theft, 20% were theft of property by a caregiver or relative, and 19% were abuse by caregiver or relative.

By meeting regularly to discuss suspected abuse, case managers, law enforcement officers, prosecutors, and victim advocates are able to work together to ensure that seniors in our community are protected and receiving the services they need.

ELDER ABUSE

RECOMMENDATIONS OF THE MDT

Each year, as required by O.C.G.A. § 30-5-11, the Elder Abuse MDT issues a report to the Georgia Bureau of Investigation and the Commissioner of Human Services regarding the prevalence and circumstances of elder abuse.

The report must also contain recommendations for reducing crimes that involve adults who are elderly or disabled. Recommendations in 2020 included:

- (1) Increase community-based trainings for the elderly to help prevent financial scams,
- (2) Increase education of community members so they are aware of their duty to report suspected abuse or neglect, and
- (3) Continue to provide specialized training to law enforcement agencies.

TRAINING & EDUCATION

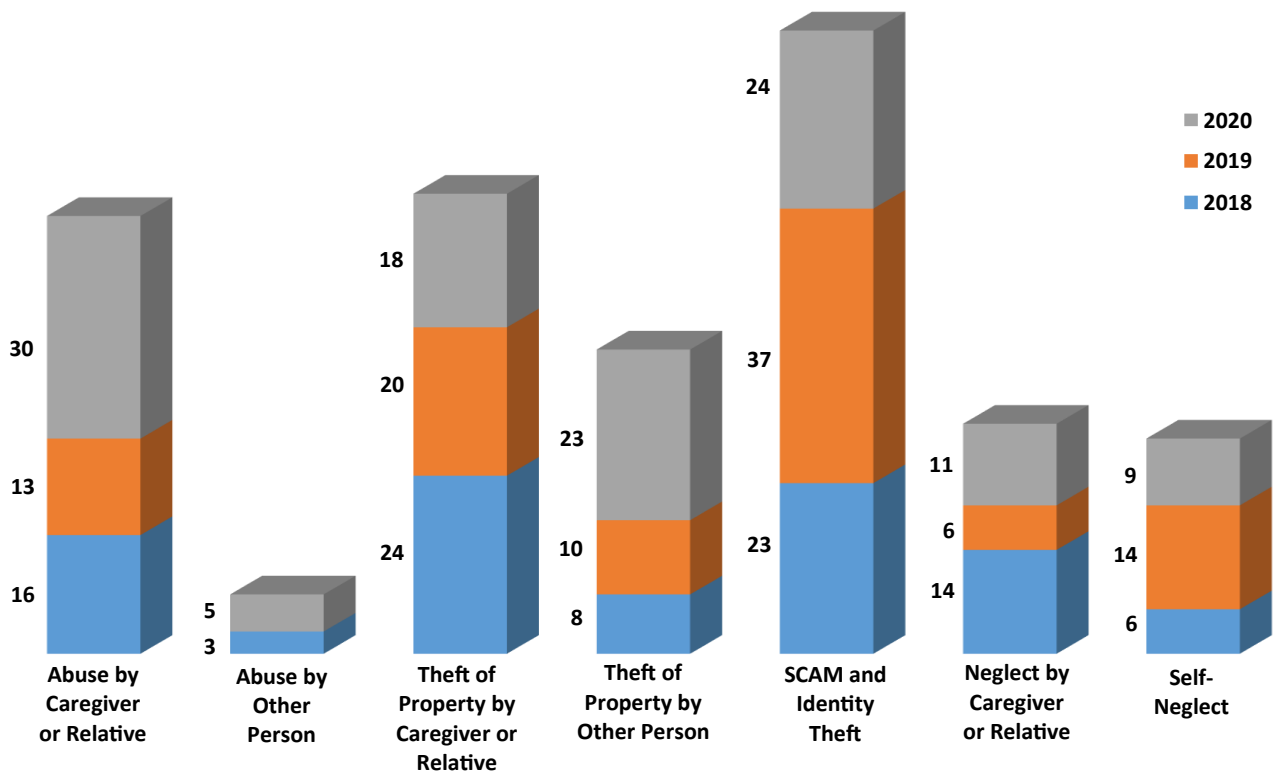
Due to the pandemic, in-person training was not possible in 2020, but the MDT is working to provide training to the elderly, community members, and law enforcement in the coming year.

The District Attorney’s Office partners with Cherokee Triad S.A.L.T. (Seniors and Law Enforcement Together), an organization that is committed to reducing the victimization of senior citizens.

Through this partnership, members of the District Attorney’s Office provide training and educational materials about the prevalence of crimes involving the elderly.

Cherokee Triad S.A.L.T. supports the work of the Elder Abuse MDT by providing funding for lunches offered at monthly meetings.

2018-2020 SUBSTANTIATED CLAIMS OF ELDER ABUSE



Data compiled from Cherokee County Adult Abuse, Neglect, and Exploitation Multidisciplinary Team 2020 Annual Report.

DOMESTIC VIOLENCE

VIOLENCE AT HOME

The Domestic Violence Unit handles crimes involving family violence, with a focus on intimate partner crimes. Partially funded by a federal grant, this unit includes one deputy chief assistant district attorney, two assistant district attorneys, three victim advocates, one investigator, and an administrative assistant.

DOMESTIC VIOLENCE

These types of crimes involve violence committed against a current or former spouse, partner, cohabitant, or individuals who share a child.

In the United States, every minute of every day, nearly 20 people are physically abused by their partner. Nationally, 1 in 4 women and 1 in 9 men experience severe violence from an intimate partner, to include violent assault (physical or sexual) or stalking. Intimate partner violence occurs with both heterosexual and same-sex couples.

Domestic violence typically begins with emotional abuse and progresses to physical and psychological injuries. Many victims endure years of physical violence, sexual violence, stalking, and psychological aggression.

This crime can have lifetime consequences, with the effects passed on to the next generation. Felony cases of domestic violence show a pattern of violent acts that increase in frequency and intensity, and sometimes lead to death.

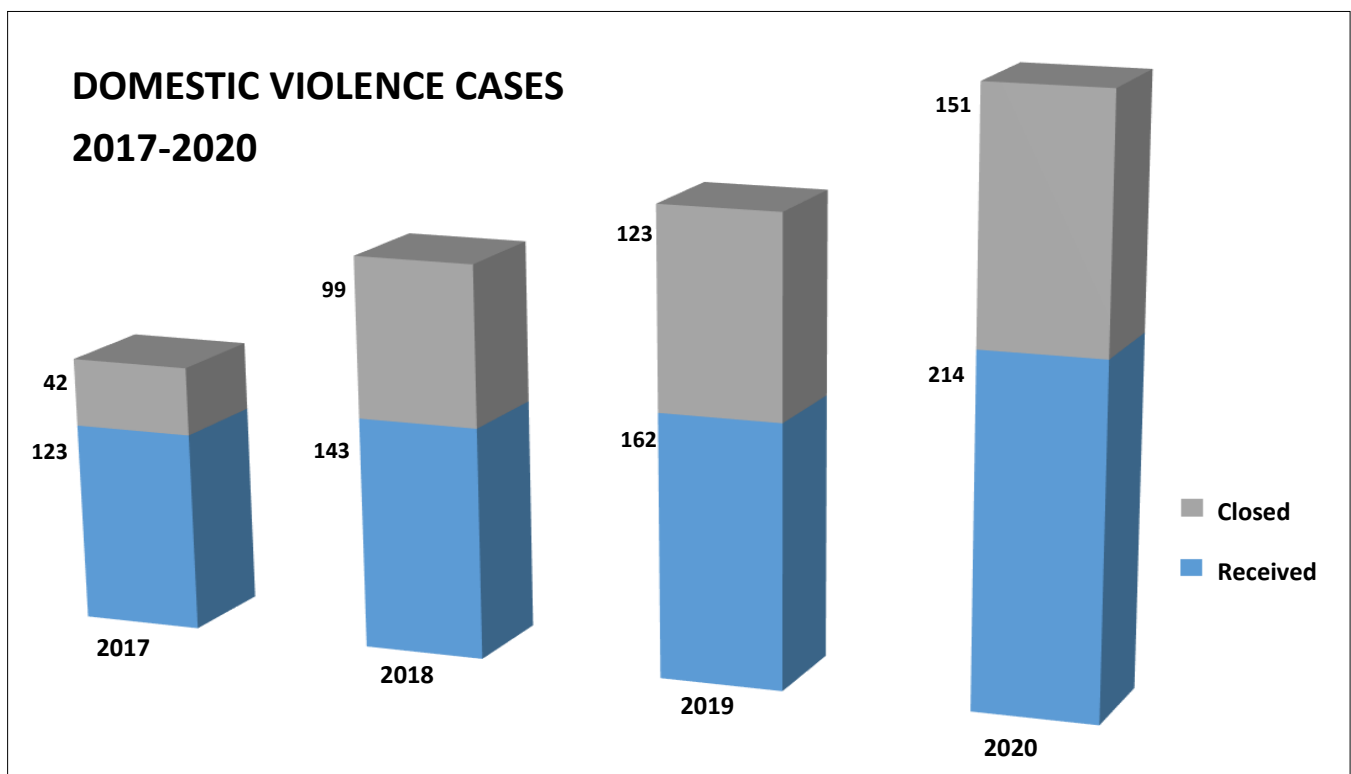
People of all ages are affected by domestic violence, including senior citizens and even very young children. Children can be victimized when they witness violent acts perpetrated on their family members. According to a report from the Department of Justice, nearly 1 in 4 intimate partner cases involves a child witness.

Sources

Centers for Disease Control and Prevention. [CDC.gov](https://www.cdc.gov)

National Coalition Against Domestic Violence. [NCADV.org](https://www.ncadv.org)

United States Department of Justice, Office of Justice Programs. [OJP.gov](https://www.ojp.gov)



DOMESTIC VIOLENCE

PROSECUTION OF THESE CRIMES

Family violence cases offer complex challenges since these crimes involve people within the same family or household and the defendant is someone the victim may care deeply about, and even love. Victims who are emotionally attached to the perpetrator are more likely to forgive or overlook the danger in which they live.

Many domestic violence victims are reluctant to participate in the criminal process because they do not want their loved one to be punished, they believe the incident won't happen again, or they think their own actions may be to blame for the violence. It is not uncommon for victims to recant their statements or minimize the defendant's actions.

The Domestic Violence Unit participates in ongoing training to ensure they are prepared to effectively prosecute these cases. Likewise, this unit provides training to law enforcement to ensure they are prepared to investigate these cases.

PREVENTION THROUGH OUTREACH

Education and outreach are key to preventing domestic violence and helping those in violent relationships to get the help they need.

One way the District Attorney's Office reaches out to the community is through the Cherokee County Domestic Violence Task Force.

This organization works to strengthen and sustain a community response to family violence in our county. This task force includes representatives from all county law enforcement agencies, the District Attorney's Office, Solicitor-General's Office, and community organizations. The task force continued to meet regularly in 2020, using videoconferencing to conduct its important work.

Through this partnership, our office assists with training and events that increase perpetrator accountability, enhance victim safety, and promote systemic change.

MAN PLEADS GUILTY TO AGGRAVATED ASSAULT AND TERRORISTIC THREATS

On May 6, Jonathan A. Trollinger, 32, pled guilty and was sentenced for aggravated assault family violence (2 counts), terroristic threats, battery family violence, and simple battery family violence.

Trollinger admitted to assaulting his girlfriend in January 2017 by throwing her to the ground and kicking her. Trollinger continued to assault the victim by pulling her hair, spitting on her, hitting her with a motorcycle helmet, and striking her with a belt. At one point, Trollinger strangled her with his hands, causing her to lose the ability to breathe. He also headbutted her and threatened to kill her during the assault. When Cherokee Sheriff's Office deputies arrived, they reported visible injuries to the victim's eye, arms, legs, foot, and neck.

After accepting Trollinger's negotiated guilty plea, Judge David Cannon, Jr. sentenced him to 20 years with the first 5 years to be served in confinement. Upon release, Trollinger will have to follow special conditions of probation, which include no contact

with the victim, substance abuse evaluation and treatment, anger management evaluation and treatment, avoid alcohol and drugs, and other conditions.

STATE VS. JONATHAN A. TROLLINGER



CHARGES

Aggravated assault - family violence (2 counts), terroristic threats, battery family violence, simple battery family violence

NEGOTIATED GUILTY PLEA

SENTENCE

20 years, with the first 5 years to be served in confinement. Conditions of probation include no contact with the victim, substance abuse and anger management treatment, and no alcohol and drugs.

FELONY TRAFFIC CRIMES

CRIMES INVOLVING VEHICLES

When drivers engage in dangerous behaviors that lead to serious accidents and traffic fatalities, they are charged with felony traffic crimes. Experienced trial teams handle the prosecution of these crimes, which may include homicide by vehicle, serious injury by vehicle, driving under the influence (four offenses in five years), reckless driving, racing, leaving the scene of an accident, passing a stopped school bus with emergency lights engaged, and attempting to elude a police officer.

OFFICIAL CODE OF GEORGIA

§ 40-6-393 - Homicide by vehicle

- (a) Any person who, without malice aforethought, causes the death of another person through the violation of subsection (a) of Code Section 40-6-163, Code Section 40-6-390 or 40-6-391, or subsection (a) of Code Section 40-6-395 commits the offense of homicide by vehicle in the first degree and, upon conviction thereof, shall be punished by imprisonment for not less than three years nor more than 15 years.
- (b) Any driver of a motor vehicle who, without malice aforethought, causes an accident which causes the death of another person and leaves the scene of the accident in violation of subsection (b) of Code Section 40-6-270 commits the offense of homicide by vehicle in the first degree and, upon conviction thereof, shall be punished by imprisonment for not less than three years nor more than 15 years.
- (c) Any person who causes the death of another person, without an intention to do so, by violating any provision of this title other than subsection (a) of Code Section 40-6-163, subsection (b) of Code Section 40-6-270, Code Section 40-6-390 or 40-6-391, or subsection (a) of Code Section 40-6-395 commits the offense of homicide by vehicle in the second degree when such violation is the cause of said death and, upon conviction thereof, shall be punished as provided in Code Section 17-10-3.
- (d) Any person who, after being declared a habitual violator as determined under Code Section 40-5-58 and while such person's license is in revocation, causes the death of another person, without malice aforethought, by operation of a motor vehicle, commits the offense of homicide by vehicle in the first degree and, upon conviction thereof, shall be punished by imprisonment for not less than five years nor more than 20 years, and adjudication of guilt or imposition of such sentence for a person so convicted may be suspended, probated, deferred, or withheld but only after such person shall have served at least one year in the penitentiary.

DANGER OF DRUGS AND ALCOHOL

Overwhelmingly, felony traffic offenses involve drivers under the influence of alcohol and/or drugs — both of which can have deadly consequences.

According to recent CDC studies conducted on a national basis, about 28% of all traffic-related deaths in the United States involve drivers impaired by alcohol and 16% of all crashes involve drivers impaired by legal and illegal drugs.

Even small amounts of alcohol can impair a driver's alertness, judgment, coordination, and concentration. A blood alcohol concentration (BAC) of 0.08% or higher significantly impairs driving, and it is against the law.

Driving after having just a single glass of wine can cause impairment if it's combined with common medications like cough medicine. Older drivers, especially those who take multiple prescriptions, could be impaired and not realize it.

Everyone needs to be careful when driving while taking medications, including those for ADHD, allergies, and coughs, as well as antidepressants, anxiety medications, mood stabilizers, muscle relaxers, opioid pain killers, sleep aids, and other legally prescribed and over-the-counter medications.

Illegal drugs, including marijuana, are known to impair driving. A combination of marijuana and alcohol is especially deadly when driving.

The responsibility of a motorist is to drive safely, and driving under the influence is dangerous and against the law. When an impaired driver causes a fatal crash, he or she is charged with vehicular homicide in the first degree. The penalty for this felony is 3-15 years in prison, but the sentence for the victim is life.

One bad decision can tragically end the life of an innocent victim and forever change the lives of his/her loved ones.

Sources

CDC Transportation Safety. [CDC.gov](https://www.cdc.gov)
National Highway Traffic Safety Administration.
[Crashstats.NHTSA.dot.gov](https://www.nhtsa.gov/crashstats)

SIGNIFICANT CASE

MAN PLEADS GUILTY TO VEHICULAR HOMICIDE IN DEATH OF JERRY ACKLIN

In November 2020, Paul Allen Barnes, 28, pled guilty to homicide by vehicle in the first degree (2 counts), possession of more than an ounce of marijuana, driving under the influence, reckless driving, and other charges. Judge Tony Baker sentenced him to 20 years with the first 5 years to be served in confinement.

The charges relate to an April 13, 2018 vehicular homicide in Acworth. At approximately 11:50 p.m. that night, Barnes lost control of his Jeep Wrangler while traveling westbound on Highway 92 at speeds estimated at 70 mph.

The vehicle ran off the highway near Bryon Road, then rolled, ejecting both Barnes and his 22-year-old girlfriend, Jerry Nikkole Acklin (pictured in photo above). Neither occupant was wearing a seatbelt. Acklin sustained critical injuries and died six days later.

The defendant admitted to law enforcement that he had smoked marijuana earlier in the day and had one drink several hours prior to the accident. Investigation by law enforcement determined that he was impaired and in possession of approximately 37 grams of marijuana located inside the wrecked vehicle.

During the hearing, Acklin's family and friends described the pain of losing a special person at such a young age. Acklin was described as breathtakingly beautiful, intelligent, accomplished, goal-oriented, and much loved.

Witnesses also testified for the defense, and the defendant spoke on his own behalf. He admitted to making bad decisions, apologized to the victim's family, and said he was ready to accept the weight of his actions.

After hearing arguments and recommendations from the State and the defense attorney representing the

defendant, Judge Baker said the court must consider the proper punishment when a person consciously drinks then gets in a vehicle to drive and is also under the influence of THC. He acknowledged that many people are grieving.

Judge Baker then sentenced the defendant to 20 years with the first 5 years to serve in state prison. The defendant was also ordered to have no contact with members of the victim's family, unless they choose to contact him.

After considering the intoxicating substances that played a factor in this case, Judge Baker advised the defendant to avail himself of treatment options available in prison so that he can overcome any substance abuse problems and ensure that he never repeats these mistakes.



STATE VS. PAUL ALLEN BARNES

CHARGES

Homicide by vehicle in the first degree (2 counts), possession of more than an ounce of marijuana, driving under the influence, reckless driving, failure to maintain lane, and failure to wear a seatbelt



SENTENCE

20 years, with 5 to serve in confinement and the remainder to be served on probation. Special conditions include 240 hours of community service, no contact with victim's family, substance abuse evaluation and treatment, avoid alcohol and drugs, and no firearms.

JUVENILE COURT

JUVENILE COURT DIVISION

In this Division, a deputy chief assistant district attorney, assistant district attorney, investigator, victim’s advocate, and administrative assistant work closely with the staff of Juvenile Court, the local school system, and various agencies.

The Juvenile Court Division handles cases involving children alleged to be delinquent; in need of services, guidance, or counseling; with traffic violations; or having other needs.

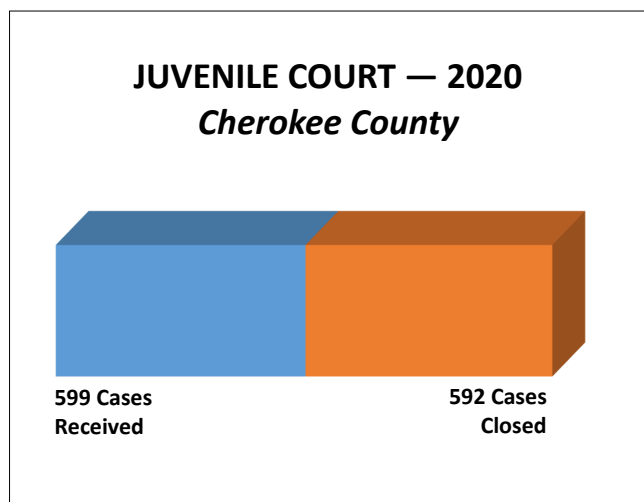
Rehabilitation is the purpose of Juvenile Court, with a focus on the child’s own home and community-based programs instead of detention centers.

Staff members review juvenile delinquency cases to determine if they are prosecutable. In 2020, the Division received 599 cases and closed 592. This is a 28% decrease over 2019 when the Division received 830 cases and closed 826.

TYPES OF CASES

In Cherokee County, the Juvenile Court Division handles matters involving:

- Delinquency
- Traffic Violations
- Children in Need of Services Cases (CHINS)



JUVENILE DRUG COURT

With funding provided by a federal grant, the Juvenile Drug Treatment Court Program (JDTC) began accepting participants in 2020. The program utilizes judicial and community-based interventions to provide a comprehensive response to juveniles in need of substance abuse treatment and behavioral interventions.

The JDTC offers two drug treatment programs: an educational track and a drug court track. The educational track is intended for first-time offenders and consists of a program that the juvenile attends with a parent. Once the juvenile has completed the class, the charge is dismissed.

The drug court track is for juveniles with a medium to high-risk substance abuse problem. In 2020, a total of 24 juveniles participated in the JDTC educational track and 1 in the drug court track.

CHALLENGES OF 2020

Statewide judicial emergency orders affected the way in which Juvenile Court could conduct its proceedings. Beginning in April, the Juvenile Court team made great strides to resolve cases through having juveniles consent to dispose of their cases by consent agreements outside of the formal court process, which was unavailable at that time. The biggest challenge our office faced was an unwillingness to resolve cases absent a notice to appear in Court.

In September, Cherokee County began sending out notices to appear so that misdemeanor and juvenile traffic violations proceedings could be conducted outside the Justice Center. Juvenile Court utilized the courthouse parking deck as well as the county building in the Bluffs, where social distancing and safety could be ensured.

In order to dispose of their case, juveniles had to waive personal appearance before the judge and agree to have their case resolved by consent agreement. Felony cases were able to be resolved by this process if the victim, defendant, or both victim and defendant consented to waive his/her/their presence.

SPECIAL PROGRAMS



ACCOUNTABILITY COURTS

In many cases, crimes are directly connected to substance abuse and/or mental health.

Accountability Courts provide carefully screened offenders with the opportunity to overcome these issues so they can go on to pursue productive lives. All programs take 18 months to complete and require intensive court supervision. Programs offered include:

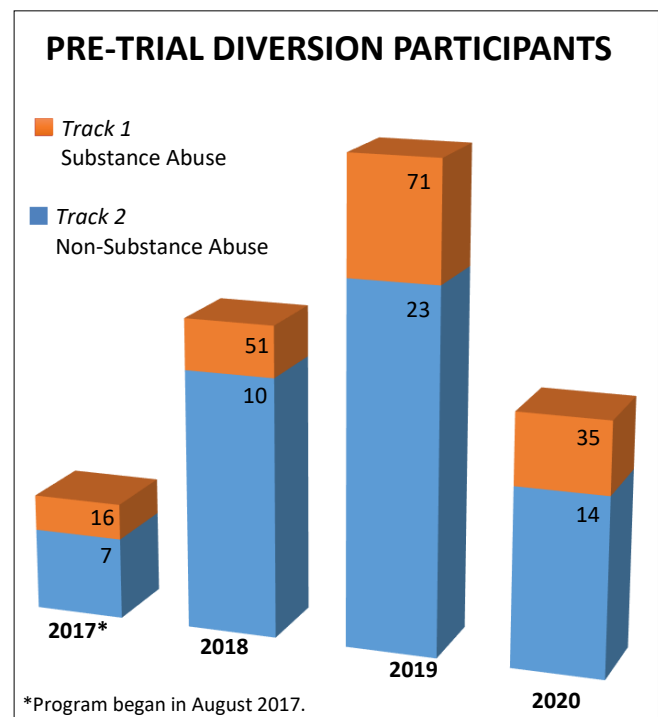
- 1) **Drug Accountability Court** — In 2013, Superior Court Judge Ellen McElyea established this program, which is now overseen by Judge David Cannon. During 2020, 41 offenders were accepted into Drug Accountability Court, and 28 graduated. In total, 134 individuals have graduated from this program since its establishment in 2013.
- 2) **Treatment Accountability Court** — In 2016, Probate Judge Keith Wood established this program. In 2020, 13 new offenders were accepted into Treatment Accountability Court, with 4 graduating.
- 3) **Veteran's Treatment Court** — State Court Judge Dee Morris established this program in 2017. This program assists many veterans who suffer from PTSD due to trauma in the military. Veteran mentors guide program participants through the process. In 2020, Veteran's Treatment Court accepted 5 defendants into the program, and 7 participants graduated after completing all requirements.

PRE-TRIAL DIVERSION

This Division of the District Attorney's Office, which is overseen by an assistant district attorney with the assistance of an administrative assistant, offers first-time offenders the opportunity to rehabilitate while deterring future criminal conduct.

Through the Pre-Trial Diversion Program, eligible low-risk, non-violent offenders are presented with an alternative to the traditional criminal justice system. Participants are legally eligible as long as their offense does not require a mandatory minimum sentence of incarceration or imprisonment that cannot be suspended, probated, or deferred. Policies and procedures established by the District Attorney determine which of these cases are admitted.

Since August 2017, when Pre-Trial Diversion was established, 227 individuals have participated and 104 have successfully completed all requirements. In 2020, 49 people were accepted into the program, and 21 graduated. In total, the program has recovered \$20,564 in restitution to victims and generated \$91,690 in administrative fees, which have been added to county general funds.



VICTIM ADVOCATES

CRIME VICTIM SERVICES

The Victim Witness Assistance Program in the Cherokee County District Attorney’s Office provides support and guidance to victims as they navigate through the criminal justice process.

Victim advocates serve the important function of ensuring that victims are informed, present and heard, while upholding the Georgia Crime Victim’s Bill of Rights.

Advocates help victims of violent crime and property crime, including assault, child molestation, domestic violence, homicide, burglary, entering auto, and identity fraud. 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 maintain contact with victims 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.

In 2020, our nine advocates assisted 2,479 people in new and existing cases, including 836 new victims of violent crime and 583 new victims of property crime.

The District Attorney’s Office received \$258,253 in federal funds to support this program.

OFFICIAL CODE OF GEORGIA

§17-17-1– Crime Victim’s Bill of Rights

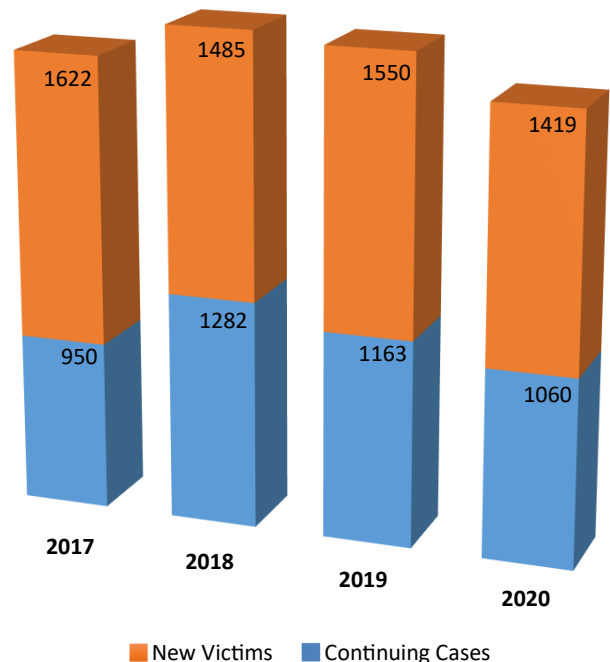
The General Assembly hereby finds and declares it to be the policy of this state that victims of crimes should be accorded certain basic rights just as the accused are accorded certain basic rights.

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.

ASSISTING VICTIMS OF CRIME IN CHEROKEE COUNTY

2017-2020



BEYOND THE COURTHOUSE

AWARDS & HONORS

Several staff members received honors and recognition this year. All award presentations and events were conducted in formats to ensure social distancing.



**2020
INVESTIGATOR
OF THE YEAR
for Division 2
of Georgia**

In October 2020, the District Attorneys' Association of Georgia recognized Kat Tallent as the Investigator of the Year for Division 2 of Georgia. District Attorney Shannon Wallace presented the award to Tallent on behalf of the Association. Kat received her award in a virtual ceremony.

EMPLOYEES OF THE YEAR



District Attorney Shannon Wallace recognized 2020 Employees of the Year in a socially-distanced/Zoom awards ceremony. Staff members honored included Investigator Brandon Owens, Assistant District Attorney Robert Fickett, and Victim Witness Assistant Coordinator/Post Conviction Advocate Shelley Pritchett.

CHEROKEE COUNTY PUBLIC SAFETY AWARDS



In November, ADA Kelly Chavis and Investigator J.P. Miller were presented with the Canton Moose Club Public Safety Awards during a small ceremony held in the grand jury room.

SWEARING-IN CEREMONY FOR THIRD TERM



In 2020, District Attorney Shannon Wallace was elected to her third term in office. In December, Judge Keith Wood administered the Oath of Office in the grand jury room.

BEYOND THE COURTHOUSE

SERVING OUR COMMUNITY



In September, the District Attorney's Office worked with other agencies to collect and donate water bottles for students in the Cherokee County School District



Office coworkers coordinated a backpack collection for Cherokee County schoolchildren. In July, staff members delivered a total of 129 backpacks filled with school supplies to Give a Kid a Chance - Cherokee. Photo was taken with social distancing in place.



In November, members of the District Attorney's Office joined other Cherokee County residents in the suicide prevention walk organized by the Cherokee County Suicide Prevention Coalition.



In October, the District Attorney's Office participated in the Service League of Cherokee County's Scarecrow Exposition, held in Downtown Canton. Staff members designed a scarecrow with a laptop tuned in to Halloween Remote Court featuring a variety of fictional characters.

This fundraising project benefits the charitable work provided by the Service League of Cherokee County.

BEYOND THE COURTHOUSE

SERVING OUR COMMUNITY



In December, the District Attorney's Office held its annual gift drive for students at Hasty Elementary Fine Arts Academy and also collected gifts for Cherokee High School students. Contributions came from the District Attorney's Office, Cherokee Sheriff's Office, courthouse employees, local lawyers, private businesses, and others. Staff members distributed most of the gifts at the Justice Center, with help from local law enforcement partners and volunteers.

THANK YOU!

On behalf of the entire staff of the Cherokee County District Attorney's Office, I would like to say thank you for your interest and support. While 2020 was a challenging year, we continued to provide essential services and do our part in the criminal justice system to keep Cherokee County safe. We are committed to serving our community and honored that you have entrusted us to do the important work that we do.

We look forward to 2021 when we begin having in-person hearings and trials, as well as continue the services we provide beyond the courthouse. Our office will focus on clearing the backlog caused by the pandemic, as well as efficiently moving new cases through the criminal justice system.

Shannon Wallace
Cherokee County District Attorney



OFFICE OF THE DISTRICT ATTORNEY
BLUE RIDGE JUDICIAL CIRCUIT

SHANNON G. WALLACE

*The Office of the District Attorney is honored to serve Cherokee County residents.
We are committed to seeking justice, acting with integrity,
and working with our partner agencies
to protect the citizens of Cherokee County and the State of Georgia.*