



FULTON COUNTY TAXPAYERS FOUNDATION

Non-Profit Advocate Of Lower Property Taxes In Atlanta/Fulton

November 2006

Fulton County's Justice System Needs An Outside Professional Review & Professional Plan

With a current annual budget of \$193.8 million – over 1/3 of the total General Fund Budget – the components of the Fulton County Justice System are “crying out” for an outside professional review and professional plan. These components include the Office of the Sheriff, \$86.4 million, the Superior Court, \$35.9 million, Office of the County District Attorney, \$19.3 million, the Office of the Public Defender, \$10.5 million, County Marshall, \$4.9 million, etc. Because of the incorporation of the unincorporated areas of Fulton County, Special Services – fire, police, parks, zoning and planning, etc. - will be significantly reduced in 2007. As a result, the Justice System is anticipated to comprise up to 40% of the 2007 General Fund Budget.

What is needed is an outside professional review of the Fulton County Justice System together with a professional plan, including the consideration of best practices which have succeeded in other communities. Among the issues to be considered are:

1. Outsourcing the Functions of the County Sheriff

The largest single expenditure of the Justice System is the Office of the Sheriff, budgeted at \$86,433,139! The functions of the Office of the Sheriff are twofold, the County Jail and the security of the County Court. Sadly, this Office has been replete with gross

mismanagement, including the repeated escapes from the County Jail, the courthouse killings of last year, the recent allegations that the Sheriff's Chief of Staff mishandled \$600,000 of State Grant funds while involved in a previous business, and, most recently, September's revelation that a County Jail prisoner “disappeared” and then was found dead in his cell. Given the history of the Fulton County Office of Sheriff, who among us would not urge an outside professional review and plan?

Here are the words of Sandy Springs Mayor Eva Galambos: “In any urban county like Fulton, where we have Police Departments in every jurisdiction, do we really need a County Sheriff? What we need is a professional Jail Manager and a top-quality security service for the courts. This would, of course, require a State Constitutional Amendment.”

Another alternative is the intervention of the Federal Court: U. S. District Court Judge Marvin Shoob has issued a federal consent order requiring Fulton County to end overcrowding of its jail, raise the level of health care, improve staffing and repair the facility. Judge Shoob has the authority to intervene by naming someone to supervise the jail under the court's oversight.

A significantly growing number of communities house prison inmates in private or privately-managed jails, avoiding capital expenditures while increasing

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flexibility to address fluctuations in inmate population, and improving the quality of inmate populations fundamental to the rehabilitation process – all at less expense to the taxpayers.

2. Reducing The Recidivism of Drug Offenders

Our courts are clogged with a growing number of repeat drug offenders. Yet, there is an alternative:

During my tenure as Mayor of Bal Harbour, Florida, the first “Drug Court” in America was established in 1983 by Judge Stanley Goldstein in Dade County. Judge Goldstein had grown tired of witnessing the revolving door of offenders who abused drugs and alcohol, and for whom recidivism was a common and predictable outcome. He reorganized his court’s schedule so that “Drug Court” participants would return to court on a weekly basis while on probation, so as to face a heightened level of judicial scrutiny and accountability. One attorney who participated in the implementation of Judge Goldstein’s “Drug Court” was Janet Reno, then County Attorney for Dade County. Within a few years, Reno was appointed Attorney General of the United States, and, under her leadership, the Department of Justice took on the task of encouraging courts across the United States to experiment with the “Drug Court” approach. Today, there are 1,621 “Drug Courts” operating in every state in the Union. They have led to the development of similar problem-solving courts including “Mental Health Courts”,

“Child Protection Courts”, “Domestic Violence Courts”, all of which are premised upon a judge assuming greater responsibility for assuring that offenders are held accountable for making the needed changes in their lives.

The Director of the Fulton County Drug Court, John Zoller, informs me that graduates of this program have a recidivism rate of approximately 25% as compared to a rate almost double that for a quasi-control group. With only 225 participants, the participants are miniscule compared to the annual number of drug indictments, i.e., Fulton County District Attorney, Paul L. Howard, reports 4,018 drug cases from January 1, 2006 through September 19, 2006! Yet, according to Director Zoller, “The annual cost of the Drug Court is \$5,000 compared to \$18,000 to house an individual in the prison system operated by the Fulton County Department of Corrections (DOC), with each new bed operated by the DOC costing the taxpayers \$50,000.” The Fulton County Superior Court began a “Mental Health Court” in August of this year, with only six participants. Although there is a “Domestic Mediation” and a “Family Division” in Fulton County, there is no “Child Protection Court” or “Domestic Violence Court” in Fulton County.

The effectiveness of the “Drug Courts” is proven again and again in each of the 1,621 “Drug Courts” in United States. They significantly help offenders break out of the chain of addiction and, in the process, substantially reduce the incidence of recidivism. Moreover, in Dade County – since 1983 - \$1.94 was saved for every \$1.00 spent on the

program. With these results, the Fulton County Taxpayers Foundation urges the Fulton County Justice System to consider legally requiring every drug offender on probation to enroll in “Drug Court”, every child abuser on probation to enroll in “Child Protection Court” and every domestic violence offender on probation to enroll in “Domestic Violence Court.”

3. Measuring The Performance of The Fulton County Trial Courts

Any professional review and plan should measure the performance of Fulton County’s trial courts. The highly-respected National Center For State Courts in Williamsburg, Virginia (www.ncsonline.org) is an independent, non-profit, 501(c)(3) organization that researches, develops and evaluates tools to improve the administration of justice. Here are their ten core measures:

- A. **Access & Fairness:** ratings of court users on the court’s accessibility and its treatment of customers in terms of fairness, equality and respect.
- B. **Clearance Rates:** whether the court is keeping up with its incoming caseload. Knowledge of clearance rates by case type can help a court pinpoint emerging problems and indicate where improvements can be made.
- C. **Time To Disposition:** The percentage of cases disposed or otherwise resolved within established time frames. This compares a court’s performance with local, state, or national guidelines for timely case processing.
- D. **Age of Active Pending Caseload:** Does a backlog exist? Which cases are a problem? Given past and present performance, what is expected in the future?
- E. **Trial Date Certainty:** A court’s ability to hold trials on the first date they are scheduled to be heard (trial date certainty) is closely associated with timely case disposition.
- F. **Reliability & Integrity of Case Files:** This measure provides information regarding how long it takes to locate a file, whether the file’s contents and case summary information match up, and the organization and completeness of the file.
- G. **Collection of Monetary Penalties:** Integrity and public trust in the dispute resolution process depends in part on how well court orders are observed, i.e., restitution for crime victims and accountability for enforcement of monetary penalties imposed on criminals.
- H. **Effective Use Of Jurors:** The percentage of citizens available to serve relates to the integrity of the source lists, the effectiveness of jury management practices, the willingness of citizens to serve, postponement policies, and the number of exemptions allowed.
- I. **Court Employee Satisfaction:** Committed and loyal employees have a direct impact on a court’s performance. This measure is a powerful tool for surveying employee opinion on whether staff have the materials, motivation, direction and sense of mission and commitment to do quality work.
- J. **Cost Per Case:** Cost per case creates a direct connection between how much is spent and what is accomplished. This measure can be used to assess return on investment in new technologies, reengineering of business practices, staff training, or the adoption of “best practices.”

Conclusion

The Fulton County Taxpayers Foundation strongly urges the Board of Commissioners to appoint an independent, professional management firm to review the Fulton County Justice System in order to develop a professional plan that would include the Office of the Sheriff, the Trial Courts and the high rate of recidivism of drug offenders.

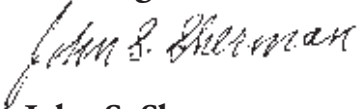
Come Meet The Board of Assessors!

The Fulton County Taxpayers Foundation – in conjunction with the Fulton County Board of Assessors – is planning a series of Property Tax Seminars with the members of the Board of Assessors and the Chief Appraiser. Here are the times and places:

- Saturday, October 28th, 10AM-Noon, North Atlanta High School
- Saturday, December 2nd, 10AM-Noon, South Fulton Government Center
- Saturday, December 9th, 10AM-Noon, North Fulton Government Center

Do you have a problem with your reassessment? When your tax bill arrived, did you have an unpaid amount from the previous year? Are your taxes comparable with your neighbors? Here is your opportunity to have your questions answered by the members of the Board of Assessors and the Chief Appraiser. In addition, the Chairman of the Board of Assessors will give an update on what is being done to correct the problems in the 2005 audit.

Kind regards,



John S. Sherman
President

Please detach here

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Join the Fight For Better Local Government

For those who have not joined, I enclose my annual membership of

\$50 Family ___ \$100 Patron ___ \$200 Corporate Member ___ \$500 Corporate Sponsor ___

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