

**FULTON COUNTY BOARD OF COMMISSIONERS
FIRST REGULAR MEETING**



June 04, 2025
10:00 AM



Fulton County Government Center
Assembly Hall
141 Pryor Street SW
Atlanta, Georgia 30303

MINUTES-RATIFIED

**This document has been ratified or approved by the Board of
Commissioners, and is not binding on the County or any officer.**

Ratification Date: July 9, 2025

CALL TO ORDER: Chairman Robert L. Pitts **10:01 a.m.**

ROLL CALL: Tonya R. Grier, Clerk to the Commission

Robert L. Pitts, Chairman (At-Large)	PRESENT
Bridget Thorne, Commissioner (District 1)	PRESENT
Bob Ellis, Vice-Chairman (District 2)	PRESENT
Dana Barrett, Commissioner (District 3)	PRESENT
Mo Ivory, Commissioner (District 4)	PRESENT
Marvin S. Arrington, Jr., Commissioner (District 5)	PRESENT
Khadijah Abdur-Rahman, Commissioner (District 6)	PRESENT

INVOCATION: Reverend Clifton Dawkins, Jr., County Chaplain

PLEDGE OF ALLEGIANCE: Recite in unison

ANNOUNCEMENTS

PLEASE SWITCH ALL ELECTRONIC DEVICES (CELL PHONES, PAGERS, PDAs, ETC.) TO THE SILENT POSITION DURING THIS MEETING TO AVOID INTERRUPTIONS.

IF YOU NEED REASONABLE MODIFICATIONS DUE TO A DISABILITY, INCLUDING COMMUNICATIONS IN AN ALTERNATE FORMAT PLEASE CONTACT THE OFFICE OF THE CLERK TO THE COMMISSION. FOR TDD/TTY OR GEORGIA RELAY SERVICE ACCESS DIAL 711.

CONSENT AGENDA**25-0408 Board of Commissioners**

Adoption of the Consent Agenda - All matters listed on the Consent Agenda are considered routine by the County Commission and will be enacted by one motion. No separate discussion will take place on these items. If discussion of any Consent Agenda item is desired, the item will be moved to the First Regular Meeting Agenda for separate consideration. **(ADOPTED)**

A motion was made by Commissioner Abdur-Rahman and seconded by Commissioner Thorne, to adopt the Consent Agenda. The motion passed by the following vote:

Yea: Pitts, Thorne, Ellis, Barrett, Ivory, and Abdur-Rahman

Absent: Arrington

25-0409 Board of Commissioners

Proclamations for Spreading on the Minutes. **(SPREAD ON THE MINUTES UPON ADOPTION OF THE CONSENT AGENDA)**

Proclamation recognizing “Angela Bassett Appreciation Day.” **(Arrington)**
May 21, 2025

Proclamation recognizing “Black Entertainment and Sports Lawyers Association Appreciation Day.” **(Ivory)**
May 29, 2025

Proclamation recognizing “Shar Bates Appreciation Day.” **(Arrington)**
May 29, 2025

Proclamation recognizing “Albert Floyd Baker, Sr. Remembrance Day.”
(Abdur-Rahman)
May 29, 2025

Proclamation recognizing “Golden Dome Chapter of American Business Women’s Association.” **(Arrington)**
May 31, 2025

Commissioners' District Board Appointments

25-0410 Board of Commissioners

FULTON COUNTY HOMELESS CONTINUUM OF CARE (CoC) (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)

One (1) representative will be nominated by each of the Commission Districts for a total of seven (7) members; this includes one representative from District 1, 2, 3, 4, 5, 6, 7. Each representative will serve a two-year term and could be re-appointed to serve additional terms. Notwithstanding the foregoing, no term of any member nominated by a District Commissioner shall extend beyond the term of the District Commissioner who nominates that member.

Term = 2 Years

Term below expired: 12/31/2024

Glenn Couper (**Thorne**)

Commissioner Thorne nominated Glenn Couper for a District reappointment to a term ending December 31, 2026.

25-0411 Board of Commissioners

DEVELOPMENT AUTHORITY OF FULTON COUNTY (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)

At the Special Call Meeting, May 30, 1973, the Board of Commissioners appointed seven (7) members to serve on this Authority. In 1992, two more members were added to this board bringing the total to nine (9) members appointed by the Board of Commissioners of Fulton County. Historically, each Commissioner has appointed one person to serve on this board. In addition, two persons are appointed and confirmed by the full Board of Commissioners.

Term = 4 years staggered

Term below expires: 5/31/2025

Kwanza Hall (**Abdur-Rahman**)

Commissioner Abdur-Rahman nominated Kwanza Hall to a District reappointment to a term ending May 31, 2029.

25-0412**Board of Commissioners**

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION PROCESS
CITIZEN REVIEW PANEL **(APPROVED UPON ADOPTION OF THE CONSENT
AGENDA)**

The CDBG Allocation Process Citizen Review Panel shall consist of fourteen (14) citizens. Each Commissioner shall appoint two (2) members from his/her district for a two (2) year term, subject to ratification by the Board of Commissioners. Such term shall not extend beyond the term set for the Commissioner who made the appointment. Panel members may be reappointed to serve additional terms.

Term = 2 years

Term below expired: 12/31/2024

Vacant (**Abdur-Rahman**)

**Commissioner Abdur-Rahman nominated Mary Jordan for a District
appointment to a term ending December 31, 2026.**

Open & Responsible Government

25-0413**Real Estate and Asset Management**

Request approval of a Water Easement Dedication of 29,460 square feet to Fulton County, a political subdivision of the State of Georgia, from Carol M. Boggs and Providence Road Community Association, Inc., owners, for the purpose of constructing the Subdivision Project at 0 Providence Road, Milton, Georgia 30004. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

25-0414**Real Estate and Asset Management**

Request approval of a Water Easement Dedication of 1,118.33 square feet to Fulton County, a political subdivision of the State of Georgia, from KANUR, LLC, individuals, for the purpose of constructing the Old Alabama Physician Offices Project at 3440 Old Alabama Road, Johns Creek, Georgia 30022. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

25-0415**Real Estate and Asset Management**

Request approval of a Water Easement Dedication of 5,227 square feet to Fulton County, a political subdivision of the State of Georgia, from the Bridges Alpharetta, LLC for the purpose of constructing the Bridges Project at 4430 Webb Bridge Road, Alpharetta, Georgia 30005. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

25-0416 Real Estate and Asset Management

Request approval of a Resolution authorizing the transfer of three (3) deeds for rights-of-way and limited access rights from Fulton County (Grantor) to the Georgia Department of Transportation (Grantee) for County-owned remnant parcels located at or near 0 Martin Luther King Jr. Drive, Atlanta, Georgia, 0 Oakcliff Drive, Atlanta, Georgia, and 0 Shirley Drive, Atlanta, Georgia, for the purpose of constructing roadway improvements; authorizing the Chairman to execute the deeds and related documents; authorizing the County Attorney to approve the deeds and related documents as to form and to make necessary modifications thereof prior to execution. Effective upon approval. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

25-0417 Real Estate and Asset Management

Request approval of a Resolution approving a Second Amendment to Lease Agreement between Wilmington Trust, National Association, as Trustee, for the benefit of Holders of J.P. Morgan Chase Commercial Mortgage Securities Trust 2018-PTC, Commercial Mortgage Pass-Through Certificates, Series 2018-PTC and the Future Advance Lender (Landlord), and Fulton County, Georgia (Tenant), for Fulton County's lease of office space at 235 Peachtree Street, Atlanta, Georgia; authorizing the Chairman to approve the Second Amendment; authorizing the County Attorney to approve the Second Amendment as to form and to make modifications thereto prior to execution. Effective on approval through December 31, 2025, with eight (8) automatic 12-month renewal terms beginning on January 1, 2026 and ending on December 31, 2033, with each renewal period being subject to appropriation of funding by the Board of Commissioners. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

25-0418 Real Estate and Asset Management

Request approval of a Resolution approving Fulton County, Georgia's transfer of County-owned right of way and providing a temporary construction easement located at 1332 Metropolitan Parkway SW, Atlanta, Georgia to the Metropolitan Atlanta Rapid Transit Authority, MARTA, for the purpose of installing bus stop improvements; authorizing the Chairman to execute a right of way deed and temporary construction easement declaration; authorizing the County Attorney to approve the right of way deed and temporary construction easement declaration as to form and to make modifications thereto prior to execution. Effective upon approval. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

25-0419 Real Estate and Asset Management

Request approval of an Indemnification, Maintenance, and Land Use Agreement for Private Improvement (Indemnification Agreement) between Fulton County, a political subdivision of the State of Georgia, and Michael McGuire & Amy McGuire for the purpose of granting conditional approval to allow stormwater infrastructure to remain within a portion of the County's existing sanitary sewer easement at 721 Eagles Mere Court, Alpharetta, Georgia. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

25-0420 Real Estate and Asset Management

Request approval of a Sanitary Sewer System Ownership, Operation, Maintenance, and Repair Agreement between Fulton County, a political subdivision of the State of Georgia, and Toll Southeast LP Company, Inc., for the purpose of granting Fulton County legal access to extend and maintain the sanitary sewer system at 0 Kimball Bridge Road, Alpharetta, Georgia 30022 (the Development). **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

Health and Human Services**25-0421 Public Works**

Request approval of Memorandum of Agreement (MOA) between Fulton County and the Metropolitan North Georgia Water Planning District (MNGWPD) for continued participation in the District-wide Single-Family Residential Toilet Retrofit Program in the total amount of \$15,000.00. Effective for one year upon execution. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

25-0422 Public Works

Request approval of a Memorandum of Agreement (MOA) between Fulton County and the Metropolitan North Georgia Water Planning District (MNGWPD) for continued participation in the District-wide Multi-Family High Efficiency (HET) Toilet Rebate Program administered by the MNGWPD pursuant to the requirements of the MNGWPD's Water Resource Management Plan in the amount of \$15,000.00. Effective for one year upon execution. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

Infrastructure and Economic Development**25-0423 Public Works**

Request approval of a Resolution authorizing Fulton County to accept a Georgia Department of Transportation (GDOT) contract and funding for costs associate with the Customs and Border Protection Facility at the Fulton County Executive Airport - Charlie Brown Field, when the contract is delivered to Fulton County; authorizing the Chairman to execute the contract with GDOT and related documents; authorizing the County Attorney to approve the contract and related documents as to form and to make necessary modifications thereto prior to execution. Effective upon approval. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

Justice and Safety**25-0424 Juvenile Court**

Request approval of a subaward contract - Fulton County Juvenile Court (FCJC), 15PJDP-23-GK-06141-TITL, OJJDP FY 2023 Building Local Continuums of Care to Support Youth Success in the amount up to \$128,833.00 with Georgia State University (GSU) (Atlanta, GA) to conduct all data collection, analysis, and reporting to identify needed resources for delinquency prevention for at-risk and justice-involved youth. Effective January 01, 2024, through December 31, 2024 with automatic renewal contingent upon funding through June 30, 2025 and options to renew contingent upon grant extension. This contract is 100% grant funded. No county funding is required. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

FIRST REGULAR MEETING AGENDA**25-0425 Board of Commissioners**

Adoption of the First Regular Meeting Agenda. **(ADOPTED AS AMENDED)**

A motion was made by Commissioner Abdur-Rahman and seconded by Commissioner Barrett, to adopt the First Regular Meeting Agenda as amended by removing item #25-0430 as requested by the County Manager. The motion passed by the following vote:

Yea: Thorne, Ellis, Barrett, Ivory, and Abdur-Rahman

Abstain: Pitts

Absent: Arrington

25-0426 Clerk to the Commission

Ratification of Minutes. **(RATIFIED)**

First Regular Meeting Minutes, May 7, 2025

Second Regular Meeting Post Agenda Minutes, May 21, 2025

A motion was made by Commissioner Abdur-Rahman and seconded by Commissioner Ivory, to ratify the meeting minutes. The motion passed by the following vote:

Yea: Pitts, Thorne, Ellis, Barrett, Ivory, and Abdur-Rahman

Absent: Arrington

25-0427 Board of Commissioners

Presentation of Proclamations and Certificates. **(NONE)**

PUBLIC HEARINGS**25-0428 Board of Commissioners**

Public Comment - Citizens are allowed to voice County related opinions, concerns, requests, etc. during the Public Comment portion of the Commission meeting.

Priority for public comment will be given to Fulton County citizens and those individuals representing businesses or organizations located within Fulton County, including their employees, whether such persons are commenting in-person, via emails or via Zoom or other electronic media (i.e., phone call).

Non-Fulton County citizens will only be heard after all in-person Fulton County citizens, representatives of business and organizations located within Fulton County, including their employees, have been heard and the time allotted for public comment has not expired, except as otherwise provided in this code section. County staff shall verify the residency of each public speaker prior to such person being heard by the board. Speakers will be granted up to two minutes each. Members of the public will not be allowed to yield or donate time to other speakers. The Public Comment portion of the meeting will not exceed sixty (60) minutes at the First Regular Meeting, nor will this portion exceed sixty (60) minutes at the Second Regular Meeting. In the event the 60-minute time limit is reached prior to public comments being completed, public comment will be suspended and the business portion of the BOC meeting will commence. Public comment will resume at the end of the meeting. For more information or to arrange a speaking date, contact the Clerk's Office.

(CONDUCTED)

15 Speakers: Darius Bowdry (Project Proposal); Maria Gaudio (Oppose BRE Appointment); Shantwina Hicks (Ethics); Deshaneir King (Diversion Center); Dr. Martin Rogers (Ethics); Pamela Eckhart (Fulton County Jail); Dominique Grant (Diversion Center); Antonio (Fulton County Jail); LA Pink (Fulton County Sheriff); Michael Collins (Diversion Center); Robby Caban (Lifeline Animal Contract); Margie Mcleod (Fulton County Jail); Breedlove Minston (Fulton County Jail); Kristin Nabers (Support BRE Appointment); Rachel Lastinger (Support BRE Appointment)

4 Zoom Speakers: Kevin Muldowney (Oppose BRE Appointment); Matt Rowenzcak (Oppose BRE Appointment); Derrick Blassingame (Fulton County Police Dept); Cecily Willis (Declined Comment)

PRESENTATIONS TO THE BOARD**25-0429 Board of Commissioners**

Presentation: Annual Justice Policy Board Report **(PRESENTED)**

COUNTY MANAGER'S ITEMS**Health and Human Services****25-0384 Senior Services**

Request approval to amend an existing contract, 21RFP000027A-CJC, Senior Transportation Services with Transdev Services, Inc., to initiate a six-month pilot program to allow its subcontractor, UZURV, to deploy three (3) vehicles with an appropriate fleet age to provide transportation services to seniors at no additional cost. Effective upon BOC approval. **(HELD ON 5/21/25) (HELD)**

25-0430 Public Works

Request approval of a recommended proposal - Department of Public Works, 25RFP146289K-JAJ, Operation & Maintenance Service for Wastewater Facilities & Pump Stations in the North Fulton Service Area in an amount not to exceed \$13,929,869.00 for the remainder of 2025 which represents the start of a five-year contractual period with Inframark-Slater Joint Venture DBA Fulton County Wastewater Partners (Alpharetta, GA), to provide water and wastewater system operations and maintenance management systems in the North Fulton service area. The initial term of the contract will be effective July 6, 2025, through July 6, 2030 for five (5) years, with one (1), five (5) year renewal option. **(REMOVED)**

25-0431 Community Development

Request approval of a statewide contract - Community Development, SWC 99999-001-SPD0000136-0008, Temporary Staffing Services in an amount not to exceed \$148,677.48 with Corporate Temps 2000 (Norcross, GA) Effective July 1, 2025, through December 31, 2025. **(APPROVED)**

A motion was made by Commissioner Thorne and seconded by Commissioner Abdur-Rahman, to approve. The motion passed by the following vote:

Yea: Pitts, Thorne, Ellis, Barrett, Ivory, Arrington, and Abdur-Rahman

Justice and Safety**25-0432 Public Defender**

Request approval of an MOU between Fulton County, on behalf of the Office of the Public Defender, and the United Way of Greater Atlanta in the amount of \$70,000.00 to support a select group of chronically homeless individuals released from the Fulton County Jail by providing transitional housing with case management. The MOU will be effective upon approval by the Board of Commissioners until December 31, 2025. **(APPROVED)**

A motion was made by Commissioner Barrett and seconded by Commissioner Thorne, to approve. The motion passed by the following vote:

Yea: Pitts, Thorne, Ellis, Barrett, Ivory, Arrington, and Abdur-Rahman

Commissioners' Full Board Appointments**25-0433 Board of Commissioners****BOARD OF REGISTRATION AND ELECTIONS (APPROVED)**

The board shall be composed of five members, each of whom shall be an elector and resident of Fulton County, who shall be appointed in the following manner:

- (1) Two members shall be appointed by the governing authority of Fulton County from nominations made by the chairperson of the county executive committee of the political party whose candidates at the last preceding regular general election held for the election of all members of the General Assembly received the largest number of votes in this state for members of the General Assembly;
- (2) Two members shall be appointed by the governing authority of Fulton County from nominations made by the chairperson of the county executive committee of the political party whose candidates at the election described in paragraph (1) of this section received the second largest number of such votes; and
- (3) One member shall be appointed by the governing authority of Fulton County, which member shall be designated permanent chairperson of the board."

Term = 2 Years

Term below expires: 6/30/2025
Sherri Allen (Chairperson/BOC)

Chairman Pitts nominated Sherri Allen for a Full Board reappointment to serve as Chairperson to a term ending June 30, 2027.

A motion was made by Commissioner Barrett and seconded by Commissioner Ivory, to approve. The motion passed by the following vote:

Yea: Pitts, Barrett, Ivory, Arrington, and Abdur-Rahman

Nay: Thorne, and Ellis

COUNTY MANAGER'S PRESENTATION AND DISCUSSION ITEMS**Open & Responsible Government****25-0434 Finance**

Discussion of implications of House Bill 85 "Superior Court Judicial Compensation Reform Act" **(DISCUSSED)**

COMMISSIONERS' PRESENTATION AND DISCUSSION ITEMS**25-0406 Board of Commissioners**

Discussion: Clerk of Court Passport Fees: Disclosure and Reporting Update on process and procedures (**Ellis**) (**HELD ON 5/21/25**) (**DISCUSSED**)

25-0435 Board of Commissioners

Discussion: Follow-up to Resolution for Overtime Pay for Detention Services and other Incentives. (**Ellis**) (**DISCUSSED**)

25-0436 Board of Commissioners

Discussion: Sanctuary List (**Ellis**) (**DISCUSSED**)

EXECUTIVE SESSION**25-0437 Board of Commissioners**

Executive (**CLOSED**) Sessions regarding litigation (**County Attorney**), real estate (**County Manager**), and personnel (**Pitts**). (**APPROVED**)

PRESENT IN THE EXECUTIVE SESSION REGARDING LITIGATION, REAL ESTATE, AND PERSONNEL: Chairman Pitts, Vice-Chairman Ellis, Commissioners: Thorne, Barrett, Ivory, Arrington, and Abdur-Rahman; County Manager Dick Anderson; County Attorney Y. Soo Jo; and Clerk to the Commission Tonya R. Grier.

a. A motion was made by Commissioner Barrett and seconded by Commissioner Abdur-Rahman, to enter into Executive Session. The motion passed by the following vote:

Yea: Pitts, Ellis, Barrett, Ivory, and Abdur-Rahman

Did Not Vote: Thorne, and Arrington

b. A motion was made by Commissioner Barrett and seconded by Commissioner Arrington, to approve the requests for representation in items #1, #2, and #3 as discussed in Executive Session. The motion passed by the following vote:

Yea: Pitts, Thorne, Ellis, Barrett, Ivory, and Arrington

Absent: Abdur-Rahman

c. A motion was made by Commissioner Barrett and seconded by Commissioner Ivory, to approve the request for settlement authority in item #4 as discussed in Executive Session. The motion passed by the following vote:

Yea: Pitts, Thorne, Ellis, Barrett, Ivory, and Arrington

Absent: Abdur-Rahman

ADJOURNMENT

There being no further business, the meeting adjourned at 3:39 p.m.

FULTON COUNTY BOARD OF COMMISSIONER'S FIRST REGULAR MEETING

June 4, 2025

10:00 A.M.

Alexander Solutions, LLC

“A Court Reporting Firm”

(Whereupon, the meeting was called to order at 10:01 a.m.)

CHAIRMAN PITTS: "All right. Good morning, everyone and welcome to the First Regular Meeting of the Fulton County Board of Commissioners the month of June. Today is June 4th 2025; it is exactly 10:01 a.m. Madam Clerk, please, call the roll."

CLERK GRIER: "Chairman Robb Pitts."

CHAIRMAN PITTS: "Present."

CLERK GRIER: "Commissioner Bridget Thorne."

COMMISSIONER THORNE: "Present."

CLERK GRIER: "Vice Chairman Bob Ellis."

VICE CHAIRMAN ELLIS: "Present."

CLERK GRIER: "Commissioner Dana Barrett."

COMMISSIONER BARRETT: "Present."

CLERK GRIER: "Commissioner Mo Ivory."

COMMISSIONER IVORY: "Present."

CLERK GRIER: "Commissioner Marvin Arrington, Jr. Commissioner Khadijah Abdur-Rahman."

VICE CHAIR ABDUR-RAHMAN: "Present."

CLERK GRIER: "Mr. Chairman, you have a quorum."

CHAIRMAN PITTS: "Thank you, Madam Clerk. Please rise for the invocation followed by the Pledge of Allegiance."

(Whereupon, the invocation was given by Reverend Dawkins followed by the Pledge of Allegiance.)

CHAIRMAN PITTS: "Thank you. All right, continue, Madam Clerk."

CLERK GRIER: "On page 2 --"

CHAIRMAN PITTS: "-- one moment. Where's the County Attorney? All right, continue."

CLERK GRIER: "On page 2, Consent Agenda, **25-0408**, Adoption of the Consent Agenda - All matters listed on the Consent Agenda are considered routine by the County Commission and will be enacted by one motion. No separate discussion will take place on these items. If discussion of any Consent Agenda item is desired, the item will be moved to the First Regular Meeting Agenda for separate consideration."

CHAIRMAN PITTS: "Any items, Commissioners?" None? All right. Motion to adopt by Commissioner Abdur-Rahman; seconded by Commissioner Thorne. Please vote."

CLERK GRIER: "And the vote is open. And the motion passes; six yeas, zero nays."

CLERK GRIER: "On page 7, First Regular Meeting Agenda, **25-0425**: Adoption of the First Regular Meeting agenda. Mr. Chairman and Members of the Board, we have one item to be removed on page 9, 25-0430, Public Works: Request approval of a recommended proposal for operations and maintenance services for wastewater facilities and pump stations in the North Fulton service area. This item was removed due to protest received regarding the project."

CHAIRMAN PITTS: "All right. Why is it being removed?"

FELICIA STRONG-WHITAKER, CHIEF PURCHASING AGENT, P&CC: "Good morning, Commissioners. Felicia Strong-Whitaker, Chief Purchasing Agent. We received a protest in regards -- in relation to this project. And so, we're removing -- I mean, removing the project until the protest is settled. And we sent you a notification of our determination to cancel the solicitation and to rebid."

CHAIRMAN PITTS: "So --"

FELICIA STRONG-WHITAKER, CHIEF PURCHASING AGENT, P&CC: "The project was first removed due to the protest we received."

CHAIRMAN PITTS: "The protest was filed in a timely manner?"

FELICIA STRONG-WHITAKER, CHIEF PURCHASING AGENT, P&CC: "Yes, it was."

CHAIRMAN PITTS: "And what's the second part of this?"

FELICIA STRONG-WHITAKER, CHIEF PURCHASING AGENT, P&CC: "The second part was after discussion with the Director of Public Works, the determination was made to cancel the solicitation and to rebid it."

CHAIRMAN PITTS: "And you have the basis for the -- to cancel the solicitation and rebid it? Is that what you're saying?"

FELICIA STRONG-WHITAKER, CHIEF PURCHASING AGENT, P&CC: "Yes."

CHAIRMAN PITTS: "Why is that?"

FELICIA STRONG-WHITAKER, CHIEF PURCHASING AGENT, P&CC: "There were several things that we notice that we probably need to do better with the solicitation to make clear about environmental compliance and some other things. I'll let David Clark speak a little bit more to that if -- if needed. But we are going to make some changes to the specifications."

CHAIRMAN PITTS: "Is Mr. Clark here? Now, I've been out of town and I've been hearing about this. And what I'm hearing I don't like put it that way."

DAVID CLARK, DIRECTOR, PUBLIC WORKS: "Good morning, Chairman, David Clark, Public Works Director. As the Purchasing Officer said that we did go through the solicitation process. We received the bids; we interviewed all three firms. The selection committee made a determination or a recommendation of who to recommend to the Board. After that recommendation came out, there was a protest about certain elements of the RFP involving little bit of scope of work issues, project team issues, as well as potential environmental compliance. So we've decided to cancel the RFP, make some corrections to the language in the scope of work for the RFP, reissue it, and then go through the process again."

CHAIRMAN PITTS: "So this will be removed? All right. I don't agree with that, but on the motion to adopt as amended by Commissioner Abdur-Rahman; seconded by Commissioner Barrett."

CLERK GRIER: "And the vote is open. And the motion passes; five yeas, one abstention."

CHAIRMAN PITTS: "Next item."

CLERK GRIER: "**25-0425**, Ratification of Minutes. First Regular Meeting Minutes, May 7th; Second Regular Meeting Post Agenda Minutes, May 21st 2025."

CHAIRMAN PITTS: "All right. Motion to ratify by Commissioner Abdur-Rahman; seconded by Commissioner Ivory. Cast your vote, please."

CLERK GRIER: "And the vote is open. And the motion passes; six yeas, zero nays."

CLERK GRIER: "**25-0427**, Presentation of Proclamations and Certificates. There are no proclamations for today's meeting."

CHAIRMAN PITTS: "Thank you for that. Next item."

CLERK GRIER: "On page 8, Public Hearings, **25-0428**, Public Comment - Citizens wishing to participate in public comments will be allowed to appear in person or may choose to participate virtually via Zoom videoconferencing by registering on the county website, www.fultoncountyga.gov. Priority for public comment will be given to Fulton County citizens and those individuals representing businesses or organizations located within Fulton County. Speakers will be granted up to two minutes each. The public will not be allowed to yield or donate time to other speakers. The public comment portion of the meeting will not exceed 60 minutes. In the event the 60 minute time limit is reached prior to public comments being completed, public comment will be suspended and the business portion of the BOC meeting will commence. Public comment will resume at the end of the meeting. Mr. Chairman and Members of the Board, we have received 15 speaker cards. Will the first five speakers, please come forward: Darius Bowdry, Maria Gaudio, Shantwina Hicks, and Deshaneir King."

CHAIRMAN PITTS: "First speaker come up."

DARIUS BOWDRY, PUBLIC SPEAKER: "Darius Bowdry. And I'm here because I've sent out a series of e-mails this morning and I want to make sure they landed in the right place. They were concerning -- the subject was a proposal submission and author engagement contract. Graciously, Commissioner Khadijah -- her Chief of Staff, Vincent Watkins has been meeting with me to get -- make sure everything is arranged properly. So I want to make sure that I'll be able to get on the agenda on behalf of -- on behalf of Dez [Phonetic.] Cash Company LLC; and to make sure that whatever is necessary for the -- whether it's a bidding process or -- for the discussions to be had about it the contract that was submitted. Make sure everything is in order, so that you know it can move forward. So again, Commissioner Khadijah has been very helpful and Chief of Staff Vincent Watkins as well. And I'll stick around to see if there's anything more I need to do. And I also follow-up because I sent a -- I sent a copy to purchasing and contracting as well this morning and wherever I need to follow up for the next few days I'll do that as well. Thank you."

MARIA GAUDIO, PUBLIC SPEAKER: "Good morning, Maria Gaudio, Fulton County. I'd like to talk about Sherri Allen who has a history of foul play on the election board. For example, she filed suit against the state election board without having a vote from other board members on Fulton County BRE. She does not advocate or support proper reconciliation of records and election results prior to demanding a certification. She obstructs transparency of an excessive 40 million-dollar budget. She has refused reports to -- to give reports to other board members. I have been down at the BRE where in conversation with members from the Carter Center, they were crossing out paragraph saying, no, Sherri doesn't want us to talk about that; no, Sherri doesn't want us to talk about that. That is total lack of transparency. She does not belong on the board any longer. I'm surprised she even still holds a bar card. Thank you."

SHANTWINA HICKS, PUBLIC SPEAKER: "Good morning. I'm Shantwina Hicks. I'm a resident of East Point. My reason for being here today is regarding an April 21st meeting with the city of East Point where our County Commissioner, Mr. Marvin Arrington came before our council representing a developer; and I just wanted to point out I had filed an ethics complaint's for consideration of this behavior. And I also think that it is not kosher for a person who is getting paid our tax dollars to also in their private practice come before and take money from a developer to kind of side rail the zoning laws of our jurisdictions. In the South Fulton we are tired of data centers and we are tired of warehouses. Those don't offer a lot of jobs. They suppress our economic development of our community and we would like consideration in terms of not having a conflict. I think if you're going to represent people going for a rezoning in the jurisdictions, you should represent in counties that are not related to Fulton County. Not against you having your own private practice. That's, okay, but you don't get to take money from developers, and you don't get to take money from our tax dollars. Thank you."

DESHANEIR KING, PUBLIC SPEAKER: "Good morning. My name is Deshaneir King and I'm a narrative (indiscernible.) and story-teller at Women On the Rise Georgia. I'm here to speak about the underuse of the Diversion Center, a resource our communities spent years planning and poured real love and care into to build; most importantly to some folks, a lot of money creating the Diversion Center. But instead of being used as intended, it's being sidelined and so we ask why? Because there's a fear -- fear that helping people might mean we lose the ability to punish them. Because we certainly keep hearing is, what is this; just a get out of jail free card. I heard the same thing years ago in a room where officers were being trained to refer people to services like PAD; the skepticism has not changed. And the substance of this is not a policy issue or a resource issue, but it's a cultural one. We're still treating incarceration as a default even though we've proven over and over again that it doesn't work. And not even one day in jail can (indiscernible.) impact and destroy lives. I work directly with woman coming out of jail. They share stories of pain, trauma, and circumstances that lead them there: substance use, mental health crisis, housing insecurity. Means of the Diversion Center was built to meet with care and not cages. So I ask you to imagine, on the worst day of your life, would you want to be met with punishment or with support and compassion. Many believe that incarceration will never touch them, but in a city with a militarize police facility, increased surveillance, growing police presence none of us are exempt. One day you or someone you love might need the Diversion Center. And I hope when that day comes that you are given the opportunity for help and not harm. Thanks."

CLERK GRIER: "Next speakers: Dr. Martin Rogers, Pamela Eckhart, Dominique Grant, Antonio, LA Pink, and Michael Collins."

DR. MARTIN ROGERS, PUBLIC SPEAKER: "Ready?"

CHAIRMAN PITTS: "Yes."

DOMNIQUE GRANT, PUBLIC SPEAKER: "Dear Commissioners, I come before you today as a disgusted and deeply concerned resident, taxpayer, and homeowner in Fulton County. I reside in District Five. I want to speak specifically about the actions of

a Member of this Board, who I believe has acted in a way that disrespects the will and well-being of the community he was elected to serve. My first communication with the Commissioner was a phone call in which he sought my support for the construction of yet another warehouse in my community. I made it clear that our community has already endured enough burdened by previous developments that have brought more harm than good. I told him plainly, I could not support another warehouse. Despite this, he proceeded to advocate for the project not as an impartial representative of the people, but as someone who in his own words was taking off his Commissioner's hat to represent his client. That client was not proposing anything that would elevate or enhance our community only two large-scale warehouses. What's worse is the hypocrisy. During his presentation to our local elected body in February, the Commissioner acknowledged that South Fulton had already been slammed with these types of developments, and yet there he stood, fully backing the very thing he admitted was harming our community. When the project was rightly denied by the city's planning and zoning commission, he persisted. As a Commissioner, your duty is to act in the best interest of the people. But when I began speaking with residents directly --"

CHAIRMAN PITTS: "-- 15 seconds."

DOMNIQUE GRANT, PUBLIC SPEAKER: "-- impacted by the proposed warehouse, the city of East Point received a letter from the developer's attorney, our Commissioner, threatening to sue the city. I'll be back because I'm a resident of Fulton County so --"

PAMELA ECKHART, PUBLIC SPEAKER: "I think you guys need to start with real prayer in this office; in this Commission. I think you need to really pray personally. I'm Pamela Eckhart, and I ran for office last year. I'm a resident of Fulton County, and I just cannot believe what I see happening in our County. And the biggest thing for me is the jail, and I'm telling you right now, every single one of you is going to stand before God and he's going to ask you about every single person that died in that jail. You are going to be held accountable for that. And today I'd like to volunteer to help with the problems at the jail. It's not something that can't be handled, but where in the world are you guys? You're willing to just let people die? What kind of people are you? So likewise, whosoever he be of you who forsakes not all that he has, he cannot be my disciple. What is a disciple; I'll tell you what a disciple is. A disciple is a person who wholeheartedly with all his heart and all his mind and all his strength and all of his being serves a focused purpose. I thought that's what you are here -- I voted for. He does not turn from the left to the right; he has his face set a as flint for a purpose. Today, yes, today, Satan has many, yes, many wholehearted disciples. Where are mine? This is God. I didn't write this, God said this."

CHAIRMAN PITTS: "-- 15 seconds, ma'am."

PAMELA ECKHART, PUBLIC SPEAKER: "Are you one of them? You've got some really serious decisions to make and you need to really do it. I'm volunteering to help with the problem with the jail. I'll have a meeting with you. I'll be calling."

CHAIRMAN PITTS: "Next speaker."

DOMNIQUE GRANT, PUBLIC SPEAKER: "Good morning, Commissioners. Nice to see y'all again, and again, and again. My name is Dominique Grant, and I'm the campaign and operations manager with Women on the Rise Georgia. Today, I'm not just speaking as someone that is just an advocate, but as someone that recently experienced life inside of AC/DC during a mental health crisis. I want to talk about the urgent need for diversion, not just as a concept, but as a life-saving practice. While I was detained, I witnessed people who were clearly in crisis, some withdrawing from substances, some battling mental health issues, all crammed together in unsafe conditions. People vomiting, shaking, crying for help; sharing small space without even basic like toilet paper -- I'll take soap, hand sanitizer, something; but toilet paper. Nothing. These are not conditions for healing and y'all know that. These are conditions for trauma, and I am traumatized. And I have to ask, are our officers not trained or not empowered enough to recognize when someone needs care instead of a cell? When someone needs medical attention instead of punishment? Diversion isn't about reducing jail numbers; it's about protecting human beings. It's about Public Safety because putting someone in crisis in a cage doesn't protect anyone. In fact, it puts everyone at greater risk even the staff. You don't got to care about the residents, but even your staff. So I'm asking today that you continue or try to urge officers through policy, through leadership and through training to take a second look before locking someone up and actually using the center that the community fought for. And if the answer is, does a person need help? If that's a question, then the answer is yes, they need to be brought to care and not a cage. Thank y'all. Have a good one."

ANTONIO, PUBLIC SPEAKER: "Grand rising. On behalf of Street Groomers, LaButt can't keep blaming the BOC when they have made attempts to fix the jail. Page 25 DOJ report, in August 2023, the County and Sheriff's office began a repair blitz of housing units in the main jail to make repairs including fixing broken locks, doors, windows and the like. The County and Sheriff's office have now repaired multiple housing units in the main jail. In June of 2024, the Board of Commissioners voted against a proposal to move forward with a new jail, and in July 2024, the Board approved a countermeasure to instead access the current jail for renovations. Indeed, six weeks after the completion of repairs to one housing unit, they had already been seriously damaged. Thirty-nine switches were broken and an electrical plate was missing from the wall. LaButt complains he can't hire staff to cover deployment. In March 2024, the Board rejected the Sheriff's request to continue double overtime payments. In July 2023, the Sheriff's office contracted to have private security specialist's work in the towers and propagate understaffing. But in August 2024, the private security officers walked off the job after the contractor said they had not been paid in three weeks -- three months, excuse me was owed over a million dollars and ending the contract with the jail. The Sheriff's office described a significant budget crisis that led to the nonpayment of this contract and left the jail scrambling to cover abandoned posts. We have found that the jail leaders have not taken adequate measures to improve staffing and supervision at the jail. Thank you."

LA PINK, PUBLIC SPEAKER: "So as y'all can see, we've got them coming in, okay. Because y'all are trying do y'all's job, I will say that. I mean, he pimping y'all a little bit.

He pimping. I mean most, most definitely can say that, but you guys are trying. And as you can see, Chair, that Ike Arrington is trying to take your job. But as you can see the malfeasance and incompetence of him not knowing when to use his position, let's not let that happen, okay? So let's get back to the sheriff: there was two other deaths that just happened. And the reason why I say now is not on you guys, it's because you guys have given the funding to try to get the jail in control. And if you guys are not following the deaths that just happened in the jail, those happened from people just not doing their job and not having enough staff oft in there. It's not even all on the officers, because they haven't been properly trained. See, if you guys would do a little time and go talk to them instead of talking to him, why he's battling, running game, then you'll know. Half of the people that have been fired are women. Half of them have been pimped out, okay? Put inside the jail to work by themselves with no men to cover them, putting their lives in danger. So not only are the inmates in danger, but now we have employees that are putting their lives and now they're in danger. But what is he doing? What is the Sheriff doing? Running game on everybody. You got women again, Mo went, Dana went, once again, pimping. Playing games. Y'all got on TV, oh, you know, we're making it happen. We're trying to work together. --"

CHAIRMAN PITTS: "-- 15 seconds."

LA PINK, PUBLIC SPEAKER: "-- "but of course, we see over and over again the incompetence of a Sheriff that have not succeeded in leadership and now have to be baby-sitted by DOJ."

MICHAEL COLLINS, PUBLIC SPEAKER: "Let me begin with a little mystery that's bedeviled Fulton County this past month. Why is the Diversion Center only serving three people a day when it was projected to divert 10,500 people annually? Suspect number one: state law. Some say that the underutilization issue is because, as the Solicitor General has stated, recent state law changes mean certain individuals cannot go to the Diversion Center; however, the center is to be used in a prearrest setting that only relies on law enforcement. The Solicitor General has no jurisdiction in the prearrest space. Suspect number two: warrants. We've been told that if someone who could've been diverted shows up and they have a warrant and it's a dead docket warrant, we cannot take them. While this may happen occasionally, it is not the driver of underutilization. APD officers are supposed to track each arrest and see why the person was not diverted if they are arrested on a divertible offense. The data will show the warrants are not a frequent reason for nondiversion. That brings us to suspect number three: APD. A 2022 ACLU report found that law enforcement agencies, namely APD, failed to utilize established prearrest diversion programs. The analysis showed that 120 people or 3.4 percent of people in custody with charges eligible for diversion programs, were held in custody. APD has already fessed up by telling Commissioners they are scared to go over said center's success, and they want to know how many times people have been offered diversion, claiming that people don't take services. But any public health expert will tell you that you cannot set an arbitrary limit on how many times a person should get diversion. It takes time to gain trust --"

CHAIRMAN PITTS: "-- 15 seconds."

MICHAEL COLLINS, PUBLIC SPEAKER: "-- and proper recovery. So there we have it. Case closed. The reason is that the Diversion Center is not working is because of APD and its resistance to the concept of diversion. And I urge Commissioners to bear this in mind and hold APD accountable during today's presentation. Thank you."

CLERK GRIER: "Last speakers in Assembly Hall: Robby Caban, Margie Mcleod, Brad Love [Verbatim.], Kristin Nabers, and Rachel Lastinger."

ROBBY CABAN, PUBLIC SPEAKER: "So there's been no response to the animal control contract managed by Lifeline Animal Project's e-mails solicitable accounts. Whistleblowers have spoken directly with Commissioner Thorne for two hours. There's been no audit. Its \$9 million a year paid to Lifeline. I think you have the idea we're going listen to the experts. Listen to one of their whistleblowers. We sent you these accounts and since you don't respond to email, I have no choice but to play it here so it's on record. (Public Speaker is now playing taped audio.) So what are we paying for? He's blacklisted. Officer Nate Higgins who took a sworn oath, deputized by Sheriff Labat, which I'll follow up on email, what are Fulton County residents paying for?"

CHAIRMAN PITTS: "All right, 15 seconds."

ROBBY CABAN, PUBLIC SPEAKER: "You are letting a vendor take our money, taxpayer funds, who is in contract breach, \$9 million a year. You professed to care for animals, no; you don't, because you're allowing this. You're all complicit."

CHAIRMAN PITTS: "Thank you."

MARGIE MCLEOD, PUBLIC SPEAKER: "Good afternoon. I usually don't talk about the jail, but you know I was defending the jail, but I get phone calls too from the jail, and they don't feel safe. You don't have enough staff, and the proposal I'm saying, we need robots. If you don't have the manpower, put robots in there. They could monitor. Y'all might say technology, because that's what we need, because you don't have manpower. And you should be protected when you go into the jail. We've got people that should not be in there for a traffic ticket. They can't get out. You have young children, 18 years old, so we have to put the money where it supposed to be. The jails, the bond people is making money, but maybe one of y'all go to jail and then you would want changes. And I told you that too, Pitts. Remember last time? But we have to have improvement. So you got robot cops on Midtown, so why you can't put the robot when you have problems, and put them in the jail because people are getting raped in jail. I get phone calls, and that's what is happening, because you say you don't have the staff, but we could do this. Technology. You see what happens when you're in Washington DC what do they do? They don't help you, but AI. But what I'm saying and we got a problem because y'all give money to the agency. People calling me, they are running out of money. But what I'm saying, we need a task force, a hotline. If you giving this agency money, why are they running out of money? That's what y'all need to start doing --"

CHAIRMAN PITTS: "-- 15 seconds."

MARGIE MCLEOD, PUBLIC SPEAKER: "-- you keep the same people on the list and you call them I'm out of funding. Remove them off the list or have a hotline. Let the people call. Hey, so-and-so don't have no money, but you still giving them the money, but the people --"

CHAIRMAN PITTS: "Thank you. Thank you. Next speaker."

BREEDLOVE MINSTON, PUBLIC SPEAKER: "Praise the Lord. Praise the Lord. I want all of you all here to listen and listen well. I'm a senior. I'm an elder, mother, grandmother, and great-grandmother. And I'm a minister of the gospel of Jesus Christ. What is going on with you all? You all have the love of Jesus in you, and one day if you get my age and your children are going to say why didn't you do justice, but you had it in the palm of your hand, children. Listen. God is good to us. We're in America. I was born on the 4th of July. My mother was a farmer. We worked hard in the cotton fields \$6 a day. We prayed for you all to get jobs, to come into our arena to do what's right. I was at the jail and I seen how the children was suffering there. I was out there by myself praying with them. And how they were suffering and going on. I can hear in my ears the pain and suffering. It's time for you to get up out of these chairs and go and see what is going on with our tax dollars. My ancestor, the first black millionaire, Madam CJ Walker, the Breedlove family, we own our own town in South Georgia. We're the biggest farmers in the South. We help people. I'm a 43-year missionary. I have traveled the land and seen so many people hungry and hurt, girls on the street even today, I got to feed today. Come on, people. Children, you all are special. You all have within your hands the right - -"

CHAIRMAN PITTS: "-- 15 seconds."

BREEDLOVE MINSTON, PUBLIC SPEAKER: "-- get up and do something. Get up and do something. Chairman, I voted you in, prayed for you. Marvin Arrington, many of you here, I'm looking for you to do your job. God bless you."

KRISTIN NABERS, PUBLIC SPEAKER: "Good morning, Commissioners. My name is Kristin Nabers; I'm the State Director for All Voting Is Local Action. We are a nonpartisan organization that advocates for expanding voter access. I'm here today to speak in support of the nomination of Sherri Allen for a full term as the chair of the Fulton BRE. Despite being brought into the position barely 10 weeks before the start of early voting last fall, Ms. Allen hit the ground running and oversaw an eventful and largely routine election. From an election administrative position, you can even call it boring, which is exactly what elections should be even in hotly contested presidential years. Although I would be remiss, if I did not acknowledge the dozens of Election Day bomb threats which were an extreme unboring series of events. But Ms. Allen and the Fulton team also took those in stride. Ms. Allen has shown a willingness to work fairly with both Democrats and Republicans, and has proven herself to be the nonpartisan advocate for the County and for Fulton voters. The moderating team that observed Fulton elections in 2024 described the County's selections as organized and orderly. Lead monitor, Ryan Germany, formally of the secretary Raffensperger's office, was

quoted as saying the level of improvement he had personally seen in Fulton County elections was staggering. The credit doesn't all belong to Ms. Allen; of course, the Fulton election office led by Nadine Williams has made a number of excellent improvements over the past several years. But Ms. Allen was leading the board in the charge in 2024. As an attorney, she has repeatedly shown that she understands the law and will not bend to the will of outside forces, who want to meddle in Fulton's elections. Ms. Allen is the strong leader this board needs, and I urge you to confirm her appointment. Thank you."

RACHEL LASTINGER, PUBLIC SPEAKER: "Good morning, Commissioners. My name is Rachel Lastinger, and I serve as the Associate Director of the ACLU of Georgia's Voter Access Project. We work to ensure that voting is easy and accessible for all Georgians, and I'm also a Fulton District Six resident. I'm here today to speak about the position of the chair of the Fulton County Board of Registrations and Elections, and in support of the current chair, Sherri Allen. Sherri Allen has served in her role for the last 10 months, and we feel she has fulfilled her role in a clear, transparent and nonpartisan way. We need more Board of Election members who will strengthen Georgia's trust in our electoral system, and be strong enforcers of good policy that advances voter access to the ballot. Ms. Allen has done this in her role. Through a robust volunteer program, the ACLU of Georgia monitors the Fulton County Board of Elections meetings receiving detailed notes from every meeting that I then review. I'm often in attendance myself. Ms. Allen has proven herself to be a strong leader who considers the voices of every member of her board, while also keeping everyone on task. Ms. Allen has shown that she has a strong understanding of the law and how to implement it. She has also been a nonpartisan in her role as chair. It is clear that she acts based on what the election code says and what is in the best interest of all Fulton County voters. We do not believe there's any legitimate reason to replace Ms. Allen in her role as chair. She has been the strong leader that Fulton County needs, and so I urge you to accept her reappointment. Thank you."

CLERK GRIER: "Mr. Chairman and Members of the Board, we have four speakers on Zoom."

RICO DOLLAR, EXTERNAL AFFAIRS: "Good morning, Commissioners. The first person to speak is Kevin Muldowney."

KEVIN MULDOWNEY, PUBLIC SPEAKER: "Good morning, Commissioners. The appointment of Sherri Allen is just one more example of the highly partisan nominee that has no interest in election transparency. She filed a lawsuit opposing state election board common sense rules without getting a majority vote from her our own board -- from her own Board of Elections. Commissioner Ivory brought up at the last BOC meeting the reason for opposition to Julie Adams appointment had a lot to do with the cost of defending a lawsuit brought by Ms. Adams. The reason for that lawsuit was to fight the stonewalling from Sherri Allen and the Elections Department that made it impossible for fellow board members to receive election documentation in a timely manner before being compelled to certify the election results. Under Sherri Allen, the Elections Department has an excessive budget, fights with her own board over sharing

election results in any meaningful way, and expects automatic certification. Please go back to the drawing board and find a candidate for chair that is interested in giving us a true and transparent election process within a reasonable budget. Thank you very much."

CHAIRMAN PITTS: "Are there other Zoom speakers? Okay. Can they hear? What?"

RICO DOLLAR, EXTERNAL AFFAIRS: "The next person to speak is Matt Rowenzcak. Please excuse me. Matt Rowenzcak."

MATT ROWENZCAK, PUBLIC SPEAKER: "Good morning, Commissioners. I'm sure you've seen, you know, the city that's covered in smog. Most would agree it's not the most beautiful thing you've ever seen. Right now in Fulton County, the level of hypocrisy is like smog covering a city. It's large, it's obvious, and smells. The idea of reappointing Sherri Allen as the chair of the Board of Elections reeks of hypocrisy. We have partisan activists that have spoken before you this morning, we have Commissioner Ivory that does political theater about wanting to follow the law, we have a chair of the board the last two years who has violated the law numerous times. She operates without authority. The previous political activist said she doesn't follow the law, or she does follow the law. How come she filed suit, Commissioner Ivory, that cost this County money without a majority vote of the board? It's pretty black-and-white. She's filed more suits than Ms. Julie Adams has. So if you appoint her today, Commissioner Ivory, the hypocrisy is clear. She's obstructed transparency, the idea that she has worked amicably with all of her board members is false. We all know every board member just as every Commissioner on this Board has a right to documents as does the public. Yet she's obstructed her fellow board members from getting access to election documents and it took Ms. Adams' lawsuit --"

CHAIRMAN PITTS: "-- 15 seconds."

MATT ROWENZCAK, PUBLIC SPEAKER: "-- and the judge's ruling to confirm their access. The absurdity and the almost authoritarian behavior of Ms. Adams is off the charts. She should not be appointed."

RICO DOLLAR, EXTERNAL AFFAIRS: "The next person to speak is Derrick Blassingame. Derrick Blassingame."

DERRICK BLASSINGAME, PUBLIC SPEAKER: "Okay. Are we live here? Hello?"

CHAIRMAN PITTS: "Yes."

DERRICK BLASSINGAME, PUBLIC SPEAKER: "Okay, great. So thanks for the opportunity to address the Commissioners. I would have done it in person, but obviously, y'all have time restraints when citizens can sign up and address you all in person. But my complaint today is against the Fulton County Police Department. I just want to inform this Board that the Fulton County Police Department is not a professional law enforcement agency. They are a band of thugs, rejects, and misfits. As a

governmental watchdog, I have been harassed, bullied, and arrested by these thugs simply for exercising my First Amendment rights; being civically engage, speaking out against government corruption and government overreach. On two particular occasions, I have been either denied access into the Government Center or thrown out of the Government Center by these group of thugs known as the Fulton County Police Department. They have gone as far as harassed me while I am in the community at community events, and they are not even contracted for detail for those events. They have pulled me over while I was walking down the sidewalk. They are a group of thugs. They need to be investigated by the federal government for violations of defamation of my civil rights, and I'm going to be pursuing a federal lawsuit in the Northern District of Georgia to seek relief from this group of thugs. What happened last week at the senior's event was overreach. I also have evidence that Commissioner Rahman is using Fulton County Police Department to attack and harass her enemies or her political foes and people who disagree with her, her political ideology and her religious views. And I want to say for the record here that I was born and raised in a Christian church. I am not a Muslim. I do not adhere to the Islamic faith. I respect what others believe, but I do not want that to interfere with my right to exercise the Christian faith and to continue to be a member of the Seventh-Day Adventist Church. Derrick Blassingame, the government watchdog."

RICO DOLLAR, EXTERNAL AFFAIRS: "Last person to speak is Cecily Wallace. Cecily Wallace -- Willis, excuse me. Cecily Willis."

CECILY WILLIS, PUBLIC SPEAKER: "Thank you. I actually don't have a comment to offer at this time."

RICO DOLLAR, EXTERNAL AFFAIRS: "And this concludes the Zoom public comments."

CHAIRMAN PITTS: "All right. Thank you very much. Continue, Madam Clerk."

CLERK GRIER: "Continuing on page 8, Presentations to the Board, **25-0429**, Annual Justice Policy Board Report."

CHAIRMAN PITTS: "All right. Commissioner Abdur-Rahman, please, just a second."

COMMISSIONER ABDUR-RAHMAN: "I'm sorry, Chairman, I was in the queue to speak. I just wanted to take this opportunity to thank all of the Fulton County departments and thank all of my colleagues. The Senior Summit 2025 was a success, and we served a little over 1100 seniors. And so, Jessica Corbitt and her department, External Affairs, Fulton County Police, so many other departments, I don't want to start calling everybody name, but all of the Fulton County employees, thank you. This was a team effort and I appreciate everybody doing their part to make sure that we were able to serve the seniors of Fulton County."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "Good morning. I'm Robert McBurney, Superior Court judge here in Fulton County. But today I'm wearing the hat of the cochair of the Justice Policy Board. I want to thank you all for giving us a few minutes to talk to you about the work we've been doing, and I want to, in particular, thank Commissioner Abdur-Rahman and Commissioner Ellis for the support they've had for the Justice Policy Board. Commissioner Abdur-Rahman is a member of the board, and Commissioner Ellis and the late Fred Hoffman were essential, essential components of the team that brought about the Diversion Center, which is the thrust of what we will be talking about mostly this morning. Does someone advance the slides when I say next slide? Excellent. Okay, we could move one slide. A quick overview: First, here in the Assembly Hall with me are a number of the members of the Justice Policy Board, either actual voting members or ex-officio members. If you have hard questions when I'm done, they'll probably be the ones to answer them, but I'm here to give the overall presentation. I'm going to give you a quick overview, for those of you who are new to the process, of what the Justice Policy Board does. We'll talk a little bit about the Diversion Center and the Jail Population Review Committee, and all that we'll close with the focus in how are we doing at the Diversion Center and what's our understanding of why we're at -- you heard Mr. Collins mentioned three a day rather than what we were expecting, which would be more like up to 40 referrals a day. And we have some thoughts on that. We certainly want your thoughts and concerns on that as well, but we do owe you an annual report. The Justice Policy Board is the byproduct of an intergovernmental agreement entered into between the County, the County Commission, and the City Council back in 2021. It has a lifespan of at least through 2027, because we've renewed it. It is a multiagency body. There is healthy county representation. Commissioner Abdur-Rahman and I are both on it. I am cochair with City Councilman Hillis who regrettably couldn't be here today. He got called out of town on a family matter, but we're the cochairs. It has diverse representation in terms of there's a prosecutor. We have our Solicitor General on the board, we also have Mr. Kenner as the public defender. So we look at criminal justice issues from all spectrums, all parts of the spectrum. We have community members as well who are board members and ex-officio members. And the general purpose of the Justice Policy Board is to coordinate across our community the efforts that are being made to improve outcomes in the criminal justice system while maintaining Public Safety. We all know well that diversion can save money, save lives, et cetera, but we have many threads that we're pulling generally in the same direction but weren't coordinated; state efforts, city efforts, county efforts, and community participant efforts. The Justice Policy Board has woven those threads into a single strand where we're able to pull collectively in a direction that's informed by best practices that we've picked up here locally, statewide, as well as what we've learned from other jurisdictions that are already doing things like a Diversion Center. The Commissioner and I and others traveled to Tucson, we traveled to Houston to see how Diversion Centers work when they're working well. So we didn't invent this idea out of whole cloth, but in fact, we borrowed liberally and heavily and probably from successful stories elsewhere. It's also been a collaborative effort on the corporate side. The Bloomberg Foundation, Microsoft, Georgia Power have all contributed financially to make things work. But our Justice Policy Board oversees all that, and we've laid the vision for how we move forward, how the Diversion Center is working, how we need to tweak it, and what next steps might look like. You can go to

the next slide, please. I sort of covered already what our responsibilities are, their financial, their oversight, and it's also the vision for where we ought to be going in terms of improving justice outcomes. Next slide is the makeup of our organization; who the board members are. We also have representatives from Grady who is the actual operator of the Diversion Center and other community participants. Next slide, please. The three main initiatives right now that the Justice Policy Board has started and is supervising is number one, of course, the Diversion Center. And that is the focus on handling criminal justice matters prearrest. When someone calls 911 and the solution can be had without actually arresting someone and booking them at our jail, the hope is that they go to the Diversion Center. We also have a post arrest initiative, the Jail Population Review Committee. That's a group of people who look at who makes landfall at the jail, why did they get there, could they have been diverted, if they weren't diverted, why is that? If they weren't divertible, are there ways in which we can shorten that jail stay. So not someone who was arrested for murder is probably going to be in jail for a while and for good reason, but maybe someone who was arrested for shoplifting but perhaps, and that's our third initiative, that person couldn't be diverted because she had a probation warrant. And the warrant resolution clinic, which is an initiative spearheaded by the Georgia Justice Project, one of the board members, is designed to enable us to divert or deflect folks who have low-level offenses, but also had a warrant where an officer might not have the discretion to divert because there's a document a judge has signed saying, no, this person has to go to jail because of X. And if that warrant is for a technical violation of probation, you missed a meeting, or you have one positive drug screen, the Diversion Center is a space where that could be addressed. And so we are looking to resolve some warrants, not all, to remove those as an obstacle to diversion; those are the three main initiatives. Next slide, please. So I want to talk about the Diversion Center a little bit. If you haven't been there yet, please go. Let me know, let one of us know, we can arrange for a tour. It's a beautiful space, and you won't find it particularly crowded, so you can go anytime and get it a good tour of the space. It is designed to connect people with resources and to prevent the disconnection of resources that we see when people are actually taken into custody. It is modeled off of the spaces we toured in Tucson and Houston, if we can go to the next slide. It is an extension of services that existed before the Diversion Center opened. We've had PAD for years. PAD was not a 24/7 operation. And what we would hear repeatedly from officers is, when I'm arresting these people at 3:00 in the morning, and PAD's not open at 3:00 in the morning, these other jurisdictions in these other cities have a 24/7 situation, and that's what our Diversion Center is, it never closes. It's like Circle K. You can always come by and drop someone off. The focus is to -- it's consent-based. So if a person is arrested and the officer says, I can take you to jail or we can get you to this Diversion Center, and for whatever reason she says, I don't know what the Diversion Center is, I don't trust you, I know Rice Street, that's where I want to go, then we don't take that person to the Diversion Center. We've found that there have been very few instances where a potential offender says oh, I'd go rather go to jail. So Diversion Center is usually taken up when it's offered. You have to be over 18, either gender. You can only stay for 23 hours, and it is consent-based from start to finish. If you've been there for four hours, and you've made the connection you need with housing or use the restroom or whatever it was that made the difference for you, you can walk out of the Diversion Center. You cannot stay more than 23 hours. When it's at the two-minute

warning that you all had, when you hit that 23-hour mark, we need you to leave the Diversion Center. It's not designed -- you can stay overnight if that's part of your 23 hours, but it's not a facility like our crisis center where you can stay for multiple days. And it was built for a capacity of handling up to 40 people per day, and that was based on modeling we did. It wasn't a random number, looking at people looking at people who were arrested and historically brought to the city jail, the county jail, or taken to Grady because it was a mental health crisis, but it was the low level mental health crisis that could be diverted and treated at the Diversion Center. So that capacity of 40 individuals a day is based on historical information if everything that was conceivably divertible had been diverted. We have to see definitely in the double digits of visitors each day. Next slide, please. The types of services that are offered at the Diversion Center most importantly is peer support. There are people who have those lived experiences of the people who are being diverted who can interact with them and encourage them to take advantage of the resources at the Diversion Center. There's an effort made to connect people with resources. If housing is the issue, you can look for supportive housing. There's a sobering center if it's literally as simple as you need to be dried out, because if you get back out on the street, you're going to get picked up again, because you can't walk a straight line, you're going to be jaywalking, so you can dry out in that way. Case management connecting people with resources and basic personal hygiene, you can get a snack, you can brush your teeth, and then we get you on your way. The goal, if you'll go to the next slide, please. I'll distill it to three words. It is to reduce recidivism, redirect people from the jail, and connect. Reduce, redirect, and connect: To connect them with the resources that they lack, which is why they have these repeated interactions with law enforcement. Our goal with the Diversion Center is to continue to build bridges with local resources so that when you hit the Diversion Center, if your need is housing or mental healthcare or whatnot, you can get connected with them. You won't necessarily get treated at Diversion Center, but you can then be connected with those resources; and, of course, since our operator is Grady Healthcare, there's a very, very direct pipeline to intensive mental health support or medical support, if that's what you need. Next slide, please. Here are our numbers to date, and these are current through the end of May, so we're only missing about three or four days. We've had 400 diversions. That next number you see on the slide is magic for the police. The pushback that we learned in touring these other jurisdictions is that officers will not use the Diversion Center if it takes longer to drop off there than it does at the jail. The goal is to get back out on the street, back out on your beat. Eighty-three seconds is unheard of. What that number means is that basically, unless you're arresting someone at 902 Rice Street, so that the jail is next door, it is not logically sensible to take a divertible case to our County jail. It is faster to drive from South Fulton from wherever you are to the Diversion Center, because you're there for about two minutes checking your person in and you're back out on the road, 83 second turnaround time. About four-fifths of the people who came to the Diversion Center actually asked for care and received it and were connected; and interestingly, of those 400 diversions, it involves only 145 officers. And so, we have some committed heavy users. I think that's a learning point that we'll talk about the end of the presentation. It's not 400 officers each making one diversion, but we have a handful who have figured out this is a valuable resource and I think we'll see, not today, but if we hear from APD that there is someone geographically concentrated where these officers are. And unsurprisingly, the bulk of the diverted

offenses are things like criminal trespass or jaywalking. We have a roster of offenses. You can't be diverted if it's an aggravated assault that needs to be a low-level nonviolent offense. But as you all know, we haven't been diverting enough, and that's where our second initiative, the Jail Population Review Committee comes in. If we can go to the next slide. Very briefly on this organization, and you may have heard about it way back when one of you just wanted the damn key to the city jail, but the Jail Population Review Committee was birthed because the city council said we're not going to give you your beds at city jail until County, you figure out who is in your jail, what is the composition of that population? And so we had that mad dash to do a review of the Fulton County jail population to figure out who's in there for murder, who's in there for shoplifting, how long, why, age, gender, et cetera. That entity has continued and with a shoestring \$0 budget, they continue to monitor whose getting booked in and for what; with a goal to identify potentially divertible cases that weren't diverted. Partnering with the Sheriff's inmate advocacy program to figure out, is there way to get someone with a \$50 dollar bond, five-0, \$50 bond who's been in for ten days. Is there a way to get that person out and connected to a resource that's not our county jail, not our county bed, not our county employees. And the Jail Population Review Committee meets periodically to look at that census and figure out where are these situations where we might be able to do an audit, had been done at the original police interaction and divert them, but work with the judge, a prosecutor to say is there a way we can get this person released, maybe resolve the charges, but the end game is let's get them out and connected with resources, and that's what the JPRC does. They have been pressed into duty recently to assess what are these missed diversions. Can we go to the next slide, please? We engaged, we the Jail Population Review Committee, engaged in a pilot program to access the first two months of the operation of the Diversion Center. What were potential missed diversions? What did they look like? Where were they coming from? So we get a better sense of what we were missing. Now credit where credit is due, the Jail Population Review Committee is voluntary. These people have their day jobs. We called upon Superior Court's pretrial services unit. These are the people who meet everyone who's booked in. If you were booked in the county jail, you spend a few minutes with pretrial services. They do an initial assessment because they need to issue a recommendation to the judge at the first appearance as to whether this person is a good candidate for bond, what would that bond ought to look like, and so it was a natural fit. They see who's been booked in. So this team, they took time away from their regular job to assess every single potentially divertible arrest to figure out who that was and what the situation looked like. So they use only divertible charges, you can see it on the slide; they looked at every booking where the only charges were divertible. So if you were arrested for jaywalking and carrying a machine gun, they didn't look at that, because carrying a machine gun is not a divertible offense. If we could go to the next slide, please, you'll see the results. There were in the two first two months, so this is just February, March -- or for March, April -- March, April, 187 bookings that were purely divertible offenses, let's say criminal trespass. Only 16 percent of those had a warrant, and one of the things we've heard is you can't divert if the guy has a warrant. True, if our warrant resolution clinic isn't up and running in the way we want, but only 16 percent, less than one in five of these non-diversions have a warrant. So that means the remaining 84 percent, can't point to a warrant as to why they went to jail instead of the Diversion Center. The array of agencies is there; primarily it was Atlanta arrests and not

smaller jurisdictions. And frustratingly, this is my (indiscernible.) no one else's, the vast majority, half of these people who weren't diverted, got out within five days, which tells you it was a divertible situation. They were in our jail for three, four days, long enough maybe to lose the supportive housing, if you miss your curfew two days in a row, some of our supportive housing in drug court, you lose that housing. So long enough to lose an important connection, but not so serious that we thought you needed to be in jail for more than five days. So many, many opportunities where could have, should have would have diverted, but we didn't. Next slide, please. So what are we doing about it from the Justice Policy Board side? So you know what our next steps and our commitments are. Number one, on June 12th, the board is convening at the Carter Center for a strategic planning session so we can better understand the next steps we should take. We continue to work with our partner and Atlanta Police Department is a voting board member of Justice Policy Board to increase their utilization of the center. I wanted to impress upon all of you one of the issues is not a lack of socialization. Grady and the center's director spent countless hours going to each zone -- I won't say every precinct, but meeting after meeting and roll call and training to say here's the gist of the Center for Diversion and Services. You need to use it. Diversion is not a foreign concept. PAD predates the Center for Diversion Services by years and years and years, so this is not a new concept. Word is out that the center exists. Where we do need to engage more in terms of the Justice Policy Board and the Center would be with the neighboring jurisdictions. There are a number of large municipalities, East Point, College Park where they're aware of it, but there hasn't been as much formal engagement as we have with the city of Atlanta Police Department, and so I think we can see some growth there, and we'll make that effort. We need to create a staff position for the Jail Population Review Committee, especially if we're going to commit, as I believe we must, to looking at missed diversions. That is a data intensive job, and we can't steal bodies away from pretrial services anymore. They graciously did that to look at those two months, but they're back to the job they need to do. And so, we've been working first with our DBHDD, but more recently with Mr. Anderson and his strategy team to see if we could identify a role that could be filled by someone whose focus is let's understand who's being booked in and why, and let's put a big red flag on what were divertible cases and understand why they weren't diverted, and if they weren't, is there something we can do quickly to get them connected with resources. So that's a need we have outside the resources of the policy board, everything else up there, we'll handle internally. And finally, we're going to continue growing out the warrant resolution clinic. We need to improve our partnership with the magistrate court because that's where some of these requests to lift warrants will come, and Chief Judge Kirk has been nothing but supportive of the idea, we just need to work to implement it. Those are the steps we're taking to continue to grow our initiatives, and we're scratching our heads like I think you were, and I want to commend you, Chairman, for having your -- I'm going to call it Town Hall, maybe it was a lunch where you called together the chiefs of police to say we've built it, why aren't they coming? It's like the Field of Dreams, but the players aren't coming out of the cornfield. I don't know, where they're going instead is to the jail. But we need to engage our partners in that space. Eighty-three second turnaround time is not a burden to get someone to this location and drop the person off, so we have some work to do and we'd love your support, and I'm happy to do my best to answer any of your questions. The folks with greater data and detailed

are behind me in the audience, but thank you for hearing us out. And, again, thank you for your continued support of this. It's not cheap. I know, Chairman, you've written some of your e-mails that go out saying a lot has been invested in this, we need to see a return on that. I don't mean to put something that is as human affecting as this in financial terms, but we have to be realistic about it. If the County's going to continue to invest, we need to see the results that we came to you and represented to you it would be there, and those results require more people showing up at the Diversion Center. If we change three lives a day, that's great, that's three more than before, but we've built something that can do more, and we ought to empower it to do it. So thank you."

CHAIRMAN PITTS: "All right, Commissioner Arrington, Vice Chair Ellis, Commissioner Abdur-Rahman, Commissioner Barrett. Commissioner Arrington, you have the floor."

COMMISSIONER ARRINGTON, JR.: "Good morning, Judge. Thank you for the great presentation and for the work that you and Justice Policy Board have done. I remember going to Seattle with Kwanzaa Hall to bring back PAD and pre-arrest diversion, and to see this type of growth is exciting. And this is part of what I saw when I was in Seattle was a group that got together once a month to make sure that everyone knew who was on first and who was on second, right? And so, sounds like you guys are doing good. I guess my question is, do we know how much is needed for the staff person and, you know, how soon is that needed?"

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "So I don't want to get into the County Manager's space. Mr. Nawrocki and I and Ms. Deutchev from our office who does policy and planning, have been talking. It's sort of a project manager type role, not a huge dollar amount, but it's more than zero, but there've been active discussions about how to fund it and how quickly we could get that implemented, but I certainly don't want to step in to that turf other than that we've only received support -- actually started with a conversation that Commissioner Ellis and I had when he was reading one of Mr. Collins' columns, asking about what about these missed diversions, and we had just started that work; looking at what were the missed ones, and I was explaining to him how data intensive that is, and how we don't have an FTE who could do that on an ongoing basis. And the sense that I got was that there was a willingness to support that financially to have someone doing that Jail Population Review Committee work consistently rather than just sort of you've described where they get together once a month, every two weeks, to say what can we find here? And some of those numbers show you we're talking about just a few days making a difference, and if you're meeting only every two weeks, we've missed some of those opportunities."

COMMISSIONER ARRINGTON, JR.: "No, I believe every board should have some type of full-time staff because the board members are too busy doing other things, and if they don't have that full time staff person, the agenda will not be pursued as vigorously as it can. You know, here's -- I do have one other small point. It's not really diversion, but it kind of does address it. I think we need a process or a system where people can find out if they have a warrant, right? As an attorney, I get so many people calling me saying is there a warrant, and the only system that we have where you call down here and you say is there a warrant, they say you have to come down to find out. And so, there are

people out there that want to resolve their warrants, but there's no database made available so that people can find out. And so that's not really this, but you know --"

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "-- but it's a point well taken. And I'll tell you we struggle with it in court in that I'll take a plea and the person say am I going home tomorrow because of this sentence, and we all look around and I think so, but then it turns out there's a hold, a warrant from someone. So part of the work the warrant resolution clinic is doing is trying to create -- they won't build the database themselves, but some way to make those kind of inquiries so that someone isn't surprised thinking, great, I'm on my way to this shelter, and you're about to leave, and you're told not so fast, you've got this issue. If it's local, it's easier for us to fix, but it needs to be identifiable sooner, partly because it would take you off of the red alert, there's nothing holding this person, let's try to get them out. If there's a warrant from another jurisdiction, you know, there's nothing a judge in Fulton can do, but if we don't figure that out until we've invested in lining up the resources, then that's been a missed investment."

COMMISSIONER ARRINGTON, JR.: "Thank you."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "Thank you."

CHAIRMAN PITTS: Vice Chair Ellis."

VICE CHAIRMAN ELLIS: "Thanks, Mr. Chair. Thank you, Judge McBurney. I think this is great we're having this kind of, you know, discussion because like, hey we're starting something up and we're leaning in to it, we know that they're going to be sort of challenges in terms of kind of getting this launched, and we're all -- you all and, in particularly, you know, kind all the folks from this Justice Policy Board, you know, have leaned into this effort in answering those questions, how do we make this all work, right? So you know, to your point, you know, it's going to require a little bit of patience and time, but at the same time we got to be accountable to everybody and try to make this thing work. So, on this staff position, I saw some correspondence, I think, we'd had some discussions last week with Steve and so forth, but are we close to kind of getting that nailed down?"

DICK ANDERSON, COUNTY MANAGER: "Yes, sir. I think the natural location is in the strategy office. They have a discipline and a capability of doing analytics and also, from a reporting perspective back to the Board, we've already built those kind of reports in the first part of the operations report, so that's kind of where it would be nested. I talked with Soo about this. I think it directly links to the overall effort with the DOJ from the perspective of jail population management. So we got a number of things that are unfunded at this point that I think have to be funded, and we're going to bring it forward as it relates to that overall effort."

VICE CHAIRMAN ELLIS: "Okay. All right. Well, the quicker we can get that rolling, you know, the better. And then, you know, I guess another just sort of question I had was, I think Michael, Mr. Collins had noted this in some of his remarks that, you know, there

should be a recognition that it's okay that we're seeing somebody repeat themselves coming back in here, right? And almost like probably expectation that they are going to be, right? And if that is not a failure that that's more going to be, you know, a reality that, you know, what's the term we had in the court?"

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "We have the familiar faces."

VICE CHAIRMAN ELLIS: "Familiar faces; so better to have familiar faces coming in through this route than through our jail."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "Exactly, and we track that. So hats off to the folks, the Grady team that's operating it. We measure just about everything about everyone who comes in. And so, I think we've begun to push it out to you, we can get it to every Commissioner, but there is a monthly report as to what's been happening at the Diversion Center and it has it sliced that way. So they know that McBurney is back again, and they'll look at why he's back again, and so we may reach a point where you become such a familiar face, there needs to be a different outcome. But certainly being a repeat visitor isn't a sign of the system not working. It's a sign that this is a person with complicated needs."

VICE CHAIRMAN ELLIS: "And I think we also get further along, I think some sort of assessment to the effectiveness of our connection to other services you know, that may be a little bit ahead, but I think that's something we also need to kind of factor in. But, no, I think it's great. I think it's a great discussion, we would talk about just what you talked about in those measures, and I think we had some reports within their last operational report. I know we're going to have that sort of consistently built in, so thank you."

CHAIRMAN PITTS: "Commissioner Abdur-Rahman."

COMMISSIONER ABDUR-RAHMAN: "Thank you, Chairman. I just want to take a point of personal privilege because I serve on the board, the stakeholders and the members, just by a show of hand in this galley, can you just raise your hand those that are associated or are showing up as a part of it, can you just -- all of our stakeholders; thank you. I appreciate you being here today for a show of support. This is a Herculean task and, you know, I always say people like the sausage, they don't like the sausage making process. So I know this is part of the process. This was a bipartisan effort with me and the Vice Chair and, of course, with the support of this board. And so, I know that we are going to have an opportunity to look at not only the best practices that we saw, Judge McBurney, but also to tweak it as we go. I know that I probably shouldn't do this right now, but, hey, let me just do it anyway. When we're talking about best practices and what we need, County Manager, we had this discussion during the actual meeting. The Public Defender and the Solicitor General made it crystal clear to me that they're going to need funding for another staff member. They've said that they are going to have to need individuals that are going to, as time progressing as we are trying to get higher numbers to be working on the diversion side. It's going to be a challenge to try to

pull people from the tasks that they are now, and say I need you to do this for the diversion part. And so, if we're serious about the success of this, when we get to the budget time, we're going to need to fund certain positions in order to make sure this works. And I just threw a couple of ideas, Judge McBurney, but I know there's some others. But we do have an opportunity to set the gold standard in diversion services. We did a lot of work behind the seams. We traveled; we had some very, very heated and strong discussions. And so, I would just ask everyone to help me help you. Educate yourself as to why one, the Diversion Center is there for one; two, what can we do with our partners to not only make the numbers high, but I don't want anyone to walk away and look at this and say oh, we need big numbers, big numbers. I'd rather for us to get it right and the numbers will come. I'm a contractor's daughter. Which means measure ten times, cut once. And so, I feel, we are in the right direction. I feel now that we're open and now that we've worked out quite a few kinks that we saw we are in the right direction, we just need a little bit more patience. We need a little bit more grace, but we also need a little bit more funding to make sure those positions that are going to be crucial. And hey, here again, I know when someone says oh, well, it's a warrant and was only a small amount, I promise you the constituents I talked to, and they say to me, hey, my son was picked up on a warrant and the warrant should have been dead docket, it means a lot to them. So I don't want to take away what we should be making the thing the thing, even though we don't have a large number of situations, even one situation that will require someone to go to the jail versus going to the Diversion Center is a -- in my estimation, a miscarriage of justice because, if we do not have the system in place that identify that that is not a live warrant or we don't have the information in place that make sure that we are getting people to where they need to be, even if it's just one person, Judge McBurney, I think it's a disservice. So whatever we need to do to make the processes better, and whatever funding we need to do to make sure that positions are in place that does not take away from the Solicitor's office, take away from the Public Defender's office, we need to do what we need to do to make sure this is successful. But I thank you all for being here today, and I thank you for the great collaboration and the work we've been doing."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "Thank you. I do want to clarify one thing; I might have been as clear as I should have been. The center is open and running and able to take more. There were growing pains and bumps in this and that, getting the furniture out of the country it was coming from, et cetera. But the numbers you're seeing and those low numbers, they are not a byproduct of we don't have the capacity to handle more. It's not that officers are being turned away, that's not it at all. It's that people are not being dropped off at the Diversion Center. Now, could they handle 40 at once? Don't know, we haven't tested that yet, but we are not in a situation where we're not ready for expansion and growth, we are and we need to achieve it."

CHAIRMAN PITTS: "All right. Commissioner Barrett."

COMMISSIONER BARRETT: "Thank you, Mr. Chairman, thank you, Judge McBurney for being here. And thank you all for the efforts to get this thing up and running and going. And thank you, Commissioner Abdur-Rahman; and particularly for your

comments about it not being all about having the big numbers on day one. I think A, I think it's probably good to start and get used to the number of people and grow from there; however, I do have some questions about the data and the numbers, and it sounds like we're, you know, working towards getting better reporting, but certainly one of the things in the IGA is that it talks about reporting to the metrics that are listed in the IGA as goals and such. And so, I think it would have been nice to kind of nice to see those things listed out and see how we're doing as it relates to those metrics. And I also think it would be helpful to see these numbers broken out month by month, because then I think we can see the progress because we're averaging three a day, but maybe it was one a day for the first however long and now you know, so let's just --"

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "-- there's been growth, it's just been small."

COMMISSIONER BARRETT: "Right. But seeing what that looks like over time, I think would be helpful month over month, just to be able to track that progress. The other thing I think that I'm a little concerned about, and I certainly understand that the initial research showed that there were potentially about 40 a day that could be diverted, but the pilot -- the 187 that were noted during the divertible charge pilot, if you take away the 30 that were -- had warrants or holds, that's 157 people and over the 59-day period that that was tested, that's another two to three people a day, 2.66. So if, you know, if my math is correct here and you're assuming about an average number over the four-month period of, you know, the longer time since we've been open, we're only talking about six people a day, not 40. So I'm wondering was the initial assumption wrong or is there something else that we're not seeing here in this data picture; in other words, is there seasonality, you know, is there anything else that's sort of, because I think what this report is saying, and I'm going to let you answer in a second, but I think what this report is saying is that if all of the divertible charged folks were diverted, it would still have only been six a day. So help me understand that."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: Sure. So you asked a few things, one, I believe we are on a monthly basis slicing and dicing and reporting the data, consistent with the IGA metrics and beyond. We need to get folks to all of you. I shared one because Commissioner Ellis and I were talking about this issue with the JP RC, but we need to get all of you on that distribution list. It's not a confidential report, we're a public Body, so we'll get that out. If that doesn't answer your monthly questions, let me know and we can slice the data in a different way. But part of the JPB's role is to make sure we are measuring and holding accountable, so we'll do that, and I'll make sure those get to all of the Commissioners. As for the estimates, they're based on -- that the modeling, it was based on historical data as accurate as that was. I don't have a direct explanation because I haven't looked at seasonality, but I did the added addition you did as well. If we can lump the missed diversions in, we don't suddenly do too well. If we had treated everyone, that would have been 27 or even 15. It's still a lower number. I think part of that is startup and again, pushing it out of the other jurisdictions. But we've checked the numbers again about what the historical data was about people going into the city jail and going into the county jail. The only thing this is tentative, and this is a McBurney hypothesis so write it in pencil, is that some of the history was arrests to the

city jail, and there are a number of the divertible offenses that don't get arrests anymore at the city level. The city council has said, if you've got misdemeanor marijuana, you don't get -- I don't want to pin on certain things, but there are a number of things that you just get a citation for now, and they have own failure to appear issues in city court. But I don't know that we modeled for -- well, I don't know how we would subtract out those hundreds and hundreds and hundreds of arrests, and so, you went to the city jail because you jaywalked, because you had misdemeanor marijuana. But nowadays an officer is empowered to give someone a citation, so that might hold the estimate down. I'm glad we built for more capacity, because we have not seen fewer arrests over time. We've seen more arrests over time as our population grows, but we are so far from that 40 ceiling, that I'm not worried about that piece yet of whether we overbuilt it. We are undersupplied no matter how you slice it and we need to work on that. But we can look at the modeling to see if there's something like my hypothesis as to why we might have overestimated what the daily flow might look like."

COMMISSIONER BARRETT: "I mean, I just -- to respond to that and move on, I just think that if it turns out that the real numbers are in the six to seven or ten a month, and listen, I'm all for overbuilding by a certain amount for growth over time. I mean, that's important to do. So you know, I'm not complaining about that certainly. But, you know, I think philosophically, we have a large issue with homelessness based on behavioral health issues and addiction and things like that, and I don't want to oversimplify that problem; but if we have capacity and we have staff, and we have people that have these problems, but they just haven't been reported to 911, maybe there's some way to utilize that space for folks who are in need and could utilize those services so that we're not sitting with an empty facility that we're paying for, and that still does keep people out of the system. It's just starting even earlier in potentially their life process and the process. I hope that's something -- and you're nodding, so I'm thinking you've contemplated this, but I think it would be nice if there's a way to make use of those services for, you know, the folks that are, you know, in that situation, but have not done anything that is worth someone calling the police on them."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "Right. It's a great idea and it's basically creating a separate entrance. Right now, the only entrance is, this is sort of symbolically speaking, with an officer. There's been law enforcement intervention. It's the only way -- you cannot walk up to the Diversion Center and say I'm in crisis, let me in. You can go to our crisis center for that, but you can't here. This would be creating a second door if you will where there'd be another way in to get the services. One last data point and we'll need to research it and get back to you on it. We have started, appropriately so, from a public safety perspective, with the most limited list of divertible offenses. It was a back-and-forth with the city and the County and APD, and initially it was going just to be ordinance violations. If you came in again on an ordinance violation. So it was very, very low level just to get the flow working and make sure there aren't people going through the Diversion Center and they go out and kill someone. We can, should, must expand the list of divertible offenses. There are more nonviolent offenses that are the byproduct of homelessness, poverty, drug addiction, mental health, all those these combined that are not on the list right now. And so, I think you'll see growth there, and when we were building the model, it was with a more expansive list of

divertible offenses. But the give-and-take of this process and the back-and-forth of negotiating is that Atlanta Police said we're not comfortable starting with some of these offenses because, when we go out and meet with the community, people don't want to see someone diverted who's arrested for something like that. That's a valid perspective that we need to balance, but I think as we grow and people see that there are positive results from the Diversion Center, there'll be a comfort level with expanding the roster of divertible offenses, and then I think you'll see getting into those double digits. But as you said, time will tell. We're really only in month four, and so we do need to be mindful and we're operating at a burn rate that's far too low, but we need to work on it, and there are a variety of ways to do that."

COMMISSIONER BARRETT: "Awesome, thank you very much."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "You're very welcome."

CHAIRMAN PITTS: "Commissioner Ivory."

COMMISSIONER IVORY: "Thank you so much, Mr. Chairman. I have a series of questions. Thank you so much for being here and providing this explanation. Thank you for all the members of the JPB, Atlanta Police for being here as well. I wanted to ask our County Manager, can you just tell me the finances involved with the Diversion Center? I understand that we began with a 2.5 million-dollar investment to build the center. What are the ongoing yearly investments that we have in it?"

DICK ANDERSON, COUNTY MANAGER: "Yes, ma'am, the IGA requires ongoing 2.5 million each year for operations."

COMMISSIONER IVORY: "Okay. And that's the extent, 2.5 million each year for Fulton's operations?"

DICK ANDERSON, COUNTY MANAGER: "Yes."

COMMISSIONER IVORY: "Okay. So I wanted to just discuss a little bit about where the entry point problem is, which you just mentioned, which is right at the Atlanta Police Department, or the city of East Point, College Park right when they meet the offender and they make the decision whether to take them in or not, and I would invite one of the Atlanta police officers or any other jurisdictions that are here to come down so I can ask a couple of questions. It seems that if we don't address that right entry point right there, we're going to have a hard problem dealing with the ongoing problem from there. And so, it doesn't seem to me to be that difficult to understand the offenses that have been noted to be the divertible charges, and I went to the center and I toured it. And when I was there, there was just one person receiving services. There was more of us touring and working than there were, you know, people receiving the services. And so, you know, that is why I became so interested in working to learn more information about this. And it seems that right at that point when there is a contact between an officer and a person that is a charge can be, you know, decided upon divertibility or whatever. Talk to me a little bit about Officer, can you tell me your name? Major, thank you so much for

being here. Can you tell me about what they have been told, because it's a culture. It's really like a cultural problem, right? We exist the way we exist, and to decide differently and do something different requires a different shift in the mindset. So is there -- and there is always kind of a conversation that rumor may be or fact or fiction, which I would like you to dispel or confirm today for me, because I hear this all the time. Is there any incentive given or a quota, met by an Atlanta police officer or any other jurisdiction that you might know for bringing someone into the jail?"

MAJOR, APD: "Thank you for having me, Commissioners. We don't incentivize arrests, we don't incentivize traffic tickets and this has been a long conversation over a period of time with law enforcement, especially as the Atlanta Police Department concerning the Diversion Center. Our folks -- it's promoted to our officers. Diversion has come to our precincts; they've sent literature for training purposes, guidance, as to what they could do it and how they can do it. As far as charges are concerned, as the judge alluded to, there's certain box or dialogue of charges that we'll commit to early on. There's other issues when it comes to charges. What we're not talking about is the fact that we do have victims of crimes that if it is a divertible offense initially, we do have a victim that may want to prosecute that individual and diverting them may not be an option unless the victim verbally verbalizes to the officer, okay, well, if you want to do this, we can do that. So we may have to work with that as well. As far as the numbers are concerned with the last four months of just Atlanta Police Department using diversion, we're the only agency right now using the Diversion Center, 466 or something to that point as of this morning, by our numbers that's a lot considering our interactions and, yes, 145 officers. Those officers primarily are made up by quality-of-life officers that go out and attack quality-of-life issues, you know, overgrown properties, things of that nature, responding to people in crisis, things like that. Shoplifting type of scenarios where we may go to an establishment where shoplifting was committed, and the individual may say, which typically happens a lot in our smaller establishments, I just don't want him here, or I don't want to press charges, we'll offer diversion let's say. As far as the Atlanta Police Department is concerned, it's not a lack of communication when it comes to knowing that this is available; it's that sometimes there are mitigating circumstances that won't allow us to divert, per se, where we have to make a charge or take somebody to jail. Warrants as the judge alluded to has been part of the conversation. So there's plenty of low-level warrant type situations that we could easily divert, but that's the order of the court by a judge ordering us, commanding us to take an individual into custody. We can't work around that at this point, and that's a goal from the diversion services. So we invite Diversion Center and Diversion Services employees out, Director Sutton, to come out with her staff to do regular trainings, come to our academy to introduce our new recruits to diversion abilities and resources at hand. Our folks in the field typically get regular visits from them. We promoted in our field operations division with our commanders, it's a regular discussion point in our weekly agendas where we have meetings with our zone commanders as to diversion services, utilization of it, pushing the narrative and ensuring that our folks know that they have the ability to use this and it is a service. Being a police officer 25 years for me, had this been around 20 years ago, the ability to do things like this, it saves a lot of time, it gets folks to where they need to be and get them the help that a lot of them desperately need. The main thing is to help folks in trying to get them out of the position or the situation they're in, in the first place

when they're involved in these types of crimes. So as far as we're concerned, those numbers are extraordinary for APD as far as diversion. We have PAD numbers as well, that we've been utilizing PAD for the last couple of years, which has been great for us, we're able to hand off an individual to PAD so they can get those services, and we can get our officers back in to service to answer other waiting calls."

COMMISSIONER IVORY: "Sure. I do respectfully observe that if one party thinks that the numbers are very low and the other party thinks that they're doing great at the numbers, then we have a disconnect. So this is a disconnect right here. You know, I don't see how we can be saying improved when those that are directing this feel that their numbers are good. So that's number one. I heard you say that if your at -- let's put ourselves on the street, somebody is in -- disorderly conduct is one of the divertible charges, but the person who is the victim of this disorderly conduct wants to press charges, then that person is going to jail?"

MAJOR, APD: "Yes, Commissioner."

COMMISSIONER IVORY: "Okay. So then that victim has the right to change a divertible offense into a jail -- into a visit to the jail."

MAJOR, APD: "They have a right to recourse considering the arrest. They are a victim of a crime, and at that point, considering we've established probable cause during our investigation. I don't know if we want to call it street-level justice as to, okay, well we're going to divert them and you're not going to get recourse, I think, you know, a victim of any crime should have the ability to have a day in court, per se, if that's how they choose."

COMMISSIONER IVORY: "Judge McBurney, can I get your input on that? I'm just wondering if we have all of these do divertible charges and there's someone there going no, I want the person arrested, then the person is getting arrested."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "So that's a police call not a judge call."

COMMISSIONER IVORY: "As from a, take your judge hat off for a second and be a JPB member, and let me know your thoughts on that."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "My thought would be that we need to have officers think holistically, and maybe there's not always a veto like that. Disorderly conduct is a great example, because it's so amorphous. If I am a gas station operator and this guy is just around the pumps panhandling, this and that, and is being disorderly, I want him gone, but just because I want to press charges, it's not clear to me that the officer is obligated to say I'm going to arrest you as opposed to let me get this disorderly situation orderly and off your property. That's not to say there aren't victim rights and there isn't an interest to take into consideration, I think it's a complicated process and there's so many shades of gray where an officer might say, you know what, I'm just going to arrest you for disorderly, but you actually put your hands on this guy

and I could arrest you for an assault. So it's going to be context specific. But I do think that one of the things that will need to be discussed as we press forward is this concept of victim veto to diversion, because I hadn't heard about that before now."

COMMISSIONER IVORY: "Yeah. And I think that if the true three that you mentioned with the first one being reduced, then that has to be the goal; and if the goal is not reduce, redirect, and then connect to resources from the inception point, then this money is not being used in any kind of real way to help the citizens of Fulton County who are paying for it. And that's not -- it is a colossal job to take care of our safety, but if we are focusing on what this and I'm going to say, nearly empty Diversion Center is supposed to do, then we have to focus on the point of entry. And so that, I think, is the biggest issue that needs to be addressed. If an officer can look up a warrant in their car, so should the public be able to because then that -- I've been a parent who has tried to find out if one of my child's -- children has a warrant, and I'm a lawyer, and I hired a lawyer who still couldn't figure it out. So maybe I got the wrong lawyer. But regardless of that, that horror that a parent feels that they're going to get pulled over because of the taillight that they didn't want to tell you about, and then you find out that this warrant happened, and it happens every single day. So I feel like we're dealing with a technology issue; not really an issue should be do it or not, it's technology issue. And so, again, if we're pouring \$2.5 million every year into a center that was serving one person when I was there and three at the most, it seems that we should start thinking about that money in ways that are going to help more people to get there, which is if the warrant is one of the ways that automatically keeps a person with one of the divertible charges, disorderly contact, up, they have a warrant, they're going to jail, now the jail's overcrowded, oh, the intake is overcrowded, I mean it just goes on. Now they've lost their housing, it's just a thing that keeps on going, right? If we just start at the inception point and fix that, that feels like to me that's a fabulous idea that Commissioner Arrington said about making warrants appearable. I'm sure this is not the first time a smart person brought this up, but it hasn't been fixed. And so, if it's technology I just like to find out what it is."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "I suspect it's more than that. To me, that has shades of criminal history and that information is so locked down. Judges can't get criminal history. They have to bring someone to court to say I will tell you the criminal history of this person. There are people who get trained annually by the GBI. I'm not making excuses or may need --"

COMMISSIONER IVORY: "-- no, I understand."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "-- to change it, but I suspect -- suspect, don't know for sure, that warrant information is entwined with criminal history information, not that a warrant is criminal history. You haven't been proven guilty of anything. But I suspect that those databases are interconnected, and that's why I can't, a lawyer, a county commissioner, a concerned mother can't call 1-800-warrant and punch in a name, and you can't find out if you have a warrant, because that's protected criminal history information. Should that change, maybe so, I bet that is a gold dome issue as opposed to --"

COMMISSIONER IVORY: "-- okay. I would love to find that out because I hate there is the accessibility to see somebody's mugshot in two seconds flat on the Internet, but if somebody can't find out if they could avoid their mugshot being put on the Internet, you know, very quickly. I would like to work on that personally, and maybe we can figure out a way, or possibly the JPB is doing this kind of work. You guys are very committed to this, and I understand that. The next thing is that if, I wondered, you know, if there could be some sort of, you know, I don't want to use the word reward. A reward could be like premier parking at the police station or a pizza party every Friday, but I wonder if we could provide some incentives to our officers to want to do this more, and make it -- it's a celebration when somebody doesn't have to go to jail. So if we could figure out a way to frame it as a wonderful opportunity, then maybe that would be something that would, if there's anybody who doesn't feel so great about it, maybe they could feel better about it. After that, and I would be glad to participate in that as well. I'm going to put a lot of things on my calendar -- after that, I wonder if some of these funds when we talk about another employee coming on could be used as a second layer of protection at the jail. So if somebody does come into intake and oh, an officer didn't take them to the Diversion Center. Before they're booked in, before they're, you know, change out of clothes and all of that, can we just take them to the Diversion Center? Can we set up a program that says here are all the divertible things? I think this will be great inside of the software of a police officer's car, too. When you get ready to arrest somebody a beeper comes on, oh, is this divertible? If so, yes. Is there's a warrant? No, take them to the Diversion Center. Use the place. I don't know anything that would help to remind that this is available, and then if that fails, when they get to Fulton County, can there be a system like that too? You're booking them in, oh, wait this looks like one of these divertible offenses. Let me -- disorderly conduct, does this person have a warrant, no. Could they have gone to diversion, yes, take the diversion van; to diversion you go. It seems these are like, and I understand what I'm saying, it sounds so simplified and, yeah, Mo, that sounds so easy to do, and I understand it's not, but it seems like these are active things that we could consider doing. I'm not asking for more money to do it, I'm saying inside of the 2.5 million that likely is not needed to serve three people a month -- a day, a day, three people, I'm sorry. Three a day. Three people a day, you could use some of those funds to do some of these things, and so I'm just making these suggestions. I'll be glad to come to a meeting and listen, or if anybody wants to provide me information about anything that has been tried and we tried that, Commissioner Ivory, it doesn't work; I'd love to read whatever there is. But I feel committed to -- I've been a parent of -- I'm sure. I have five sons, five black sons, and a black daughter, and I have dealt with APD, I have dealt with Fulton County jail, and I would like to help all parents that have that same fear when they get that phone call, and if this is where we decided to put out money to do it, then let's just do it right."

CHAIRMAN PITTS: "Good job. Commissioner Thorne?"

COMMISSIONER THORNE: "Most of my questions were answered, particularly Dana Barrett. Commissioner Barrett, I had the same questions that you had. But a few more from the last discussion have just arisen. Are we fully staffing the Diversion Center for

40 people? Are we fully spending the 2.5 million that we allocate? Can anybody answer to that?"

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "We're not, and I don't know. Do you want to come down or is the answer, no?"

CHAIRMAN PITTS: "No. I can tell you that."

(Someone from the audience answering, not on a microphone.)

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "Okay, they are hiring based on capacity, so the tour you got with one person there, probably there was enough staff if there was a mad rush and four more showed up, they could have treated those four. But the goal is to flex it, because we knew day one, several of you have made the point. Day one, there'd be actually open during one of these supposed ice storms that didn't happen, and no diversions happened. We were when is the first person going to come? It started very slowly. We're flexing up staffing so there's been no flexing, because the numbers are good from some perspective, they're low from another perspective, two sides of the same coin. But no, so we're not at a burn rate of 2.5 million, because we don't need enough people in there to treat and care for 20 people a day."

COMMISSIONER THORNE: "Okay. And then perhaps you can explain some of these offensives, what happens, like say you mentioned the shoplifting, and you can divert them, I mean, what do they do with them to divert them? Do you issue them a citation, I assume."

MAJOR, APD: "When we divert somebody, they are not charged with a crime if they participated or took action in the crime, in lieu of going to jail they'll go to Diversion Center. But there's instance of our encounter with the individual is, because we were called because they were involved in something or they had committed a crime."

COMMISSIONER THORNE: "And what did they do with the shoplifter at the Diversion Center?"

MAJOR, APD: "We stop at the door. So if we divert somebody, let's say we go to the Exxon up the street for a shoplifting call. There's an individual there that seems to be in need of some services, might be suffering from some other issues. If the store owner's amenable to I don't want to press charges, I just want them gone, our officers are good at recognizing and are trained to recognize people that are in need, they're in a crisis or in need of some services, they're part of the criminal act let's say, yes, shoplifting being low level, offer diversion or divert them over to the Diversion Center where we'll drop them off so they can get the help that they may need."

COMMISSIONER THORNE: "And that's if they need something like they don't get education on let's not shoplift anymore."

MAJOR, APD: "Whatever they offer at the diversion center, I'm not sure exactly what their curriculum is inside -- once they get inside, but we'll take that individual to Diversion Center to get them --"

CHAIRMAN PITTS: "-- excuse me, sir, would you speak into the microphone?"

MAJOR, APD: "My apologies, yes. If there appears that they are unsheltered, if it appears that they may have other issues going on chemical dependency issues, have been under the influence of something, we'll try and get them to get over to diversion to get them the help that they may need that Diversion Center can offer them, as opposed to jail."

COMMISSIONER THORNE: "Okay. And do you document that you've dropped them off, you may not press charges, but that you dropped them off, so these familiar faces can kind of be tracked still?"

MAJOR, APD: "Yes, Commissioner, we document with a report for every interaction with that individual, it's in our reporting system, and I believe that the Diversion Center also tracks that on their own."

COMMISSIONER THORNE: "I recently and this is for Judge McBurney, on a different topic -- putting the warrants online or something like that, someone's criminal history. I recently met with a police officer who was frustrated because simply on the stand in a trial with a man who had murdered a father in front of his 9-year-old son, he mentioned that the defendant was on probation and the judge immediately threw the case out. Having that warrant and all that information readily available, could that taint juries and prohibit justice for that individual."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "That is a different topic. I didn't hear -- I don't think we will ever, despite some well-intentioned requests, have it that John Q. Public could go on line and say, does Robert McBurney have warrants, in the same way that it would never be does he have -- what's his criminal history? Yes, to mugshots, but criminal history is appropriately locked down. If you're an employer, you can run my name and it will say he's had a felony arrest or something like that, so you can make an informed employment decision. But I don't suspect, and it's a legislative decision to be made, that there'll be changes so that everyone can go dumpster diving into the criminal history of random individuals, even your own criminal history. It's locked. I cannot do that. I can't -- on the bench, there's not an app I can get into on the bench to learn more. I rely on folks who have GCIC access, which is annual training, to tell me that this person's been in trouble before, et cetera. It's why it's hard to figure out if there's a warrant, because it's locked down. They need to make it less locked down so that the right person, a person who's authorized needs to be able to get that information. The public needs to know who's that person who is authorized, so you can say this is my son. Okay, it makes sense to let you know what is in your son's record, that's fine. What will never be okay, I believe, would be for you, I just want to find my political opponent, what's in her criminal history. You don't get that. What you described, the judge wouldn't have thrown the case out. The Judge would have said

that's a mistrial, you could try the case again, which is a huge burden on everyone, but that was a slip-up that that officer shouldn't have mentioned, and it may be that the prosecutor forgot to say, hey, don't talk about the person's criminal history. It's not necessarily a mistrial; that's the judge's discretion. It sounds like this judge felt that that sufficiently tainted the jury, but that's sort of a case-specific situation. I don't know if that answered your question."

COMMISSIONER THORNE: "It did thanks. And I just want to thank you and all the Policy Board and PAD for the work you guys are doing. It's very valuable to the County, and you may not be getting the results yet, but I know you're working at it, and I know you're getting paid a lot of extra to put all this work in, so just know we really appreciate it."

CHAIRMAN PITTS: "Commissioner Abdur-Rahman."

COMMISSIONER ABDUR-RAHMAN: "Thank you, Chairman. I don't want to belabor the point, but I do want to make the point, that number 2.5 million keeps getting thrown out there. What is the alternative? You've got to understand what we're dealing with is an archaic mindset that sent people to jail or sent them to Grady. Grady was being overburdened, the jail was being overburdened. We're not going to produce the numbers that are going to make you comfortable with the \$2.5 million investment overnight. I get it. But let's put some context there as to why we got here. Why we traveled, why we talked with the 911 operators in Tucson who had to be trained. Tucson trained their entire 911 operating system and have -- an actual designated operator that deal just with the divertible issues. We don't have that. We've trained our people to recognize the divertible, to recognize well, wait a minute, is this truly a 911 call, or is it something else? If the police comes out, this maybe could be something that could be diverted. And also, let me put some context with the police. I can understand it -- thank you for your service. I can understand, because at the beginning, the police was very candid in the meetings, and by the way, the meetings are met quarterly, and they're open to the public. So I would suggest not only my colleagues, but the public, see what we are doing, because at the beginning, the police were being trained, you were asking the police, okay, what are seeing? What are you doing? We got to understand, there is a process to get that officer to the Diversion Center within a very short amount of time divert and get back out there. I will be remiss if I didn't tell you at the beginning maybe some officers were reluctant because they had become comfortable to being the counselor, the lawyer, the person that had to listen to what was going on with the actual person they were getting ready to arrest, listening to the people around saying this person is homeless; our officers are burdened. I'm not saying that I'm pro anything other than pro right. And so, I want anybody for any moment to put it in the light that the officers are just choosing not to divert because that is not the case. Do we have some areas that we need to work on, Judge Bernie, I do. But at the beginning of this process that APD was in, APD rolled up its sleeves and said hey, officers, talk to us. You have a Diversion Center, you need to use it. What I want you all to understand, this is several, 20, 30, 40, 50 years of doing something one way. And now we're trying to do it a different way. So we have to do it right. It's going to take money, it's going to take education, and it's going to take us working together. So officer, chief, I appreciate you

and I appreciate APD in having to retrain, because I know that you all had to retrain your officers. You had to say, this is the Diversion Center. This is what you should be doing. This is what we have and why. Judge McBurney, I appreciate you making sure that you had the conversations with APD, what's going on? What are the points of where we can work to get the information out? So this is a team effort, but what is the alternative if everybody is not on board with the team effort? What is the alternative? Do we go back to making sure Grady has its issues? Do we go back to not helping the jail with what they're doing? This is not going, and I repeat, to be resolved overnight. I appreciate where we are, but we do have extra areas that we need to go. But we're backing up 50 years of where we say pick up somebody and take them straight to the jail. And so, to undo that mindset, whether it be the officer, whether it be an elected official like me, or whether it be the preacher, teacher, or whoever, we got to reeducate how we do. Stop criminalizing people who are having mental health breakdowns; stop criminalizing homelessness; stop criminalizing people who are poor, and give people a chance who may be making a mistake. If a person is making a mistake and they're shoplifting because they're hungry, maybe we can send them to diversion. Let's have those conversations. We keep saying 2.5 million, one person, one person, that is not a fair assessment, and I'm going to use this bully pit to make sure that it's not a fair assessment. So I say to you today, what we have been doing has not been working, and what is the definition of lunacy, to do the same thing over and over again and expect different results. Thank you."

CHAIRMAN PITTS: "Commissioner Barrett.

COMMISSIONER BARRETT: "Thank you, Mr. Chairman. I don't think -- I mean, look, given the data that I brought up and I think you had the same questions and you acknowledged Judge McBurney that you saw given the data that it's out there in terms of how many others could have been diverted that weren't. I mean, the numbers aren't terrible given who could have been diverted. I had a question, Major, about the collection of data around the victim veto option. When that happens, does that get tracked? And the reason I'm asking before you respond, is just because, you know, we said we had 187 that had divertible charges based on the kind of charges we're looking at right now, 16 percent had warrants. Like I'm curious to know what percentage of those 187 were taken to jail because the victim wanted to press charges."

MAJOR, APD: "With our report rating and how we track in our reporting, we would have victims listed, I don't have those numbers in front of me. We can provide that certainly by pulling those people that were not diverted and those specific cases and determined if they have a victim that wanted to prosecute, but is not a drop-down box or a specific isolated area that we currently track."

COMMISSIONER BARRETT: "Yeah. I think this gets to the data tracking in general, and the reporting in general, because if we can really come down -- it's really not 187, it's 157 as reported, and then it's really not 157, it might be only five that that happened to, or it might be 20, and that changes the statistics too. So if, you know, if we make an assumption that a percentage happened for that reason and perhaps there are other reasons that haven't even been brought up here why they were not diverted, that we're

looking at, you know, three diverted a day, and two not, or one and a half not, do you what I mean? So I think, you know, given the number of people that these charges, I take your point that, you know, the police officers are doing -- or using the service. Could there be more use? Sure. Could there be use in other jurisdictions? Sure, that based on the data, there's a few people here and there from the other jurisdictions, so I think all of that is true. And I do appreciate, you know, not to make a lot of anything, but I hate when somebody puts a TV show on and gives it like less than a season to see if it succeeds, right? Like not to make light, but I think we do need to give this idea and this center and this process, and, you know, police training and other jurisdiction all a chance to start to work like a well-oiled machine before we pull the plug. That said, on a budgetary front, I appreciate the questions you asked Commissioner Ivory, and I would say, it sounds like, even though there was 2.5 million budgeted and maybe this a question you can respond to, that would be some extra money in this year's budget and may be next as well. Go ahead."

DICK ANDERSON, COUNTY MANAGER: "Yeah. Sharon, the CFO, just reminded me it's billed monthly on basis of actual expenses; is that correct, Sharon?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, so far this year it looks like we've been billed and paid a little over \$300,000."

COMMISSIONER BARRETT: "So maybe if it would be worthwhile, I mean, I know you'd like to have a full-time person coming on board for the jail policy review, but maybe if that's not an option right now, there could be some contracting dollars spent to get some better reporting and to make sure that the -- maybe this is a Kevin Kerrigan question too, but maybe there's some way that data could be tagged more easily or shared more easily, not about warrants, but just about these outcomes, so that we can have better reporting. And I think, you know, to your point again, Commissioner Ivory, the idea of us continuing to invest or certainly investing more, we need as much data as we can to sort of analyze the progress over time. But I do support, you know, Commissioner Abdur-Rahman's contention that we need to give this a chance and, you know, that everybody who can be, you know, not brought into the system at all with any charges, is a great thing, and let's focus on that. And I agree that we -- I think we all would agree that we shouldn't be criminalizing homelessness or, you know, drug addiction or those kinds of things. So I just mostly want to bring up the question about the data tracking on the victim veto stuff. And then I also had this thought as it related to that, about educating the public, the businessowners in particular, who do see a lot of these and may be the ones who call and I don't really know this, but anecdotally, it sound like are the ones that call 911 about some of these types of violations. And so, is there something planned that we can talk to these, you know, more broadly with some kind of external affairs outreach effort to say hey, businesses, this is a really good thing, this is going to be more positive for these people and help your business more than sending them to jail. So please be supportive of this, and if you don't to press charges, please don't. And so, you know, like again, obviously, everybody as to make up their own mind, but I think it would be good to show some of the success stories and sort of educate them, so I'm asking and I'm also sort of suggesting."

MAJOR, APD: "Thank you, Commissioner for the question. With our officers in the APD, you know, when the Diversion Center first rolled out, Karen Sutton and her team, visited our roll calls. You know, we promoted the Diversion Center as a very, very formidable option to other alternatives of arrest and what have you. I know I've seen on several occasions with our officers, after a review of body camera or of an incident where they've educated, let's say, an individual and say, hey, well, look, if you don't want to press charges, we can take them to the Diversion Center to get them some help. That has happened, our folks do employ that, and I've seen it on occasion. Can we do better? Sure, we could do better with education, as you've pointed out, of course. That can be another initiative we can engage with Diversion Center in getting that information out to the other folks that might be affected on the other side of these types of interactions."

COMMISSIONER BARRETT: "Yeah, I want to say, just on that note, just a little personally and anecdotally, I called the police at one point when I was living in an apartment complex, and there was somebody there that was, you know, not doing things they should have been doing and I felt worried for my neighbors and myself and what have you, but when the officer came, he asked me if I wanted to press charges, and I didn't, and so he left. So I'm really appreciative that we have an option of a place to take somebody, because I was still scared, he left, and the guy was still wondering around. So I think this is really important, it would be great for that guy to get some help, and it would have been great for, you know, myself and my neighbors to not be afraid. So again, I just want to commend everybody for the work, because I think it's really, really important both for the citizens, for the businesses, and mostly, for the people who are getting this option so."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "I like that idea. Jessica Corbitt and her team partnered with us a lot in terms of getting word out, but it was more for law enforcement learning about it, but we certainly need to educate the broader public, not in the sense of you can bring someone to the Diversion Center, but for shop owners and people who'd be in your situation or the scenario where you may not appreciate the impact of saying, yes, I'm going to press charges or not, but if an officer can educate you, maybe you've already read of something about there's a way to take this person who you can tell is in crisis, this person doesn't even know where he is. He thinks you're someone else. He just wetted himself. He needs help, and if you knew that that was an option, and what does it mean to press charges and the consequences of that, we might see different outcomes where the officers feel more empowered to make a different decision."

COMMISSIONER BARRETT: "All right, Jessica, it sounds like you're getting an assignment. And I think there's a lot of education that's countywide, you know, because there's businesses all across the County where these things are happening at different levels. Thank you, that's all I had."

CHAIRMAN PITTS: "Vice Chair Ellis."

VICE CHAIRMAN ELLIS: "I think you'd like for me to be brief, Mr. Chair."

CHAIRMAN PITTS: "Yes."

VICE CHAIRMAN ELLIS: "So I will be. You know, change is hard, and, you know, a lot of times we respond to that by walking away from it, but we're leaning into this. I really want to again thank you, is it chief/major? Major. One question on the citations, are we introducing sort of a diversion into that citation process too, or has that not really been talked about yet?"

MAJOR, APD: "No, for diverting somebody, they're not being charged with a crime. So there will be no copy of charges issued for them to appear at a later time. They will not be taken to jail; they'll be taken to the Diversion Center to get whatever services they need."

VICE CHAIRMAN ELLIS: "Okay. Let me rephrase my question. So like if there's -- they're somewhere where you would, instead of an arrest, you're going to issue them a citation. In lieu of a citation, are we introducing diversion at that level too?"

MAJOR, APD: "I'm sure that's occurred. I don't have an instance I can refer to specifically, but I'm sure that has occurred with our."

VICE CHAIRMAN ELLIS: "In terms of sort of the entryway in and somewhat Commissioner Barrett was alluding to earlier, I think that might be, may be a real practical way, you know, when we're encountering folks with -- that to bring them in or encourage them to take in in lieu of a citation, and capture that population. So anyway, I'll stop. We've had a really robust discussion and gave you all a lot of stuff to continue to tell her about as well."

CHAIRMAN PITTS: "Commissioner Thorne."

COMMISSIONER THORNE: "I just wanted to clarify some things about the 2.5 million. We've budgeted the 2.5 million for this, but today, we're only getting charged about a hundred thousand dollars a month. So in all likelihood, if the program doesn't pick up, we'll be at 1.2 million for the year. The taxpayers aren't spending the full 2.5 million. They aren't staffing for 40 people with three people coming. PADs being responsible with our money, so I just wanted the taxpayers to know that they're not losing out, and that we have room for the program to grow and money there available in the event that it does grow."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "That's a point I should have made in my presentation. Thank you, Commissioner Thorne."

CHAIRMAN PITTS: "Commissioner Ivory."

COMMISSIONER IVORY: "Commissioner Thorne, thank you for that, and thank you, County CFO, and County Manager for -- that gives me great hope because then that means we have budgeted money that can be used for alternate areas perhaps, you

know, in different ways to accomplish what we might need to education, whatever it is. And I feel the need to say that no, certainly not myself or any Commissioner here is at all placing any blame on the city of Atlanta Police Department for things that haven't been done. We all want to work together. The city of Atlanta's our partner in this. So it's important for us all to work together and try to figure this out for our citizens, because ironically, the city of Atlanta and Fulton County serve the same people. And we somehow seem to forget that sometimes, so I just wanted a reminder of that, and Judge McBurney, I just wanted to say that I was sitting here thinking about what you said about the warrants. And what I was really more thinking about is a process something similar to how HIPPA is regulated, right? Only I can look at my personal medical information, I can get it by providing certain personally identifiable information, same with voting, right? So can see if I voted but you can't see who I voted for, so it's that kind of thing, not at all open to everybody, but a concept like that. I know we can figure that out. Thank you."

CHAIRMAN PITTS: "Commissioner Thorne."

COMMISSIONER THORNE: "Commissioner Ivory, when you talked about spending money in other areas, we have on our agenda with the Public Defender to spend \$70,000 to the United Way of Greater Atlanta to support a select group of chronically homeless individuals released from the Fulton County jail by providing transitional housing with case management. So things like that, we can probably do more of if we have that money available at the end of the year."

CHAIRMAN PITTS: All right. Anything else? Nothing else?"

COMMISSIONERS: (No response.)

CHAIRMAN PITTS: "May I have 30 seconds? That's all I need. We have a beautiful facility, currently doing three a day; the goal was 40 a day. We have two and a half more years to make this thing work, and we have up to about \$5.8 million to make it work over the next two and a half years. Those are the facts. Thank you."

HONORABLE ROBERT MCBURNEY, FC SUPERIOR COURT: "Thank you for your time."

CHAIRMAN PITTS: "Madam Clerk."

CLERK GRIER: "Bottom of page 8, County Manager's items under Health and Human Services, **25-0384**, Senior Services: Request approval to amend an existing contract to initiate a six-month pilot program to deploy three vehicles to provide transportation services to seniors at no initial additional cost."

CHAIRMAN PITTS: "Dr. Roshell, we're going to talk about it. Is this time sensitive?"

DR. PAMELA ROSHELL, FC COO: "We can hold this, Mr. Chair."

CHAIRMAN PITTS: "Okay. Thank you. I'd appreciate it. Thank you. Next item."

CLERK GRIER: "On page 9, **25-0431**, Community Development: Request approval of a statewide contract for temporary staffing services in an amount not to exceed \$148,677.48."

CHAIRMAN PITTS: "Motion to adopt by Commissioner Thorne; seconded by Commissioner Abdur-Rahman. Please vote."

CLERK GRIER: "And the vote is open. And the motion passes unanimously."

CLERK GRIER: "Under Justice and Safety, **25-0432**: Public defender: Request approval of an MOU between Fulton County and the United Way of Greater Atlanta in the amount of \$70,000 to support a select group of chronically homeless individuals released from the Fulton County jail."

CHAIRMAN PITTS: "We have a motion to adopt by Commissioner Barrett; seconded by Commissioner Thorne. Please vote."

CLERK GRIER: "And the vote is open. And the motion passes unanimously."

CLERK GRIER: "On page 10, Commissioner's Full Board Appointments, **25-0433**: Board of Registration and Elections. Chairman Pitts has nominated Sherri Allen for a Full Board Reappointment to serve as chairperson to a term ending June 30th 2027."

CHAIRMAN PITTS: "Motion to adopt by Commissioner Barrett; seconded by Commissioner Ivory. Let's vote. Oh, discussion, I'm sorry. Commissioner Thorne."

COMMISSIONER THORNE: "Trying to sneak on me, huh?"

CHAIRMAN PITTS: "No, no, no, I didn't see."

COMMISSIONER THORNE: "Well, I just want to explain why I can't vote for Sherri, the current chair, Sherri Allen's reappointment. I've ran on transparency in our elections, and it has all been but transparent. And to have trust in our elections, we need transparency, and that's exactly what Sherri Allen has not done. When we nominated -- when she was nominated as a potential candidate, I had personal long phone call conversations with her. I met her personally for lunch. I thought she was wonderful. She said all the right things because, basically, I don't want her to have to agree, but I

want her to at least listen. Listen and help and address issues in our elections, and listen to both sides; not just one side; both sides. And then after she was approved, she would no longer answer my phone calls. Actually, I had to have Chairman Pitts to follow up on things, because after weeks going by and multiple times trying to get answers, I didn't get answers. Sherri has worked unilaterally without the board. The board is basically irrelevant. On Wednesday, October 3rd, this Board approved, outside legal counsel, for our Board of Registrations and Elections for a particular reason. On Thursday, they hired that outside legal counsel. On Monday, that outside legal counsel was used to sue the State Board of Elections. That wasn't what we approved of; I voted for the event that they said might happen. I'm like, if that event happens, we need legal counsel. I voted for it. I did not vote to sue the State Board of Elections. We as a County, we normally don't ever sue unless it's, you know, a class-action lawsuit. But we did. And what did we sue the State Board of Elections for? We sued them just because we don't want transparency. She did that without her board approval. She came back a few days later and then asked her board to approve it, but it was too late. The board wasn't part of that decision, and it was a full board that was suing the State Board of Elections. The Republican, the Democrat board members had no say. And it should be -- they should have had to say beforehand. I laughed, at the last meeting they talked about Julie Adams having three lawsuits and costing us money. I wish you get the facts straight. Julie Adams had one lawsuit, one. And what was that lawsuit for? She wanted to see election documents that she needed to certify the election; documents that Judge McBurney ruled that she should have, and then she must certify. She signs an oath that she will oversee our elections and prevent it from fraud and abuse. And she needs election documents to actually do that. She needs the number of list of voters; oh, yeah, it was all talk on Friday, oh, we'll get you that list. Sherri Allen told her, yes, we'll get you that list. Repeatedly on Monday, before certification, she asked for the list, oh, yeah, we'll get it we'll get it for you. She never got the list, but she has to certify it. We are breaking the law and the rules, and is that, okay? We have a chair that's an attorney that is breaking rules and laws of our elections. You talk about the money, this one lawsuit that Julie Adams had, it was because of us not giving her the materials she needed to literally sign off on certifying that election. It is us, our Board of Registration and Elections that is causing these lawsuits. Let's talk about the blocking and the spending of the money that they used to also block a subpoena. Normally, if that event was going to happen that we approved it, you have for every little thing, you have to come in executive session and get each case approved. They used the same attorneys to block subpoenas. The State Board just wanted to see some records that they have, oh, no, we're not going to be transparent. We're going to spend hundreds of thousands of dollars to block them looking at these documents, and I have the most recent expenditures. It is an ongoing lawsuit, this law firm, this outside counsel firm, that we hired. But currently, our bills have been \$196,000, 196,887, thousand dollars of taxpayer money to block the State Board from looking at our election documents; to sue the State Board. It's still going; we'll get the tab later. Sherri Allen, not only is she working unilaterally, she's stonewalling. Republicans turned in a list of workers that they wanted to work, and on that list, only eight were chosen. We hired 800 poll workers. She seemed supportive of that. The Dover staffing person that we hired to run the staffing of our elections, CEO, Sanquinetta Dover, is a big Democratic donor, but that's, okay, we're, okay, with that. I listen to -- I listened to -- we paid a hundred thousand

dollars for this Ryan Germany report; taxpayers paid a hundred thousand dollars for this Ryan Germany, and it was cited by some public commenters that were down here. And in that report, he says, the FulCo BRE has weak communication, cooperation, and transparency was found by the report. Look to those especially contentious board with constant fighting and quote, Fulton County voters could be served by a more collegial, cooperative approach. The observation mission found that the BRE should consider ways to improve its transparency and clarity as a whole, an overall failure of the administration of elections. Now we want to talk about difficulty to access and her lack of response. I reached out to her, I think it was in January, end of January, to just ask her about an article in Politico where Patrice Perkins-Hooker, the chair, when Julie Adams joined, said that during meetings she could see Adams receiving text messages from a Republican activist telling her what to say and what to do. After Perkins-Hooker stepped down in April, the newly chair banded board members from using phones during meetings. Is that being transparent? And it took about four months to get an answer to this. Chairman Pitts, I had to get him to call a meeting with me and Sherri Allen so that we could get some answers to some of these questions, and she said she did it because ACCG recommends it -- or recommends that you don't use cell phones, which they do, but they do it just because it could be subject to open record, so they recommend that you don't. And there's two reasons that could be for her behavior, either she mentioned in our her meeting that she's very busy, she is the sole practitioner at her firm. But don't we want somebody that can have the time, the time that's needed to put in to our elections? And she's too much of a partisan, honestly. Khadijah, you were -- Commissioner Khadijah Abdur-Rahman, you are absolutely right when you voted against Cathy Woolard. Because she was a Fair Fight activist and lobbyist on Monday and then was our chair on Wednesday. You were absolutely right, because the chair should be a very neutral, objective, look to both sides person. Now, the Republican nominees, they should be partisan. They represent the Republican Party. The Democrat appointee should be Democrat and partisan, because they represent the Democrat Party; but the chair, it's very important that they are neutral. The ACLU and all voters matter, you know, they praise Sherri. This has nothing to do with voter suppression; this has nothing to do with your right to vote. This has everything to do with making sure that our vote is counted correctly. This is everything to do to make sure there are checks and balances, and that there is no fraud in the counting of your votes. The Board of Commissioners, we have the duty to uphold the highest standards in our elections of integrity, transparency, and fiscal responsibility. Reappointing election chair who acts unilaterally, unlawfully, misappropriating taxpayer funds, eroding the public trust is not what we need. Trust is fundamental to our election process, and without it, we might as well not have elections. So I encourage all of you to vote for the good and the good of all people, and I have a note that -- and a hand that went up that had one minute despite that my fellow Commissioners have been speaking for like 13 minutes in the past. I don't think they've got any notes. So with that being said, I'll conclude. Thank you."

CHAIRMAN PITTS: "Thank you, Commissioner. Vice Chair Ellis."

VICE CHAIRMAN ELLIS: "Thanks, Mr. Chair. You know, I think some of the remarks in the discussions that were made today at our prior meeting about, you know, the

individuals that were nominated to serve on this board, you know, are really unfortunate, and I think all of these people are well-intentioned citizens who are looking to, you know, play a role, you know, play a civic role in the right manner. And unfortunately, you know, there's a lot of comments that denigrated many of these individuals, and I'm not going to sit here and denigrate Ms. Allen. I respect her, and I think she's, you know asked to do this -- you know, agreed to do this in terms of with the right spirit and the right approach, and the right action, and is well-intentioned. But this persistent issue with the challenges with our elections, it just goes on and on and, you know, is tiresome. I've been on this Board now 11 years and for large portions of it, it seems like Groundhog Day in trying to move many of these issues forward. We've had sort or persistent questions about the validity of the way that we set up our budget and our funding and how we somehow manage to spend the amount of money that we spend; and we've asked this to be looked at and approached by the board, et cetera, and it's felt like we fell short on that. For a number of years, we made some incremental progress, I want to acknowledge that. In the many ways, our elections are significantly better than where they were, you know, but ultimately, you know, transparency is our friend, it shouldn't be our enemy. And we may not like, you know, bring certain things, you know, to out there in the public and shared and have a healthy debate over them. We just had one just earlier. It's messy and, you know, sometimes it's just more expedient to just shut people down and move on. But in this particular area, you know, it's clearly not in the matter of the elections. We could just move the ball forward so much more, in my estimation, with handling some of these board-related matters in a manner that which foster transparency, and we would be further along in terms of the perceptions of our elections. So I just -- again, you know, no ill will towards Ms. Allen, and I do thank her for her service and willingness to serve, but I would rather us take some time and identify, you know, a person who we think will move this board further in a greater fashion, and I'm not going to be supportive of the nominee today."

CHAIRMAN PITTS: "Commissioner Arrington."

COMMISSIONER ARRINGTON, JR.: "Commissioner Thorne, I actually found something that we agree on, because our board needs to be compliant with our rules, so I agree. And I, you know, I hear the allegations that are being made regarding, Ms. Allen, but we need -- we need to address a bigger problem, right? It's kind of, like what Judge McBurney was talking about earlier, this board is going to need staff, right? And I told him that I agree all boards need staff, right? But what good is it -- does it do for us to have rules, if the people that we appoint are not going to follow those rules; like our ethics board? They don't follow the rules either, so what good does it do for us to have rules? We need some type of compliance officer, maybe someone in the County Attorney's office that can help ensure that our boards comply with our rules, right? It's just simply doesn't do us any good to have rules and not follow them. You know, I hear the allegations that you made against Ms. Allen; I can neither confirm nor deny those allegations. Like Commissioner Ellis, I'm thankful for her service, I'm thankful for Ms. Allen's service. Everyone that serves on that board, everyone serving on it; Justice Policy Board and all of our boards, right? Because all of this is thankless work, right? And most of our boards and most of these people are not getting paid for that, so I'm thankful for the service that they do. And I think, as Commissioner Ellis stated, most of

the people are well-intentioned. Most of them are well-intentioned. And I hope I didn't offend or call anyone any names last time. My goal was to say, hey, you know, I want to see people in the center on both sides. I want to see people closer to the center than in the fringes, but with that said, some people are obstructionists. And some people will ask so many questions that they prevent the people from doing the work that they have, and maybe that leads back to what we were talking about earlier with the Justice Policy Board; they're going to need someone in the Public Defender's Office. Commissioner Abdur-Rahman said that they're going to need someone in their solicitor's office to manage it, right? So a lot of this is probably more processes and systems or the lack of those processes and systems that are present all throughout Fulton County and all of our boards even this Board, right? So I'm happy to say we've found some common ground."

CHAIRMAN PITTS: "Commissioner Thorne."

COMMISSIONER THORNE: "Well, I'm glad we found some common ground, Commissioner Arrington, and I would like to pursue some sort of compliance officer. I think it will save on litigation, future litigation. I think it would pay for itself if we could implement such a person, because I do believe it is processes and systems, and I'm all about process. So I do want to clarify the BRE is paid. I believe the chair person gets 500 or 600 per meeting, and the individual board members get about 300 per meeting -- it's 500, 500 per meeting. So it is a paid position, maybe it's not highly paid in lawyer aspect or anything. And I do appreciate all of the people that do step up and serve on that role, because it is a role where you are under the spotlight and under the limelight. I just believe Ms. Allen has not performed the way that I thought she would, and be opened to criticism from both sides of the aisle."

CHAIRMAN PITTS: "All right. Anyone else?"

COMMISSIONERS: (No response.)

CHAIRMAN PITTS: "Thank you. All right, motion on the floor is to adopt. I'd appreciate your favorable vote."

CLERK GRIER: "And the vote is open. And the motion passes; five yeas, two nays."

CHAIRMAN PITTS: "Next item."

CLERK GRIER: "Bottom of Page 10; County Manager's presentation and discussion items under Open and Responsible Government, **25-0434**, Finance: Discussion of implications of House Bill 85, Superior Court Judicial Compensation Reform Act."

DICK ANDERSON, COUNTY MANAGER: "Yes, sir, I don't think this will be a short discussion, so I'm not sure if you want to avail yourself for lunch now, but I don't think it will be a short item."

CHAIRMAN PITTS: "You do not? I thought it would be."

DICK ANDERSON, COUNTY MANAGER: "Just from looking at the PowerPoint, I don't think it will be."

CHAIRMAN PITTS: "All right, that being said, I thought it would be. I'll entertain a motion -- what, is it ready? All right. Let's do this. Let's recess for lunch and Executive Session; items of real estate, personnel, and litigation. Let's vote, please. There's not very much in Executive Session, so if it's not ready, let's get ready."

CLERK GRIER: "And the vote is open. And the motion passes; five yeas, zero nays."

(Adjourned for Executive Session at 12:36 p.m.)

(Resumed Regular Session at 2:20 p.m.)

CHAIRMAN PITTS: "All right, without objection, we will resume the regular order of business for the day. Madam County Attorney, items from Executive Session, you ready?"

Y. SOO JO, COUNTY ATTORNEY: "Thank you, Mr. Chairman, yes. Is there a motion to approve the request for representation in items 1, 2, and 3 of the Executive Session agenda?"

CHAIRMAN PITTS: "The motion to approve by Commissioner Barrett, seconded by Commissioner Arrington. Please vote."

CLERK GRIER: "And the vote is open. And the motion passes; six yeas, zero nays."

Y. SOO JO, COUNTY ATTORNEY: "Is there a motion to approve the request for settlement authority in item 4 of the Executive Session agenda?"

CHAIRMAN PITTS: "All right. Motion to approve by Commissioner Barrett, seconded by Commissioner Ivory. Please vote."

CLERK GRIER: "And the vote is open. And the motion passes; six yeas, zero nays."

Y. SOO JO, COUNTY ATTORNEY: "No further action items from Executive Session."

CHAIRMAN PITTS: "Thank you, Madam County Attorney. Continue, Madam Clerk."

CLERK GRIER: "On the bottom of page 10, **25-0434**, Finance, Discussion of implications of House Bill 85, Superior Court Judicial Compensation Reform Act."

CHAIRMAN PITTS: "All right, Madam -- who? CFO?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, sir, Mr. Chairman. We do have a brief presentation. We have a few slides to share."

CHAIRMAN PITTS: "You said brief?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, brief, I will -- I will be as brief as I can be on House Bill 85, which was passed during this past Legislative Session, and it's known as the Superior Court Judicial Compensation Reform Act. Next slide, please. The effective date of the legislation is July 1st, 2025. It provides reforms to compensation received by Superior Court Judges, aligning the salary to the United States District Court for the Northern Division. Current Superior Court Judges may make an irrevocable election to receive this new salary, plus any county-provided locality pay, or they may choose to maintain their current compensation structure as of June 30th, 2025. It requires counties to fund any gap in salary if the opt-in election results in overall lower compensation to the current Superior Court Judge. In other words, there -- there cannot be any reduction of pay as a result of their opting in to this new compensation structure. It introduces an optional locality pay, which is an amount that's not to exceed the lesser of 10 percent of the state salary, or \$20,106. That will be in lieu of county supplements. And the locality pay must be approved by the Board of Commissioners. Next slide, please. It eliminates county supplements to new Superior Court Judges on or after July 1st, 2025, allowing the Chief Judge supplement, which is currently 6,000, to remain in place if it's already in existence as of June 30th of 2025. It suspends the impact to any other state, county, local office, official or employee, including State Court Judges, whose salaries are based upon Superior Court Judges compensation until July 1st, 2026. This was a measure that was put in place to allow local jurisdictions the opportunity to plan for the impact, if it was -- if it resulted in an overall increase to what the local jurisdiction needed to supply. Fringe benefits may be continued in the same manner they are provided as of June 30th, 2025, and it authorizes but does not require the provision of pension benefits based upon the locality pay if the locality pay is offered. Next slide, please. Relative to the county, we currently have an annual supplement, or offer an annual supplement of \$72,112 to our 20 Superior Court Judges. The locality pay, if enacted, would not exceed 20,106 per Judge at the maximum percentage allowed. The percentage and the amount that would be needed to maintain the Superior Court Judges' current total compensation is 15,843 or roughly 7.88 percent. Fulton County is providing health, vision, and dental insurance to 11 Judges at an estimated cost of about \$159,431. And the Judges are also eligible to receive benefits from the state as well, I should say, instead, I don't think they can receive from both --"

CHAIRMAN PITTS: "Instead or --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Instead, yes. No Superior Court Judges are currently participating in the county's defined benefit plan. But we do

have 16 that are participating in the defined contribution plan based upon their current county supplement. Next slide, please. We just wanted to share what this looks like from a numbers perspective, showing the current, the split, the current split between what the state and what the county pays for the Superior Court Judges, as well as what the new base salary would be from the state, and the difference, in order to keep the Superior Court Judges whole. That's what the first section of this slide shows, is the amount that would be necessary to keep the 20 Superior Court Judges whole at their current salary level with the county supplement. We're also showing the State Court Judges, because in Fulton -- in Fulton County, our State Court Judges salaries are tied to the Superior Court Judges, and they're -- they're tied by local legislation at 95 percent of the compensation that a Superior Court Judge receives from state plus the county supplement. In the House Bill 85, when the supplements go away, the calculation appears to indicate that the Superior Court Judges would actually have a loss in compensation of that \$9,618. And that's because the local legislation, the language in it is state's portion, state compensation plus the county supplement. And the locality pay that the county may choose to offer would not be considered a supplement going forward. So we wanted to point out that this is perhaps an unintended consequence of this legislation. And this is the interpretation of the effect that we reviewed with the County Attorney's Office, just to be sure that -- that we were calculating it and understanding the implication correctly. Next slide, please. This next slide other considerations, really talks to that unintended consequence that I just mentioned, related to the State Court Judges' compensation with 95 percent, with it being based on 95 percent of the Superior Court Judges' salary, plus the county supplement, but not the locality pay. There is a suspension period that I mentioned up front that would suspend any impact until July 1st of 2026. It's -- it's our -- our understanding and interpretation if one seated Superior Court Judge were to remain in the current compensation structure, then there would be no change to the State Court Judges' salaries, because that particular supplement that's currently in place would remain and we would be able to tag the calculation of the Superior -- of the State Court Judges' compensation off of that. And then as -- as the previous slide indicated, if all of the Superior Court Judges opt in to the locality pay option or into the state's new compensation plan, there is the potential for that reduction in the State Court Judges' salary once the suspension is lifted. Next slide, please. I know this is kind of complicated, and it took a lot of back and forth to try to boil it down into, you know, a couple bullet points. Some other considerations based upon the language that's in the legislation would be whether or not we want to have any further consideration for county pension for the county pension plan, and refine the provisions currently established for participation in the county's pension plan, as well as ancillary benefits. And the ancillary benefits are medical, vision, and dental that carry over into retirement when you retire from one of the county's retirement plans. So we wanted to put before the Board whether or not we should consider any modifications to those offerings since the legislation, House Bill 85 had some language in it around

continuing, this is prospectively, continuing to offer both a fringe benefit package as well as allowing participation in retirement plans looking forward. So next slide, please. And I know I'm running through this. But this kind of brings us down to decisions and next steps. And we tried, again, to summarize it as succinctly as possible, and in asking whether the Board desires to offer locality pay to Superior Court Judges, and if so, in what amount or percentage understanding that we can go to the lesser of 10 percent or that \$20,106 amount. And then does the Board desire to continue Superior Court Judges' participation in the county's fringe benefit plans, and whether or not we would allow participation in the retirement plan based on any locality pay that may be offered, and if we should memorialize these decisions through a Board Resolution."

CHAIRMAN PITTS: "That's a lot. All right, Vice Chair Ellis."

VICE CHAIRMAN ELLIS: "So just try to, I guess, sort of summarize this in my own mind. So presently, our Superior Court Judges' salary would be \$216,902.30, correct? And comes in the form of state pay and then the county supplements of 72,112?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, sir."

VICE CHAIRMAN ELLIS: "So the HB85 wouldn't -- doesn't necessarily change the total amount they could receive. They could continue to receive 216,902 if we adopted the locality pay?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "HB85 would require for them to continue to receive the 216, the difference would be whether they receive that 15,842 as locality pay or as gap pay because the legislation speaks explicitly to not allowing a Judge to have a reduction in salary. And if the locality pay that's offered is insufficient to keep them at their total current compensation, then the local county government would have to also make a gap payment to keep them at that level."

VICE CHAIRMAN ELLIS: "Okay, all right. So what -- I'm trying to -- so to me, that sounds like a distinction without a difference, gap pay versus locality pay. But are we just saying, going forward, there is no locality pay, it's a gap pay?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "So the Board of Commissioners -- my apologies, Commissioner Ellis, if I didn't make, if I didn't make that clear. The Board of Commissioners can fund locality pay. If you choose to fund locality pay and your Superior Court Judges opt in to the state's new compensation structure, you will still have to make a payment to them. It would not be considered locality pay. The language that the statute uses is it talks about a gap payment."

VICE CHAIRMAN ELLIS: "Okay."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "You would have to make a gap payment to them in order to keep their salary the same. If you offer locality pay, as long

as the locality pay that's offered is sufficient to keep their salary the same, then there is no gap payment required."

VICE CHAIRMAN ELLIS: "Okay."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, yeah. So it's --"

VICE CHAIRMAN ELLIS: "And in regardless of that local -- that locality pay or that gap pay, could not exceed the lesser of 10 percent of the state salary or 20,106?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "That's for the locality pay. That limitation is on the locality pay."

VICE CHAIRMAN ELLIS: "But the gap pay would -- you'd be required to pay the gap pay --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "If --"

VICE CHAIRMAN ELLIS: "-- of this 15,842?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "If the Board chose not to offer locality pay --"

VICE CHAIRMAN ELLIS: "If they didn't offer it --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "-- and a sitting Superior Court Judge --"

VICE CHAIRMAN ELLIS: "Right."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "-- elected into the new compensation structure, yes, sir, the county would still have to make a gap payment to keep their salary whole."

VICE CHAIRMAN ELLIS: "For the same amounts --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes."

VICE CHAIRMAN ELLIS: "-- it's just -- two different avenues --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes."

VICE CHAIRMAN ELLIS: "-- one -- okay, all right. So then -- all right, so there's that. Now, on the State Court Judges, their -- nothing changes with their salary out of the gate, because that's with the statute, right? It stays the same, minimally, until June of 2026."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, sir."

VICE CHAIRMAN ELLIS: "Okay. Now, I thought -- I thought the law also did away with tying anyone's salary to as a percentage to Superior Court Judges. How does it dip, is what I'm getting at?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "So there is a separate statute that specifically for Fulton County State Court Judges that sets their salaries --"

VICE CHAIRMAN ELLIS: "That's a state statute."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "-- at 95 percent of the combined Superior Court, state and county supplement."

VICE CHAIRMAN ELLIS: "Okay. So, like previously, up until a few years back, we had a compensation scheme where a lot of folks' pay, a lot of folks' type of pay was tied to Superior Court Judges. We eliminated that for everybody. But the State Court Judges are tied to it via state law, not be a county office."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "That's my understanding, yes, sir."

VICE CHAIRMAN ELLIS: "Okay. So the difference, I guess -- and it's, we were treating 95 percent -- it was 95 percent of what they receive in state pay plus the supplement?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, sir."

VICE CHAIRMAN ELLIS: "And this is going to be 955 percent of just the HB85 total, because that's where you get to the gap. And is that what the intent of what their law was? Or is that something that potentially, you know, the State Court Judges are going to go ask for a legislative cure on?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "In my exchange with Dominique in the County Attorney's office, that was the understanding that I had was that a legislative fix would need -- would be needed in order to -- a potential legislative fix would be needed in order to change the language from the state's compensation plus county supplement to include the locality pay, because locality pay was not included, I guess, in the definition of supplement."

Y. SOO JO, COUNTY ATTORNEY: "So if I could interject, the gap pay is really, as I read it, only going to apply to our current judges, so that they don't get a reduction in pay as a result of this. It's not going to apply to people who are appointed to the bench, or take the bench after July 1st of 2025."

VICE CHAIRMAN ELLIS: "Okay. So therefore that, that's why the State Court gets tied to that, versus somebody who's on the bench receiving gap pay."

Y. SOO JO, COUNTY ATTORNEY: "Yeah. So that's where the unintended consequence happens, and I think that's why there's a delay in implementing any impacts to people whose salaries are tied to Superior Court Judges, so that we can sort all of that out and make sure that there aren't unintended consequences to those positions. Because the old language said that their pay the, other positions pay was tied to the salary, including supplements, but not locality pay. So now that many, if not all, Superior Court Judges, pay compensation in total is going to consist of salary plus locality pay that could result in a reduction of the people who are tied to a percentage of the Superior Court."

VICE CHAIRMAN ELLIS: "Right. But in terms of any actions we could take, really, we can't do anything about what the State Courts Judges are being paid. This is sort of driven by the statute?"

Y. SOO JO, COUNTY ATTORNEY: "It is, but the delayed --"

VICE CHAIRMAN ELLIS: "I understand the delay, but it's not like we can -- it's not like we can do anything on our end to really change what's going to happen in June 2026 if nothing is changed."

Y. SOO JO, COUNTY ATTORNEY: "At first glance, I don't think that we can do anything about it at the county level --"

VICE CHAIRMAN ELLIS: Okay.

Y. SOO JO, COUNTY ATTORNEY: "-- but it gives a year for the Legislature to kind of take care of that on the back end."

VICE CHAIRMAN ELLIS: "Okay. So you're just pointing this out relative to the State Court, so that it's not really an action we could take unless we wanted to just bring it to the attention of our Legislators to try to do something about."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes."

VICE CHAIRMAN ELLIS: "Okay."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "We were sharing this for the Board's awareness that this will be potentially an unintended consequence of this particular piece of legislation."

VICE CHAIRMAN ELLIS: "Okay. But it's not a decisional thing on that necessarily for us. The -- in the decisional thing you talked about for considerations, next steps and all that. There's this desire to continue -- but, I mean, some of this, I just want to just clarify in terms of just nomenclature, participation in the company's fringe benefit plan, and we pay pension and health. We've got -- we've got a defined pension, benefit pension plan, which we all know is frozen, terminated, or whatever, but in runoff mode. And then

we've got a defined contribution plan. We're talking about the defined contribution plan, not the pension plan --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, sir."

VICE CHAIRMAN ELLIS: "-- right? Okay. So I think we should clarify that there is no pension plan that we're talking about here. This is their defined contribution plan. So there's a state pension plan that I think has pretty generous benefits for Superior Court Judges that they participate in, right? And so they're going to get -- their pension benefits are going to be derived off of this revised state pay that HB85 mandates, correct, as opposed to the previous current state-paid amount?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, sir, they'll participate in the judicial retirement system at the higher --"

VICE CHAIRMAN ELLIS: "The higher rate."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "The higher state pay rate, yes, sir."

VICE CHAIRMAN ELLIS: "Whereas previously, they're participating at that 144?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, sir."

VICE CHAIRMAN ELLIS: "Okay. So there's a significant benefit to -- to the Superior Court Judges if they opt in, right, in terms of their participation in the state pension system?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, sir. I think that it is a substantial -- it will represent a substantial increase in their ultimate pension benefits."

VICE CHAIRMAN ELLIS: "Okay. So something like it's -- I think it's like 66 percent. If you've been on the bench ten years, it's like 66 percent of your pay. And then there's a stagger up after a certain number of years, or something like that. But then maybe somebody can get us some additional detail on that. But so the -- for the hour -- for the portion of it right now that part -- that current participation is what, we're providing a direct contribution in somebody's defined contribution plan at the 72,000 amount?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes sir. At their county-supplemented rate of pay there -- there are some of the Judges, not all of them, but some of the Judges are participating in the county's defined contribution plan. And we would make contributions based on that --"

VICE CHAIRMAN ELLIS: "So what --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: -- 72,000.

VICE CHAIRMAN ELLIS: "Okay. So what contribution do we make?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "The county -- the defined contribution plan requires a 6 percent contribution from the employee, and the county matches it 8 percent."

VICE CHAIRMAN ELLIS: "Okay. That's on the 72, so if you were to follow that same logic through and somebody opts in, then we would be applying that same logic at this locality pay differential, whatever, or gap pay?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, if offered, the locality pay if offered, yes, sir."

VICE CHAIRMAN ELLIS: "Okay. And then on the health plan, so we've got 11 -- everybody's eligible to participate -- I mean, all the Superior Court Judges are currently eligible to participate in the state's plan?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, sir."

VICE CHAIRMAN ELLIS: "Is that State Court Judges too, or just Superior Court Judges?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "I believe it's just the Superior Court Judges."

VICE CHAIRMAN ELLIS: "Okay."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Because the State Court Judges, the county pays 100 percent."

VICE CHAIRMAN ELLIS: "Okay. So half do and half don't?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "That's what it looks like, yes, sir."

VICE CHAIRMAN ELLIS: "Okay. I mean, is there -- that's sort like wondering what the history is on that, and why, you know, if they're effectively state employees, like if we -- what do we do with the Board of Health? They all participate in the state's plans?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "They are all on the state --"

VICE CHAIRMAN ELLIS: "If you're state employee --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "They are all on the state's plan. And if you recall, when the Board of Health made their transition to a full independent agency, we allowed them to retain a certain level of funding to help offset the cost to Board of Health, because the state's plan is a more costly plan to the agency than what our plan was. So they have for -- and only for the employees who transitioned over, and that amount has been reducing annually, as those original employees, you know, roll off of the Board of Health's on --"

VICE CHAIRMAN ELLIS: "Is that an option for us, in this sort of what we could agree to going forward to people that are in to continue to participate as new people come in, they have to go to the state plan?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "I believe the Board could make that decision, yes."

VICE CHAIRMAN ELLIS: "Okay. So that could be an option we could think about, okay. All right, I think I've got it now. All right, thanks."

CHAIRMAN PITTS: "Commissioner Barrett."

COMMISSIONER BARRETT: "All right, my turn to try to get it straight now. Okay, so just to be clear on the issue of the locality pay versus the gap pay. The current Judges, if we -- if we did not do the locality pay, the current Judges would automatically be entitled to the gap pay for as long as they're here to keep them at the current level, correct?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "If they opt in to the --"

COMMISSIONER BARRETT: "To this --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes. Yes, ma'am."

COMMISSIONER BARRETT: "Yeah. And if they stayed on the other one, they just stay on the other one --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, ma'am."

COMMISSIONER BARRETT: "-- for as long as they want?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, ma'am, yes."

COMMISSIONER BARRETT: "There's no --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "As long as they hold office, yes, ma'am."

COMMISSIONER BARRETT: "Okay. But if we didn't do the locality pay, then any new Judge coming in would just get the state base, and that's it?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, ma'am."

COMMISSIONER BARRETT: "Okay. I got that piece, I think. So on the State Court side, there is no way to ensure that those folks get -- don't take a reduction in pay. And the only way is, if not all the Superior Court Judges switch? That's your interpretation, right?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "That -- that is -- the question that I asked was if, one the Superior Court Judge chose not to opt in --"

COMMISSIONER BARRETT: "Right."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "-- and we continued to have that higher level supplement in place, then what would happen to that State Court Judge calculation, and Dominique said that she felt like we would then make the calculation off of the higher level pay. And that we keep the State Court Judges whole at that point, if you will."

COMMISSIONER BARRETT: "Got it. So is there anything in HB85, and pardon me for not knowing this, but that precludes the local legislation that is applying to that 95 percent language about the State Court Judges? Is there anything in 85 that precludes it from being changed to being on locality pay to your knowledge?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "I would defer to the County Attorney. But I think that would require the Legislature to make that change."

COMMISSIONER BARRETT: "No, but --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "I don't read anything that would necessarily preclude it."

COMMISSIONER BARRETT: "Okay. So I get that we -- it would have -- it's the local legislation --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Right."

COMMISSIONER BARRETT: "-- that would have to be changed, correct? I'm just asking if there's something that would stop them from actually -- that says you can't pay it based on the -- the State Judges based on the total of locality pay and 95 percent of the locality pay, plus the base. And it doesn't sound like it. Do you know, Madam County Attorney?"

Y. SOO JO, COUNTY ATTORNEY: "I was trying to log on to my email. What was the question?"

COMMISSIONER BARRETT: "So I was trying to understand, like I know that there's local legislation that dictates the State Court Judges' pay currently as 95 percent of the base pay from the state, plus the supplement, county's -- worded as county supplement. And if county supplement goes away, the interpretation is that there would only be 95 percent of the base pay."

Y. SOO JO, COUNTY ATTORNEY: "Of the -- yes."

COMMISSIONER BARRETT: "But the question is, in HB85, is there something that precludes local legislation at the state level being done to change that language to say 95 percent of the base plus locality pay?"

Y. SOO JO, COUNTY ATTORNEY: "I don't know of anything that would preclude that. And in fact, the delayed implementation seems to indicate that they wanted to build in time for the counties to react and to equalize the other folks."

COMMISSIONER BARRETT: "Okay, so on -- if we chose --"

Y. SOO JO, COUNTY ATTORNEY: "We'll have the opportunity --"

COMMISSIONER BARRETT: "If we chose to go the locality pay route, then we could add to our legislative agenda to try to get local legislation through, to -- to change the language from supplemental pay to locality pay --"

Y. SOO JO, COUNTY ATTORNEY: "The delayed implementation gives time to do that in the next session."

COMMISSIONER BARRETT: "Okay. Okay, yeah, got it. I mean, I'm personally in favor of doing the locality pay. It seems like the right thing to do across the board and trying to get the legislation changed for the State Court Judges. I don't know if we're weighing in with opinions, but that's mine."

CHAIRMAN PITTS: "All right. Anyone else? Anything else? Commissioner Arrington."

COMMISSIONER ARRINGTON, JR.: "Yes. So basically, so we can have different Judges getting paid differently?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yeah, yes, sir."

COMMISSIONER ARRINGTON, JR.: "I mean, Superior Court Judges specifically, and I mean, obviously, Superior, State are paid differently. But there are 15 Superior Court Judges, seven could opt in, and eight --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "They are not required to opt in. It's a choice that they get to make. So yes, sir, a portion of the bench could opt in. A portion of the bench could choose to stay with the compensation plan that they currently have. Any new Judge who takes office July 1st, or after would automatically go into the new compensation plan and with -- if the Board does not take an action to fund locality pay, then they would not be eligible to receive any locality pay, and they would only receive that HB85 state compensation going forward. But sitting Judges have the option to elect into the new compensation structure or to stay in the compensation structure that they're currently in."

COMMISSIONER ARRINGTON, JR.: "All right. It just seems very complicated, you know, if that were to happen, right? And then I guess the other side for me is, what are

the legal implications? My guess, they can't come back and sue us if they opted in or not. But I mean, what are the legal -- I know we've had class things before, certain people getting paid one amount and others not being paid the same amount. It just seems very strange that if they wouldn't all be the same and they wouldn't all trigger all at the same time. But I guess they're trying to clean it up with all the new ones. Thank you."

CHAIRMAN PITTS: "Commissioner Barrett."

COMMISSIONER BARRETT: "I'm sorry, just two more things. You had a couple of questions in your presentation, Madam CFO. Were you looking for answers to those today?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "I have some discussions, some conversation, and if you have any direction to provide for us, we could bring back a resolution at the -- the next Board meeting for the Board to -- to consider so that moving into the July 1st timeframe, we would have addressed the question of whether we were going to offer locality pay, and if so, at what level. And going for -- you know, going forward, what benefit and retirement options we would continue to offer."

COMMISSIONER BARRETT: "So do you feel like you got that direction?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "I do not feel like I've gotten any specific direction. I feel like there may still be, perhaps some more questions that the Board may have. I mean, it would be -- I'm not sure that there's any, and I'll defer to the County Attorney, if she views this differently. I'm not sure that we necessarily have to take an action on the locality pay piece before July 1st. It -- but I think certainly before we move into the '26 budget development timeframe, it -- we probably should know. And then also for the -- I guess it doesn't matter for the sitting Judges because if they opt in, and the Board has not yet made a decision on locality pay, we would have to offer the gap payment to them anyway. But those were, you know, thoughts. So absent any, any action and if any new Judge shows up before the Board takes action, we would just follow the statute."

Y. SOO JO, COUNTY ATTORNEY: "There's no particular deadline for the Board to take action on locality pay. And as Ms. Whitmore was stating, for the current Judges, they are protected by the fact that their salaries will not go down. In some configuration, they will remain the same. I think the question for the Board will be as a matter of policy and going forward, would you like to just allow new Judges to remain at the state-mandated pay, or to provide the locality pay, either to equalize them to the old Judges' pay, or the, you know, currently seated Judges' pay, or some other amount."

COMMISSIONER BARRETT: "So on the -- I mean, I will -- I feel like you were getting at this, Commissioner Arrington, by saying it's kind of odd to have some paid one thing

and some paid another. So it does seem to me that we should do the locality pay at least to equal the current amount, if not to do the full percentage, which is just slightly higher, I believe. But the other question I had was on the benefit side, you have, I think you had the dollar amount of what's current, what it currently cost, like the 156 or something like that that was based on the -- on the percentage that it's costing us for the people at the -- who are contributing, the 11 that are contributing at the 72,000-ish dollar amount; is that correct? I might be making these numbers up. I'm not looking directly at --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "No, you didn't. That, it's in the presentation. I believe the 159 is related to the fringe benefit package, not the --"

COMMISSIONER BARRETT: "Not the benefit."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "-- not the retirement, not including the retirement piece, but just the health, vision and dental piece."

COMMISSIONER BARRETT: "So that's what it currently costs. And that, so that would -- if we left -- if we kept people on that, it would be the same basically?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "It will change year to year depending on what the total cost of the plan is."

COMMISSIONER BARRETT: "Sure. But also can anybody who -- any of the Judges opt in later? Right now, it's 11, can someone else decide to opt in to those benefits at another point?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "I think it would depend on whether the Board wanted to take an action to, going forward, require State Court -- I mean, require, you know, a state-funded state position to be on the state's health insurance plan. As it stands now, if we set them up in our HR system in a permanent full-time position in order to make their supplemental payment to them, then that is what allows them to be eligible to receive the benefits."

COMMISSIONER BARRETT: "Okay. There's a couple of things in the language in the introduction page that say such and such, if already in place on June 30th. So I mean, I would be, in my mind, if there is something that needs to be in place before June 30th, then that would be the main thing we would have to decide on right away because we wouldn't be able to continue it unless it was already in place. So I don't know if there's anything that fits into that under that umbrella. But that does seem like a clear deadline. There's two things listed here, and again, having not reviewed the Bill recently, the Chief Judge supplement of 6k, if already in place, and the fringe benefits may be continued to provide it in the same manner as they are by June 30th. So just -- I don't know if there's anything that would need to be addressed before then, if we want to carry it forward, just a question, I guess. I don't know if there's an answer right now. That said, I also

see a couple of court-related folks in the room. I don't know if they want to be head. Did you want to be heard, Judge? Yeah, can we turn that on?"

HON. RACHEL KRAUSE, JUDGE, SUPERIOR COURT: "Thank you very much. I really just would just speak to two things. And one is specifically to the issue you were just talking with the county management about and that is the timing. So the two issues that are time sensitive to June 30th is, as you correctly pointed out, the Chief Judge supplement and the part that I am most particularly interested in, on behalf of my colleagues, is our access to fringe benefits that the county may provide. Now, the reason that it's particularly important to us is because the way the statute is written, the way that particular provision is written, it says that after June 30th, the county may never provide its Superior Court Judges with any fringe benefit, even though it might be providing those fringe benefits to other elected officials, to other sitting Judges, et cetera. And so what we had hoped and had met with, you know, some people from the County Attorney's office and had met with many of you to discuss is a provision that simply reserves to the county what it believes its right and power is, which is to decide that if there is a fringe benefit they wish to provide, that it would need to do so by June 30th. Because even if they don't say, we're going to provide X fringe benefit, because we did ask for a couple specifically, but mostly it was a very broad request subject to appropriations and approval at a later date. But as you correctly point out, Commissioner Barrett, the language says that you may only continue to provide those fringe benefits that are available on or before June the 30th. And so that would be our main request, number one, at Chief Judge, supplement is written in exactly the same way. And so I'm not a Chief Judge, so I don't have a dog in that fight, but our -- I will say that our Chief Judge supplement is relatively low compared to other metro counties. And if the -- if the county does not assert a right to change the Chief Judge supplement at some point in the future, potentially on or before June the 30th, then presumably that state statute would prohibit the county for taking action to raise its Chief Judge supplement to any amount that it believed was appropriate. I'm not suggesting that it should. I'm just saying that for you to retain that right, I believe you have to do something on or before June the 30th."

COMMISSIONER BARRETT: "So I guess I need help with understanding what we do. And I know we talked about this, but it's been a minute, so I'm not -- I don't remember it all right off the top of my head. So I don't know, Madam County Attorney, do you want to weigh in on this too? Because I -- it sounds like -- it sounds like the Judge is saying there's ways we can sort of provision for it without actually implementing it right now, as long as we provision for it by June 30th; is that -- am I --"

HON. RACHEL KRAUSE, JUDGE, SUPERIOR COURT: "It's not a perfect answer, admittedly, because the way the statute is written, it says, continue to provide. And so as a Judge who interprets statutory language routinely, I'm not going to tell you that it's

perfect, but it's the best fix that we could try to accommodate, which is some language that says we, Fulton County hereby agree that subject to appropriations and our decision to award such benefits, that we retain the right. And I believe that's the general language that I tried to work with the County Deputy Attorney to discuss, the right to make that change in the future, because you've done so on or before June the 30th. Admittedly, not perfect."

COMMISSIONER BARRETT: "And Madam County Attorney, for sure, I'd love you to weigh in on this, but also, just so I understand. If, let's say that, I think the max for the Chief Judge, one, which is not as fraught, so we'll just talk about it, it's easy math. If it was -- it we -- if it was 6,000 right now, but we later wanted to reduce it, is that something we're allowed to do based on these new rules? Like, so in other words, if it's lower, it sounds like we can't raise it. If it's not raised by the end of the month, that's it."

Y. SOO JO, COUNTY ATTORNEY: "I'd have to go back and look at that language. We didn't -- we didn't analyze it for whether or not you could later reduce it. But as to the fringe benefits, I know that Judge Krause is understandably concerned that if the benefits are not specifically put in place by June 30th that the county will be precluded from providing them later. But the actual language of the new statute says nothing in this subsection shall operate to prevent a county from continuing to provide fringe benefits to any Judge in such circuit in the same manner that such benefits were provided on June 30th, 2025. So to me, I read that a little bit more expansively, in that, that is something that we currently provide to Judges in general. And so whether or not any particular Judge had that benefit in place is not necessarily, in my view, going to restrict the Board from continuing to provide that as an option to Superior Court Judges, whether they be current or future."

COMMISSIONER BARRETT: "Okay. And I think if I'm recalling now, Judge, we talked about things like, maybe -- and I really might have made this up, but like paying for a cellphone, something like that."

HON. RACHEL KRAUSE, JUDGE, SUPERIOR COURT: "That was, yeah, just to --"

COMMISSIONER BARRETT: "Just as an example."

HON. RACHEL KRAUSE, JUDGE, SUPERIOR COURT: "-- by way of example."

COMMISSIONER BARRETT: "Right. So I think -- so I guess the question would be, do we need to put something in place at the next Board meeting that says that, you know, the county wishes to, you know, potentially offer these fringe benefits? Like, is there some way that we can sort of say, you know, we want to make this available? I don't know, I hear what you're saying, and I understand the limit of that date. So I just want to make sure that if there's something we could put in place to be able to give ourselves the freedom to be able to offer something."

Y. SOO JO, COUNTY ATTORNEY: "So as Judge Krause mentioned, there's not. I think the language of the statute is imperfect in terms of the guidance that it provides. So what you're talking about is what I think the Judges wanted to put forward for the Board's consideration, which is basically a statement of intent."

COMMISSIONER BARRETT: "Right."

Y. SOO JO, COUNTY ATTORNEY: "That we intend to continue to make these benefits available. You could do that. It's not complying with a specific provision of statute, because the statute doesn't make provision for that. But it certainly clarifies your intent at this time."

COMMISSIONER BARRETT: "So in other words, if we put together some sort of a resolution that talked about our desire to provide fringe benefits, to include a list of things, even if we're not offering that one now, we're saying we may, at some point, want to conclude that particular -- whatever that other one is."

Y. SOO JO, COUNTY ATTORNEY: "You certainly could do that. It's basically a statement of intent to kind of hold that option. But again, I can't say that it would comply with the specific requirement because that's not mapped out in the statute."

COMMISSIONER BARRETT: "Okay. But there's nothing else in the terms of the pay itself that's June 30th specific, is there? Okay. Got it. Thank you. Did you want to say anything, David? Okay. Any -- I think -- I think that's it for me for right. Thank you, Judge."

CHAIRMAN PITTS: "Vice Chair Ellis."

VICE CHAIRMAN ELLIS: "Yeah. I mean, I would just say I'm generally in favor of the concept of locality pay. I sort of look at this as like, look, keep everybody neutral. They could continue to -- the folks that are here, locality pay allows you to do that, and also would address the other folks that are coming in, it keeps parity on their comp. Somebody opts out, then that's their own -- that's their own sort of set of circumstances, they've willingly made that decision. And then on the fringe stuff, you know, participating in the DC plan on the basis of just that locality pay supplement, obviously, our costs would go down because that supplement goes down. And then, you know, I think the concept of this is, I think on the health plans, I mean, maybe it's something we have further consideration. I think people that participate and continue to participate, maybe the new ones that come in go to the state plan, because they're largely state employees. And you know, create that, and that would be consistent with what we did with the Board of Health, similar treatment. But I'm also fine if we need to do something to address this concern and codify at the next meeting. But yeah, I don't know if we need to overly complicate it even though it is complicated."

CHAIRMAN PITTS: "All right. Commissioner Thorne."

COMMISSIONER THORNE: "Can -- does anybody know the difference between our health plan and the state health plan, why some would stay here and some would go to the state?"

HON. RACHEL KRAUSE, JUDGE, SUPERIOR COURT: "Thank you, Commissioner Thorne. I think what you'll find generally if you looked at each of those 20 Judges, I think about 11 of us participate. And I think what you'd find, if you looked is one, it may be that the county is simply providing a more favorable product. But also I think you'd find that a critical mass of them are legacy county employees. They perhaps were District Attorneys or Public Defenders or otherwise involved in county government, and were used to maintaining that, that type of coverage."

CHAIRMAN PITTS: "Commissioner Arrington."

COMMISSIONER ARRINGTON, JR.: "So I'm wondering if the suggestion by Commissioner Barrett is -- is even possible, because what I heard you say, County Attorney, was that it has to be a benefit that is currently being offered. And adopting a resolution to adopt something in the future is not the same as currently being offered."

Y. SOO JO, COUNTY ATTORNEY: "So I interpret this, because it's imprecise language, to mean that if we currently offer the option to our current Superior Court Judges for them to participate in fringe benefits, that that is something that we could continue. I think what the concern of the Judges who are currently participating is that it will be read more narrowly in the future, to mean, if you yourself are not currently on that benefit, then you cannot participate in the future, meaning new Judges would not be able to participate, and any current Judge who is not in the plan would not be able to participate. So the kind of fix that we're talking about, it's not really fixing anything, it's just saying we -- that is how we interpret it to be broadly. That is how we are applying it. I don't know what the actual effect of that will be later on."

COMMISSIONER ARRINGTON, JR.: "And then, you know, I'm looking on here as well, one of the questions that Commissioner Barrett was talking about is, you know, what do we do with other state employees and their compensation? And you know, I don't know if Madam CFO drafted the question or not, but --"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Commissioner Arrington, we have roughly, I believe it's 40 individuals, inclusive of the Superior Court Judges, who are state employees, who are county supplemented, and there are a handful of them that are participating in the county's health insurance program. And they -- most of them are participating, but not all are participating in the county's defined contribution system based on the supplement that the county is making. So we do have a handful of other state employees who receive a county supplement that are also participating in the county's benefit plan. So it would be nice if we could clarify, you know, going

forward, with what the Board's intent is, you know, to include those individuals in our plans or -- or not."

COMMISSIONER ARRINGTON, JR.: "Thank you."

CHAIRMAN PITTS: "Commissioner Barrett."

COMMISSIONER BARRETT: "Okay. Sorry, back to the fringe benefit thing. I think what I'm thinking about is if we're offering our Fulton County benefits to all of our employees that are qualified and we, you know, currently are offering that to our Superior Court Judges and some of them are opting in. And then next year or five years from now, or whatever it is, we offer, we add some new benefit that is available to all county employees that it -- so that, I think the question I'm getting to is, is it so granular that we can't then offer that to the Superior Court Judges, because that new benefit wasn't included in the current list of benefits? So that's -- that's the -- like, that's why, I guess, what I'm talking about when I say a provision to just say they are -- you know, they have the ability to opt into our fringe benefit plan, whatever it may be."

Y. SOO JO, COUNTY ATTORNEY: "So because it's new legislation that obviously hasn't been settled in any way. But we read it as broadly, meaning that they would have access to whatever is being offered to employees in the way of fringe benefits, and they would be able to add on or come off of it for all of the same reasons. For example, during open enrollment, if you have a change in life circumstance, et cetera."

COMMISSIONER BARRETT: "Okay. So in other words, the way you're reading it, we would not have to do anything special ahead of June 30th to make sure that --"

Y. SOO JO, COUNTY ATTORNEY: "I do not believe so, but if it gives peace of mind, and if the BOC chooses to do so, you could clarify and memorialize your intent. And to be honest, I can't see that the state would ever object to the county providing benefits that would alleviate their burden on their system. So it is, again, I don't think that there is a legal impact to doing so, but it certainly clarifies publicly what your intent is."

COMMISSIONER BARRETT: "Gotcha. And then one last thing on the locality pay, do we need a resolution to -- with a decision on that, or how does that work?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "I think locality pay, because it's authorized in the legislation already, it's really it's a funding decision for the Board of Commissioners. But you know, I think that making a decision on what level of locality pay that you are interested in providing makes sense. And I believe that the -- I don't think you would necessarily have to do it by a resolution. I think that's the preferred format because it makes it very clear what the Board's intent was, the language of the resolution is, becomes the legislative body or legislative action that we rely on, so."

COMMISSIONER BARRETT: "So in your opinion, we would want a resolution that not only declares that we're paying locality pay, but at what percent?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes. Or it -- if it's as simple as at an amount that, you know, maintains the, you know, current sitting Superior Court Judges' salaries, then that's what we'll mark it as and move on. So you could do it as an amount, a percentage or you could narratively define it."

COMMISSIONER BARRETT: "Well, I know personally, if we're going to put it into a resolution, I would prefer that it be a percentage so that doesn't, you know, we're not five years down the road having to recalculate and write any resolution or all that. So that's just another thought."

Y. SOO JO, COUNTY ATTORNEY: "The other thing to consider about the locality pay is that at over time you may have to decide if you wanted to maintain at a certain level, or if you want it to be whatever fills the gap between what the state pay is going to be for any given year and the salary that you are targeting, because the state pay is presumably going to continue to go up as well."

COMMISSIONER BARRETT: "Right."

CHAIRMAN PITTS: "All right, anything else?"

COMMISSIONERS: (No response.)

CHAIRMAN PITTS: "Thank you. Continue, Madam Clerk."

CLERK GRIER: "On page 11, Commissioners' Presentation and Discussion items, **25-0406**, Clerk of Court passport fees, disclosure and reporting update on process and procedures sponsored by Vice Chair Ellis."

VICE CHAIRMAN ELLIS: "Thank you. This is been held, held at a couple of prior meetings because Commissioner Abdur-Rahman had requested the Clerk of Courts, Che Alexander to appear to answer some open questions. Does not appear that the Clerk of Courts is in attendance at our meeting. We did seem -- receive some correspondence from her, so I'm just going to sort of summarize this and so we can get this off of the agenda. Sort of just quick background: Currently, all our citizens can come in and go through process, passport processing, and that's administered by staff in the Clerk of Courts office. And of course, you would pay, pay for that particular passport. Those fees are handled by the county's -- handled by county staff, county-paid staff, et cetera. And then as I understand it, fees and those funds somehow are remitted up to the federal government, and then funds are routed back to us, but only are routed back in the form of personal compensation that goes to the Clerk of Courts. Georgia State law permits, as I understand it, the Clerk of Courts, but does not require a

Clerk or Court to receive that as compensation. In fact, we had polled a few surrounding counties to see which Clerks did and which did not. We've not received a response back from, as I understand it, from our Commission Clerks, you know, reached out and we've received responses from two of those counties, Cherokee and Forsyth, whose Clerk of Courts do not take any of that, any of those funds personal compensation. There was a state law that was passed which required, and I don't think any of us on this particular Board, I can speak for myself, knew that this particular form of compensation was taking place with Clerks around the state. It got raised because of an issue in Cobb County. And then some legislators in the State Senate ultimately introduced some legislation which required disclosure of -- by the Clerks of Court around the State and Probate Court Judges in certain jurisdictions do it, but not here, who are engaged in that service and who take it in the form of personal compensation. We received a report on April 15th, 2025, it had three lines on it. One said a county general fund, 2.2990, 38 cents. The second says US Department of State, 697,517.74. And then the third processing fees \$150,010.00. There was questions that were asked as a follow up to that, in terms of what this mean -- what this meant, because it could be read that that -- that amount in the county general fund was all associated with funds generated from passport fees. We did get a response back, which indicates that that 2.299 has nothing to do with passport fees. Those are fees which are generated through other services or that require fees in the Clerk of Courts, things like, you file E-file revenue share, Sheriff service fees, et cetera. The 697,517.74 appears to be the full amount of the passport fee amount collected by the -- by the Clerk's office. And that seems to be on the basis of 4,286 passports, which were processed in the first quarter. And then the \$150,000.10 appears to be the \$35,000 execution fee, which was then amounts that were remitted back from apparently, we think, from the Department of State. This was sort of unclear to me whether they were remitted back or whether they were withheld to the Clerk of Court. So the 150,000 represents personal compensation of the Clerk. Our Clerk's annual salary, independent of any passport fees, is 188,583. We just learned what our Superior Court Judges' compensation is earlier, so just as a frame of reference, you have that. There was some additional questions which we're asked of the Clerk, which she did not respond to, but she provided this particular letter back to the Board which -- which I will read into the record. I think we all received this so, Dear, and then the individual Commissioner's name. Pursuant to the disclosure requirement of Georgia Senate Bill 19 for Clerks of Superior Court, this letter shall formally provide the information required and serve as my full and final response to your inquiry seeking information beyond what the law requires. Georgia Senate Bill 19, which became effective January 1, 2025, provides the Clerk of Superior Court shall disclose in a written report to the county governing authority on a quarterly basis, the total amount of all passport applications or processing fees sums or other remuneration received by the Clerk during the previous quarter. To that end, for the first quarter of 2025, the total amount of passport application fees I received as Clerk was \$150,010.

Although the aforementioned sentence satisfies my disclosure requirement, please note in the record that I inform you that I intend to strictly comply with the law's quarterly reporting requirements from January 1 of 2025, forward. SB19 is not retroactive. Moreover, the law neither requires nor authorizes the governing authority to demand inquire, investigate the disposition, allocation or use of funds received by the Clerk as personal income. Accordingly, I respectfully decline to answer any questions or provide any information beyond the bounds of what is statutorily required. To avoid any misunderstanding, if any future inquiries or demands outside the scope of SB19 are directed to me regarding my personal income from passport fees, I'll remind you that I've fully complied with the statutory requirements under SB19, and refer you back to this letter and SB19, which I've attached to for your review. Sincerely, Che Alexander, Fulton County Superior Court of Clerks. So I'll read that in the record. For note, it's unfortunate, these are basic questions which any of us should be happy to answer in the spirit of transparency given that these are -- this is personal revenue that's generated from citizens paying fees, and which are processed by county-paid staff. So for this, for these particular -- particular things, we provide no -- we received no direct funding for this particular service. All the funds goes personal compensation to the Clerk of Courts. So that concludes my discussion."

CHAIRMAN PITTS: "Any comments, further questions? All right. I'm sorry --"

COMMISSIONER ARRINGTON, JR.: "Mr. Chair."

CHAIRMAN PITTS: "Commissioner Arrington."

COMMISSIONER ARRINGTON, JR.: "Thank you. Commissioner Ellis, I think I share some of your concerns in general. But you know, these constitutional officers, unless we can get the Constitution changed, I don't they know that there's anything else that we can do. I think our Clerk has done -- well, one, I think she does a great job in her day-to-day duties. But I think she has at least attempted to be responsive. And frankly, I don't know that there is really anything else that we can do about it. And you know, our arms aren't long enough. She's a constitutional officer and we're statutory creatures. And so we just unfortunately we don't have the power. And it, you know, it's not her, there are other constitutional officers that we just unfortunately don't have the power. But I hear your -- I hear your frustration."

CHAIRMAN PITTS: "Vice Chair Ellis."

VICE CHAIRMAN ELLIS: "Just to close it out, the -- I don't know about the term statutory creature. You know, we're -- we're Fulton County Commissioners. We're responsible for, you know, looking after all the funds that kind of come into this county in whatever form they -- form and the way that they're handled. And we've got a duty to answer questions. And when there are red flags that are raised, if you know or not, you know, people should be open and responsive to it. The person may be, you know, kind

of permitted to receive a certain form of compensation. But it's compensation that they've -- they've earned as a result of county employees which we're funding doing the work. So these are, these are valid questions to ask whether or not there was any sort of statutory requirement for disclosure of it or not. So this is not a debate around, you know, whether or not something is, you know, warranted or legal to do. These are just basic questions which, you know, I would be hopeful that the individual would be willing to respond to. And unfortunately, when other questions were asked relative to, how does this compare to 2024, the Clerk has refused to respond. So, you know, that's sort of it --"

COMMISSIONER ARRINGTON, JR.: "I get it. And that's why I started off saying I agree with you in spirit, right? I mean, but unfortunately -- and when I -- when I said statutory creatures, the County Commission or county governing authorities are in statutes, not in the Georgia Constitution, and so that's what I meant when I say statutory creatures. But again, I agree with you, in spirit, I just -- I just don't know what else, there's anything that we can do, right? So --"

VICE CHAIRMAN ELLIS: "That's why I'm reading this into the record, and asked -- talking to the public about what was requested, and then the response back we received from this elected official that they provide -- they would decline to answer any further questions."

COMMISSIONER ARRINGTON, JR.: "Well, I appreciate that she at least attempted to answer and send us two or three responses. I think that's more information than we've ever gotten before."

VICE CHAIRMAN ELLIS: "That was only because it was required by the state apparently."

CHAIRMAN PITTS: "All right, anything else?"

COMMISSIONERS: (No responses.)

CHAIRMAN PITTS: "Continue, Madam Clerk."

CLERK GRIER: **"25-0435,** Follow up to resolution for overtime pay for detention services and other incentives sponsored by Vice Chair Ellis."

VICE CHAIRMAN ELLIS: "I'll try to be quick and to the point on this as well. We adopted a resolution back two meetings ago, which authorized supplemental funding for overtime as well as funds that could be used for recruiting folks to do detention work. There were some specific requirements around it. And obviously this, you know, I think we all share a sense of urgency around this particular topic. And I'll repeat what I said, I want to say, going back three years ago now that I thought the larger -- the biggest

priority before us was getting more detention staff in our detention facilities. And I will stick by that, that at -- in terms of the operations of this government that should -- that is, you know, you know, if not the top, one of the top, should be one of the priorities that exist. And my -- really, my question here is, have we received the additional supplemental information that was requested in order to begin enacting it? And where are we at in terms of has the Sheriff provided that and we're looking to move forward in that, or are we still waiting on that information? That might be from, I don't know if that's HR or the County Attorney could answer that question."

Y. SOO JO, COUNTY ATTORNEY: "Well, for our part, we have not received that information. But I would presume that from an operational standpoint, it would probably have gone to HR or to Finance."

VICE CHAIRMAN ELLIS: "Okay. Anybody in HR or Finance receive that?"

DICK ANDERSON, COUNTY MANAGER: "We have not received that information."

VICE CHAIRMAN ELLIS: "All right. Well, I would just hope that, you know, we would get that posthaste, you know, and we had a discussion, another thing I just wanted to -- I'm going to read this one into the record too, because we've had these conversations at this level about we spent, you know, virtually every other meeting when we go through operational report, we talk about repairs and work and so forth, you know, at our jail facility. And we've also committed, we obviously committed a significant amount of funding to it. And after our last meeting, we were all copied on correspondence, and I'll read this. And this is a letter that Mr. Joe Davis had written to Dominique Carter: Good morning, Dominique. On Tuesday, May 20th, DREAM's contractor, Hall Construction completed repairs to 11 cell doors on 3-South. Upon their return yesterday, they discovered that seven were damaged again. Please note the following: One, upon contractors arrival on Tuesday, only one FCSO Officer was on the floor. Number two, contractor advised that upon their arrival yesterday, all cell doors were open, allowing residents free access to the locking mechanisms, hinges, et cetera. Contractor indicated that this is typical whenever they are assigned to work on doors. Three, residents stated they were simply going to continue damaging doors once the contractor leaves. We need a risk incident report completed and submitted to Fulton County Risk Management so that DREAM can minimize impact to the jail maintenance budget. Any available video footage showing residents actively working to damage doors would be extremely helpful to this risk claim. Any assistance the FCSO can provide to ensure residents are either locked in or locked out of their cells would be greatly appreciated. Otherwise, we will continue to have repeat occurrences of this nature, as there is no detention lock that cannot be compromised if not properly secured. Thank you for your assistance in this matter. And I mean, we've all received this. Quite frankly, this was kind of one of the most in-your-face kind of things that I've seen in terms of our discussion around this topic. But it really just drives home kind of what we were seeking

to do in terms of this resolution that was passed, and hopefully the sense of urgency that should be behind, you know, increasing our detention staff and/or redirecting other staff to focus on detention. Thank you."

CHAIRMAN PITTS: "Thank you, Vice Chair Ellis. Continue, Madam Clerk."

CLERK GRIER: "25 --"

CHAIRMAN PITTS: "I'm sorry, just a minute. Just a minute. Commissioner Barrett."

COMMISSIONER BARRETT: "Thank you, Mr. Chairman. The resolution that you were talking about was one that we made a bunch of friendly amendments and all of that, correct? That's the one that we're talking about?"

Y. SOO JO, COUNTY ATTORNEY: "Yes. There were some amendments made on the floor to the amount of money. It increased the amount of money that was made available for the overtime. And it also expanded the -- the primary assignments, it expanded the overtime that could be covered from people whose primary assignments were at the jail to people who worked overtime by the jail."

COMMISSIONER BARRETT: "And so were those changes made?"

Y. SOO JO, COUNTY ATTORNEY: "Those changes are being finalized now. But that is -- the action of the Board was taken on the day in which you approved --"

COMMISSIONER BARRETT: "But the final resolution has not been signed; is that correct?"

Y. SOO JO, COUNTY ATTORNEY: "That is, that is correct."

COMMISSIONER BARRETT: "Okay. And so -- and I'm sorry, just for, because I don't remember. What was the specific supplemental information that we were waiting for?"

Y. SOO JO, COUNTY ATTORNEY: "I haven't looked at it since that day. But if I recall correctly, it would be along the lines of where human resources are currently deployed and being utilized."

COMMISSIONER BARRETT: "Okay, and so --"

VICE CHAIRMAN ELLIS: "Would like me to read it?"

Y. SOO JO, COUNTY ATTORNEY: "But that was -- that was not changed by the amendments from the floor."

VICE CHAIRMAN ELLIS: "Would you like me to read it? Be it further resolved, in order to begin utilizing this funding each quarter, the Sheriff must provide the Board of Commissioners with a complete roster of Sheriff's office employees that includes specific job titles and an attestation as to whether each employee's full-time role is a

provision of detention services in the Fulton County jail facilities, indicating the principal facility where each employee works."

COMMISSIONER BARRETT: "Thank you. I'm just wondering if that, you know, if -- because I certainly believe that spirit of this was to do something quickly, and that seems to not be happening. And so, you know, I understand that we're waiting for the Sheriff to provide this information. Is -- has anyone asked if there's a reason why he's not able to provide that information? Is there some hold up? Because I would hate to see us wait on the technicality to try to be able to provide this, so I'm just trying to understand why we're not moving forward. Anyone?"

VICE CHAIRMAN ELLIS: "That question is -- should be directed to the Sheriff's office. I mean, you have access to it. This was what we need to start, began moving on it. So hopefully, you all can follow up and question --"

COMMISSIONER ARRINGTON, JR.: "I believe he believes it's an invasion of his constitutional rights as the Sheriff."

VICE CHAIRMAN ELLIS: "Well, that's --"

COMMISSIONER ARRINGTON, JR.: "I'm just talking -- answering Commissioner Barrett's question."

VICE CHAIRMAN ELLIS: "Well, it's -- the money was given. He's the one directed to respond to it, not any of us, so that's the reason I'm raising it today. We're a month later, this has a high -- heightened sense of urgency. We just had some, you know, further incidents. And I just read this thing from May 22nd, which quite frankly, is abhorrent. So hopefully we'll get some sort of response and we'll keep it -- we'll put it on the agenda, follow back up on it at the next meeting."

COMMISSIONER BARRETT: "So I just -- I mean, for the record, I think one of the things that's been brought to our attention regularly is the need to work collaboratively. And I think, you know, for whatever reason, he feels like this is not something he should provide, and we feel like it is something he should provide. But at the end of the day, we need to deal with the staffing issue, more importantly than a reporting issue on who -- who's assigned where. I don't know, I just feel like we've got to find a way to mediate and resolve this. And I'm not sure what that is, but maybe you can help with that at some level, Madam County Attorney. Because if at this point we seem to be at an impasse, and what's happening is that, we're -- this, this tool that we want to offer is not being utilized, because we are at an impasse about some reporting details. Am I summing that up correctly?"

CHAIRMAN PITTS: "Yeah."

Y. SOO JO, COUNTY ATTORNEY: "So I don't want to speak for the Sheriff's Office, and I'm not authorized to do so."

COMMISSIONER BARRETT: "Sure."

Y. SOO JO, COUNTY ATTORNEY: "But I will note that I'm not sure that we are at -- I am -- I do not understand that he is necessarily refusing. If I had to guess, they may, you know, have -- feel that they're waiting on the final language of the resolution. From my perspective, the reporting requirements were not amended from the floor, so there's really no uncertainty as to what that language is going to be. I don't know if there's a logistical problem with gathering information. So I just wanted to say that. I don't know that he is refusing to provide it."

COMMISSIONER BARRETT: "That's good to know."

Y. SOO JO, COUNTY ATTORNEY: "The question to me was, have we received it? And I am not aware that he has provided it."

COMMISSIONER BARRETT: "That's fine. I think then, you know, if that is a potential, if he's seemingly waiting for the final resolution, what's -- can we get that done?"

Y. SOO JO, COUNTY ATTORNEY: "It is currently close to being finalized. And I will communicate with them to see what their position is on providing it."

COMMISSIONER BARRETT: "Okay. And obviously, I know you guys are busy doing plenty of things. But at the end of the day, like, this is holding up something we, I think, wanted to see happen quickly, so --"

Y. SOO JO, COUNTY ATTORNEY: "Well, I also don't know for sure whether or not he is in a position to request the overtime funding, like, I -- logically, I don't know if we're at the point where he needs to draw that fund or not. That's it."

COMMISSIONER BARRETT: "Well, that's an operations, that's a Finance question, I guess."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Sabrinna has informed as of this morning that they have just now, I believe, gotten to the point where they're almost about to exhaust what they have available."

COMMISSIONER BARRETT: "So it's coming?"

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "It's coming."

COMMISSIONER BARRETT: "Okay."

SHARON WHITMORE, CHIEF FINANCIAL OFFICER: "Yes, ma'am."

COMMISSIONER BARRETT: "All right, thank you."

CHAIRMAN PITTS: "Vice Chair Ellis."

VICE CHAIRMAN ELLIS: "It's brought forward, it's a -- it's a priority of mine. I think it's a priority of this Board. Finalize the resolution, get it to him, and you know, get us a report back, hopefully that the wheels are in motion, and then this is ready to go at this next meeting. And if there some hold up, let us know what it is."

CHAIRMAN PITTS: "Okay. Thank you, sir. Madam Clerk."

CLERK GRIER: "25-0436, Sanctuary list sponsored by Vice Chair Ellis."

CHAIRMAN PITTS: "Vice Chair."

VICE CHAIRMAN ELLIS: "I put this on here late, late on Friday because it was, you know, I think we're all aware of this. There was this list that was published as part of, I guess, a supplement to an executive order which had Fulton County and couple other counties and some cities in Georgia notated as sanctuary counties and/or sanctuary cities. I understand that list has since sort of been retracted or removed from, not retracted, but removed from the website that, the federal government website that had it on. But I just want to make an inquiry of our staff that they have inquired that they, of all our law enforcement entities and so forth, that no one is engaged in or has made us aware of any quote/unquote sanctuary practices or policies; is that -- we made inquiry of that direct?"

DICK ANDERSON, COUNTY MANAGER: "Yes, sir, we did, and we have not been advised of any practices that would equate to sanctuary county or city."

VICE CHAIRMAN ELLIS: "And I think there was something also in, I don't know if it was maybe in the original executive order or something that there would be some sort of communication from the -- from the federal government to those jurisdictions about their particular practices. Have we received any form of notification or letter noting anything?"

Y. SOO JO, COUNTY ATTORNEY: "No, we haven't. And that actually was in the DHS and Homeland Security's web online posting. It said that each jurisdiction listed will receive formal notification of its noncompliance with federal statutes. We have not received that. So therefore we are not on notice of what statute we are alleged to have violated, nor has any of our research indicated any action that Fulton County has taken or any practice that's occurring in Fulton County government that would have placed us on that list. I'll also note that the end of the DHS and Homeland Security online posting said that this list can be reviewed and changed at any time and will be updated regularly. And then it says no one should act on this information without conducting their own evaluation of the information, which is essentially saying, don't rely on this list

without doing your separate research. And in fact, on Thursday after was posted, by Sunday, the list was taken down due to push back on the accuracy of the list itself."

VICE CHAIRMAN ELLIS: "Okay. So you receive any sort of notice or whatever, you will let us know and advise us on any actions that we may need to take to further clarify that."

Y. SOO JO, COUNTY ATTORNEY: "We will."

VICE CHAIRMAN ELLIS: "Okay, thank you."

CHAIRMAN PITTS: "Thank you. Madam Clerk, continue."

COMMISSIONER THORNE: "I'm on the queue."

CHAIRMAN PITTS: "I'm sorry. Commissioner Thorne."

COMMISSIONER THORNE: "Some counties, there was discussion. Do you know if we signed a 278(g) agreement with the US Immigration and Customs Enforcement saying that we will cooperate?"

Y. SOO JO, COUNTY ATTORNEY: "I don't know if we signed that. Typically, cooperation with Immigration and Customs occurs at the law enforcement level. And the other obligations we have as just as civilian employer or just as an employer, are for things like E-Verify, which we are in compliance with. So I can't speak for the Sheriff's Office, but I am not aware that they're not in compliance."

COMMISSIONER THORNE: "I mean, I would think as the Chief Law Enforcer of the County, perhaps, it's just a technicality of signing that agreement."

CHAIRMAN PITTS: "All right, Madam Clerk."

CLERK GRIER: "No further items, Mr. Chair."

CHAIRMAN PITTS: "All right. No further matters to come before us today, we are adjourned. Thank you."

There being no further business, the meeting adjourned at 3:39 p.m.