

#23-0320 REVISED

1 A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS
2 ADOPTING DESIRED ASPIRATIONAL STANDARDS FOR CRIMINAL CASES
3 HANDLED WITHIN THE FULTON COUNTY JUSTICE SYSTEM; URGING ALL
4 ELECTED AND APPOINTED OFFICIALS SERVING IN A FULTON JUSTICE
5 CAPACITY TO FOCUS THEIR EFFORTS TOWARDS MEETING THESE STANDARDS;
6 AND FOR OTHER PURPOSES.

7 **WHEREAS**, effective criminal case management is critical to Fulton County
8 citizens as it leads to stronger public safety outcomes, ensures due process for those
9 accused of crimes, provides for better likelihoods of decreased recidivism, and yields
10 more efficient and proper use of taxpayer funds; and

11 **WHEREAS**, establishing standards is critical to achieving success, fostering
12 teamwork and coordination, and providing transparency to stakeholders; and

13 **WHEREAS**, Fulton County, Georgia plays a critical role, through the Fulton County
14 Justice System, in ensuring the public safety of all residents and visitors; and

15 **WHEREAS**, Fulton County taxpayers commit significant funding toward the
16 operation of the Fulton County Justice System, totaling \$431,435,556. in Fulton County
17 General Fund budgeted dollars in 2023, which represents a 16.5% increase over 2022
18 actual General Fund dollars expended; and

19 **WHEREAS**, the Fulton County Board of Commissioners allocated an additional
20 \$27,839,470 in funding, outside of its General Fund, to the Fulton County Justice System
21 through available American Rescue Plan Act of 2021 (ARPA) funds; and

22 **WHEREAS**, it is critical that these funds be expended wisely and have maximum
23 impact in ensuring effective criminal case management and that Fulton County taxpayers
24 and the Board of Commissioners have standards in place for measuring the effectiveness
25 in which these funds are expended; and

1 **WHEREAS**, the National Center for State Courts (NCSC) has developed various
2 standards for measuring court performance which draw on the civic ideals and major
3 performance areas unique to courts, as defined by the Trial Court Performance
4 Standards; and

5 **WHEREAS**, one standard identified by NCSC is *time to disposition for felony*
6 *cases*, defined as the percentage of cases disposed or otherwise resolved within
7 established time frames, specifically identifying two such time frame standards of 90% of
8 felony cases disposed within 180 days and 98% within 365 days; and

9 **WHEREAS**, an additional standard identified by NCSS is *clearance rate for*
10 *criminal cases*, defined as the number of outgoing cases as a percentage of the number
11 of incoming cases, and per NCSS, courts should aspire to clear (i.e., dispose of) at least
12 as many cases as have been filed/reopened/reactivated in a period by having a clearance
13 rate of 100% or higher; and

14 **WHEREAS**, two additional measures of effective criminal case management that
15 have major impacts are *average length of inmate stay* and the *percentage of jail*
16 *population which is unindicted*, and per our recent jail feasibility study, we learned that
17 well performing justice systems have average lengths of stay of 30 days and that pre-
18 COVID levels of the percentage of jail population which were unindicted were less than
19 10%; and

20 **WHEREAS**, the Board of Commissioners recognizes the critical nature of effective
21 criminal case management and adopts the following aspirational standards for
22 measurement of effective criminal case management:

- 23 • Average Length of Inmate Stay: 30 days or less;

- 1 • Percent of Jail Population Unindicted without other charges: Less than 10%;
- 2 • Clearance rate for Criminal Cases: No less than 100%;
- 3 • 90% of felony cases disposed within 180 days; and
- 4 • 98% of felony cases disposed within 365 days.

5 **WHEREAS**, the Board of Commissioners recognizes that the Fulton County
6 Justice System is complex, has been severely impacted by multiple factors which have
7 inhibited the effectiveness of the judicial system, including but not limited to: the
8 pandemic, increases in violent crime, a rise in multiple defendant cases, and crime lab
9 delays; and

10 **WHEREAS**, the Board of Commissioners finds that it would be in the best interest
11 of all citizens of Fulton County to adopt these aspirational standards for measurement of
12 effective criminal case management set forth herein.

13 **NOW, THEREFORE, BE IT RESOLVED**, that the Fulton County Board of
14 Commissioners hereby directs the County Manager to provide a standard reporting on a
15 monthly basis of the aspirational standards for measurement of effective criminal case
16 management set for in this Resolution to the Board of Commissioners, and for such
17 reports to be provided to the public via Fulton County's website, and that such reports
18 also be shared with all elected and appointed officials in the Fulton County Justice System
19 as well as distribute a copy of this Resolution to these elected and appointed officials.

20 **BE IT FURTHER RESOLVED**, that the Fulton County Board of Commissioners
21 urges all elected and appointed officials serving in a Fulton Justice capacity to focus their
22 efforts towards striving to meet these aspirational standards.

1 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its
2 adoption, and that all resolutions and parts of resolutions in conflict with this Resolution
3 are hereby repealed to the extent of the conflict.

4 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
5 Georgia, this 17th day of May, 2023.

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FULTON COUNTY BOARD OF COMMISSIONERS

Sponsored by:

Bob Ellis

Bob Ellis, Vice-Chair (District 2)

ATTEST:

Tonya R. Grier

Tonya R. Grier, Clerk to the Commission



APPROVED AS TO FORM:

Y. Soo Jo

Y. Soo Jo, County Attorney