



83 Poplar Street NW  
Atlanta, GA 30303

Charles J. Ogletree, Jr.  
*Chair Emeritus*

Maureen F. Del Duca  
*Chair, Board of Directors*

Stephen B. Bright  
*President and Senior Counsel*

Sara J. Totonchi  
*Executive Director*

March 11, 2016

Chairman John H. Eaves  
Fulton County Board of Commissioners  
141 Pryor Street, S.W., 10th Floor  
Atlanta, GA 30303

Mr. Dick Anderson  
Fulton County Manager  
141 Pryor Street, S.W. 10th Floor  
Atlanta, GA 30303

P 404-688-1202  
F 404-688-9440

**Re: Request to Restore Funding to the  
Fulton County Superior Court Pretrial Services Program**

Dear Chairman Eaves, Mr. Anderson, and Commissioners:

We write to urge the County Commission to restore funding to Fulton County's Pretrial Services Program ("Pretrial Services"). The elimination of Pretrial Services, now scheduled for April 5, 2016, is likely to result in significant inefficiencies in the criminal courts, prolonged detention of indigent defendants who cannot make bond, jail overcrowding, and civil liability for the County.

The County's Pretrial Services Program performs several vital, public safety functions. Its intake division interviews all detainees at the Fulton County Jail within 24 hours of booking so that judges have information to make informed decisions about bond and/or community supervision. Pretrial Services also supervises people released on community supervision until their cases are resolved. The Program boasts an excellent rate of compliance, with 95% of participants having successfully completed the program in 2015. Pretrial Services employees ensure that people under their supervision receive treatment for drug or alcohol dependency, take anger management classes, or enroll in GED courses, as appropriate. In short, Pretrial Services keeps the jail population down, while protecting public safety.

Going forward, with the elimination of Pretrial Services, thousands of people will now remain in jail awaiting resolution of their cases. The Fulton County Superior Court has predicted that the elimination of Pretrial Services will significantly increase the average jail stay and the average daily jail population. According to the Superior Court, in 2015, 4,700 people were released onto community supervision with Pretrial Services, saving \$6.6 million in jail costs. Without Pretrial Services, we can expect that about 5,000 people per year will either remain in jail or be released into the community without supervision.

Chairman John H. Eaves  
Mr. Dick Anderson  
March 11, 2016  
Page 2 of 3

The effect of the elimination of Pretrial Services is compounded by budget cuts to the Atlanta Circuit Public Defender and the District Attorney, both of which have begun to furlough employees. Fewer prosecutors and public defenders will be available to resolve cases, which will increase attorney caseloads. Furloughs will delay case resolution in the courts and will mean fewer attorneys to handle cases in accountability courts, which divert hundreds of people from jail. Delays in court hearings will create a backlog of cases requiring attention.

An increase in people in the jail awaiting resolution of their cases will also require more space, healthcare, and supervision by jail staff, at a cost of \$78 per day, per person. Budget cuts to the Sheriff's Department will leave the Department ill-equipped to meet this challenge. A recent staffing study recommended that the Sheriff's Department should add 182 more positions at a cost of \$5.5 million. The County's 2016 budget, however, has reduced the Sheriff's budget by more than \$17 million.

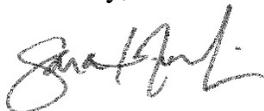
The Commission has identified reducing the jail population as a goal of its justice reinvestment program. The elimination of Pretrial Services and the other, recent, across-the-board budget cuts to justice programs will have the opposite effect.

Pretrial Services exemplifies a smart-on-crime response to the pre-trial justice process. In recent years, other jurisdictions across the country have moved away from purely money-based, pre-trial detention schemes and copied this model because of its increased efficiencies and public safety protections.

Over the past two decades, the Southern Center for Human Rights has worked alongside our county government partners to reduce unnecessary jail overcrowding and to ensure constitutional and humane conditions inside the jail. It would be truly unfortunate to see so much hard work undone by ill-conceived budget cuts and program elimination.

We respectfully ask the Commission to restore funding to Fulton County's Pretrial Services Program.

Sincerely,



Sara J. Totonchi  
Executive Director

cc: Chief Judge Gail Tusan  
Yolanda Lewis, Fulton County Court Administrator  
Vernon Pitts, Circuit Public Defender

Paul Howard, District Attorney  
Cathlene Tina Robinson, Superior Court Clerk  
Vice Chairman Liz Hausmann  
Commissioner Bob Ellis  
Commissioner Lee Morris  
Commissioner Joan P. Garner  
Commissioner Marvin S. Arrington, Jr.  
Commissioner Emma I. Darnell