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**2022
TOY
DRIVE**

JANUARY 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2 COUNTY HOLIDAY	3	4	5	6	7
8	9	10	11	12	13 PAYDAY	14
15	16 COUNTY HOLIDAY	17	18	19	20 DA DISPATCH	21
22	23	24	25	26	27 PLAY OFFS PAYDAY	28
29	30 MOVIE	31				

FEBRUARY 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 WINE DOWN WEDNESDAY	2	3 CHAMPIONSHIP	4
5	6	7	8	9	10 ALL-STAR GAME V-DAY EVENT PAYDAY	11
12	13	14	15	16	17	18
19	20 COUNTY HOLIDAY	21	22	23 DA DISPATCH	24 PAYDAY	25
26	27 EVALUATIONS DUE!!	28		LEADERSHIP	LEADERSHIP	

2022 PROBATE COURT AWARDS CEREMONY



Pictured: Chief Capers Green, Investigator DaJuan Walker and The Honorable Probate Court Chief Judge Kenya Johnson

Congratulations!

**Madam
District Attorney
Fani T. Willis**

Named one of the
**100 Most Influential
Georgians in 2023**
by **GeorgiaTrend Magazine.**

"The first woman to hold the office of Fulton County district attorney, Willis continues to lead an investigation into efforts by former President Donald Trump and his allies to overturn the 2020 election. She's also leveraging her 19 years' experience as a prosecutor to help reduce levels of gang activity, illegal drugs and violence in Fulton ." - KKS, Georgia Trend Magazine.



Mix & Mingle





FCDAD

BASKETBALL

ALL STAR

SUPPORT YOUR FAVORITE TEAM AT THE

**2023 BASKETBALL
PLAY OFFS**

PLAY OFF GAMES 1 & 2 - 1/27

CHAMPIONSHIP - 2/3

ALL STAR GAME - 2/10



NOT JUST A DAY OFF

Each year on the third Monday of January, America honors the birth, life, and dream of Rev. Dr. Martin Luther King, Jr. As this is a Federal holiday, schools, libraries and most federal and state offices are closed.

Martin Luther King, Jr. Day is the only national holiday designated as a National Day of Service to encourage all Americans to volunteer to improve their communities, according to The Corporation for National and Community Service. It is a time to remember the injustices that Dr. King fought. A time to remember his fight for the freedom, equality, and dignity of all races and peoples through nonviolence.

Together, we can strengthen ties to our communities and one other while we address critical issues that divide us.

A DAY OF SERVICE



NAACP MLK JR. EVENT, CO-HOSTED BY SONYA ALLEN

A DAY OF

THE PAJAMA PROGRAM



Thanks to both of us and especially Jeremy for giving us easy access to service events to honor the memory of Dr. Martin Luther King, Jr. I had so much fun and gratification working with Hazel to sort and fold pajamas for underprivileged kids.

The experience was sobering as I never thought of children not having pajamas nor being read a bedtime story without them. Hope my experience will inspire others to realize they too can make a difference.

Thanks again for going the extra mile to identify opportunities for the DA family to give back to the community.

Calnela Barnes

BOOKS FOR AFRICA

Greetings,

My daughter and I (young girl in the 575 hoodie) completed community service with Books for Africa.

Books for Africa helps spread literacy as a bridge out of poverty. The Books for Africa non-profit organization sorts and packs books according to category and age level and ships these valuable resources to children and adults in Africa.

Regards,
Epiffany Henry, M.A.

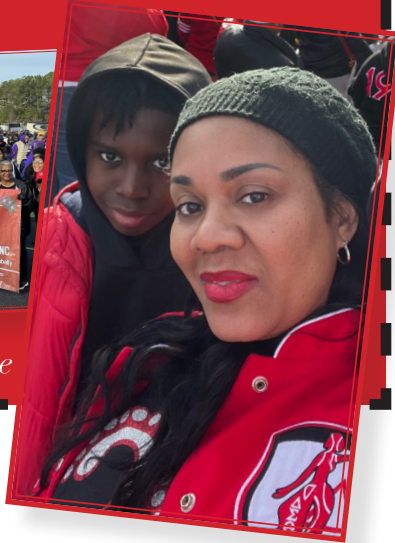


SERVICE

2023 ANNUAL MARTIN LUTHER KING, JR. HOLIDAY. PARADE



Nailah Grant McFarlane



FARM CREW AT HEAVEN'S CORNER — WESTSIDE GARDENS

Richard Caplan and family.

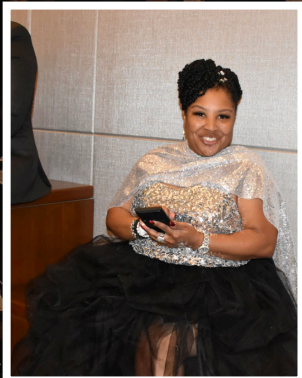


HANDS ON ATLANTA

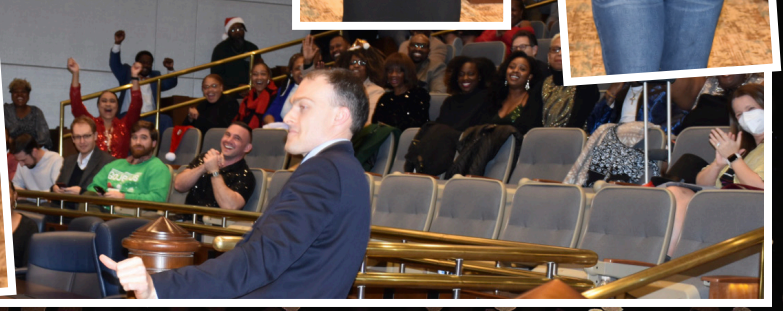
CAMPBELLTON COMMUNITY
GARDEN CLEAN UP

Elna Reese & Stacey Johnstone

THE GRAMMY Awards







THE *Mini* GRAMMY Awards



CONVICTION *alerts*

THE Triumphant MCU Trial Team

Congratulations to MCU's successful team for their resounding victory in the murder trial of **State of Georgia v. Ryan Williams (Indictment No. 19SC169346)**.

The jurors reached a guilty verdict on Monday, December 19, 2022.

Senior Judge David Emerson presided over the trial for Judge Robert McBurney. Immediately following the verdict, **Judge Emerson sentenced the defendant to LIFE plus 5 years in prison.**

MCU'S WINNING TEAM INCLUDED:



Lead Counsel
Adam Abbate



Asia Baysah
Co-Counsel



Sr. Investigator
Joseph Rickman



Legal Assistant
Bradley Crawford



Victim Advocate
Tameka Kelly

**Thank you so much for your motivation, commitment,
and devotion in this case, and for brining justice to this
family and our community.**

Mike Carlson
Executive District Attorney
Major Crimes Division

CONVICTION *alerts*

Shout out to Senior Assistant District Attorney Donita Morris for trying her first CAC trial, **State v. Daryl Hughley 18SC159491**, this week before Judge Thomas A. Cox, Jr.

Trial began January 9, 2023. The Defendant committed multiple instances of anal and oral sodomy on our 12-year-old victim while he was in the Defendant's care. Our victim's mother was experiencing periods of homelessness and entrusted the Defendant to care for her child. The State presented the testimony of the victim and the testimony of a prior victim of the Defendant. The jury deliberated for three hours. **Judge Cox sentenced the Defendant to Life.**

Judge Cox complimented ADA Morris on her professionalism and preparedness throughout the trial. This was ADA Morris' first first-chair felony trial and first CAC trial. ADA Morris thanks ADA Siri Patel, ADA Kelcee Jones-Connor, ADA Nalda Charles, LA Alicia Scurry and the entire CAC Unit for their assistance.

TEAM INCLUDED:



Lead Counsel
Donita Morris



Co-Counsel
Lauren McAuley



Investigator
Kenneth Rucker



Victim Advocate
Jasmyn Drummond



Legal Assistant
Nyome Griffin

Congratulations to the Trial Team on a plea & LWOP sentence for a serial rapist, **State v. Errol Alex Martinez, 17SC155131**. Great Job Team!

Senior ADA Christian Adkins took a non negotiated SAU plea today before Judge Barwick (Courtroom 8A). The Defendant is a serial rapist with a 19 count indictment, 4 victims in Fulton County and 2 victims in Gwinnett County. Previously, the Defendant entered a non negotiated plea and the judge sentenced him to one Life sentence. The Defendant was allowed to withdraw that plea. Senior ADA Christian Adkins was later assigned to the case and filed LWOP notice on the case. The 3 week trial was scheduled to begin on Monday, January 23, 2023. The Defendant entered a non negotiated plea and **Judge Barwick sentenced the Defendant to Life WITHOUT PAROLE (LWOP).**

TEAM INCLUDED:



Lead Counsel
Christian Adkins



Investigator
Ron Coloma



Victim Advocate
Lateeka Montgomery



Legal Assistant
Cassie Lundy

2022 TOY DRIVE





JANUARY IS MENTAL HEALTH AWARENESS MONTH:

NEW YEAR, NEW ME!

The start of a new year is when people tend to work on resolutions that may focus on physical health, career goals, or major purchases such as a home. My challenge to all for 2023 is to make you and your mental health an ongoing priority. Mental health impacts all facets of our lives; it is important to be the best version of you for not only yourself, but for everyone else.

Mental health includes a person's "emotional, psychological and social well-being" (United States Department of Health and Human Services, 2022). The best way to improve your mental health is to know your status. Examine your emotional and psychological well-being to determine what thoughts and feelings are most prevalent at this time. If they are sadness, despair, anger, or stress, perhaps it's time to address those thoughts and feelings. Next, determine whether you engaging in enjoyable activities. Are you being as social as you were before? If not, find something you enjoy or spend time with people you enjoy being around.

If an evaluation of your mental health is pointing

toward mostly negative thoughts and actions, then make a change. You can always reach out to Anthem through the Fulton County Employee Assistance Program for up to eight free sessions at 800-999-7222 or visit www.AnthemEAP.com (password: Fulton).

Other options to improve mental health include meditating, journaling, or engaging in creative outlets such as art and music. There is no one-size-fits-all approach to mental health, so choose the option that works best for you. Make 2023 the best year ever by being the best version of you.

United States Department of Health and Human Services (2022). What is mental health? Retrieved from: <https://www.mentalhealth.gov/basics/what-is-mental-health>



Chandrika Derricho
Victim-Witness Assistance
Program Director

911 CALLS, BUSINESS RECORDS, AND THE 6TH AMENDMENT

In many cases that we have to prosecute, many of them contain one or more 911 recordings that resulted in police action and investigation of the case. At trial, prosecutors will introduce 911 calls for the purposes of demonstrating the reason behind why police arrived at an incident location, the fear behind the caller's voice, and/or one of several other relevant purposes. There are three main ways to introduce a 911 call into evidence:

- 1) Have the 911 caller testify,
- 2) Have the Custodian of Records testify to the recording's authenticity as a Business Record, a hearsay exception under O.C.G.A. 24-8-803(b)(6), or
- 3) File a Notice to Introduce Business Records under O.C.G.A. 24-8-803(b)(6), accompanied with a Certificate of Business Records signed by the Custodian of Records indicating that the call:
 - a) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of such matters;
 - b) kept in the course of the regularly conducted activity; and
 - c) made by the regularly conducted activity as a regular practice

Options 2 and 3 come in handy when the 911 caller is unknown or unavailable because then, your option to authenticate them as a business record is available, even though the caller isn't. However, authentication of the call is all that the Business Records Exception to Hearsay provides. Whether the call becomes admissible at trial requires a different analysis.

Even though §24-8-803(b)(6) governs regardless of whether the witness is available or not, the 6th Amendment "Right to Confrontation" still applies and may preclude the admissibility of part of the 911 recording, or all of it. The United States Supreme Court has indicated that "the admission of out-of-court statements that are testimonial in nature violates the Confrontation Clause unless the declarant is unavailable and the defendant had a prior opportunity for cross-

examination." *Crawford v. Washington*, 541 U.S. 36 (2004). What this means is that if your 911 call is "testimonial" in nature, either in whole or in part, the "testimonial" portion of the statement in the call will not be admissible at trial unless the Defendant had a prior opportunity to cross-examine the caller at a prior hearing.

What statements are considered testimonial? A statement is "testimonial" if the primary purpose of the statement is to establish or prove past events potentially relevant to later criminal prosecution. *Id.* Generally, a statement given to law enforcement during an investigation would be considered "testimonial," since the purpose of giving/taking the state-

ment is for the police to investigate and assist in advancing criminal prosecution at a later time. A statement provided to a third-party (i.e. family member, friend, acquaintance, etc.) will generally be considered "non-testimonial," since we typically don't make statements to them thinking they will later be used in a criminal prosecution.

When providing a statement to law enforcement and specifically within the context of a 911 call, the Supreme Court in *Crawford* clearly drew a distinction between what can be considered "non-testimonial." The Court indicated that statements made by witnesses in response to "questions of investigating officers are nontestimonial when they are made primarily to enable police assistance to meet an ongoing emergency." *Id.* Basically, if the primary reason behind the statement is to assist law enforcement in the midst of an "ongoing emergency," then the statement is not considered testimonial. It's a case-by-case analysis that courts have to make, as what is considered an "on-going emergency" is a context-dependent inquiry, as well as the intent behind the questions that elicit statements in determining the nature of those statements.

Thus, when introducing your 911 calls, specifically when you do not have the caller as a witness, listen to the entirety of the call. Typically, the beginning of the call usually will be nontestimonial, since the caller will be providing the reason behind why the police need to come to particular location immediately. For example, "I need police to come to ABC Street because Adam Abbate was punched in the face by Gautam Rao and now his face is all broken. Gautam is wearing a blue t-shirt, with brown pants and running in the direction of XYZ Boulevard. Please get the ambulance and police." Listen carefully to the questions being asked by the dispatcher as the statements in response can shift from non-testimonial statements to testimonial statements to the dispatcher that would not assist police in the moment. Consider the following example: "Okay, so the fight where Gautam completely destroyed Adam stems from an incident that occurred a few hours when Adam went into Gautam's office and started taking things off his desk and throwing them on the floor. Gautam was understandably infuriated and he called Adam and demanded an apology from him/ Adam defiantly refused to do so. Gautam was enraged so he confronted Adam at ABC and they started fighting. I was present for all of this." While this statement is helpful, and the caller can certainly testify to it in court, if the caller is not available, this portion of the call would likely be considered testimonial since the purpose behind this statement seems to be more in line with providing a narrative than assisting with the apprehension of the suspect, rendering aid to the victim, or other similar criteria to meet an ongoing emergency.

Determining whether a 911 call is testimonial in nature is a short but necessary analysis that every prosecutor must make when introducing a 911 call when the caller is unavailable.



Gautam Rao
Deputy District Attorney

Feature

RAYMOND CARPENTER



Born and raised in Atlanta, Raymond Carpenter moved from the Juvenile Division to SAKI Unit last April. In his free time, he likes to chill and travel. His favorite destination is Florida. His favorite sports team is the Atlanta Falcons. His favorite artists are OutKast and Tupac.

JACOB DAUGHTRY



Jacob was born in Wurzburg, Germany and the eldest of three. He was a military brat due his father, Jacob S. Daughtry Sr. After his father's 20 years in the U.S. Army, the family returned to Atlanta, Georgia. This was a no brainer due to both of Jacob's parents being from Georgia (Savannah and Columbus). Growing up on a military base, Jacob spent his early years in Germany. Before he was twelve years old, Jacob and his siblings lived in Oklahoma, New Jersey, Colorado, Utah, Washington State and California.

While attending Morehouse College, Jacob played football for the schools Maroon Tigers. After graduating Morehouse College, he worked for Georgia Pacific Corporation and after three years went on to attend Texas Southern Univer-

sity's Thurgood Marshall School of Law, in Houston, Texas. After graduating and working for the Tennessee Oil Company, Jacob moved back to Atlanta, Georgia. Before joining the Fulton County DA's office, Jacob had a bankruptcy practice. Catching the prosecution bug, he moved on from bankruptcy and has worked for the City of Atlanta's Solicitors Office and Cobb County's Solicitors Office. In September 2021, Jacob joined the Fulton County District Attorney's Office in the Case Intake Section.

Jacob and his wife, Rosa have two beautiful adult daughters, Lenzy and Lauren, who are both graduates of Belmont University in Nashville, Tennessee. Outside of work, Jacob tries to spend as much time as possible with his family. He loves trying new cuisines, going to the beach, watching action movies, and visiting local antique shops.



NEIL EFFLER

Born in Atlanta (Northside baby-if that’s a thing?) and raised in Cartersville, Timothy Effler (who goes by Neil) has been involved with law enforcement in some form since he was 18. Old-school episodes of COPS, which young Neil watched on his family’s floor-model woodgrain TV, prompted him to look up several family friends in law enforcement. In high school, Neil got involved with track, theater, chorus, and fronted a small and extremely amateur rock band.

At the Cobb County Sheriff’s Office, Neil worked with several prior active duty Marines, who had a big influence on him because of their work ethic and values. In 2011 – a big year in his life - Neil became a husband, a father, and enlisted in the Marine Corps Reserve. After graduating from recruit training at Parris Island in January 2012 (Fox Co, iykyk), Neil joined Personnel Retrieval and Processing Co. (Mortuary Affairs) in Smyrna.

The Marine Corps afforded Neil the

opportunity to travel. He has performed military service in numerous locations, including Germany and Vietnam. In law enforcement, Neil worked as a full-service canine handler for five years, and got involved with street level drug investigations among other duties. Since joining the Fulton County District Attorney’s Office in November 2021, Neil has served in Case Intake, Trial Division, SVD, before working with Cold Case.

Neil, who is blessed with a wife, a daughter, and a son, prefers to spend the majority of his free time with his family. His hobbies revolve around anything that can be done outdoors: hiking, running, camping, fishing, biking, weight lifting, golfing, disc golf, and most recently pickleball.

Favorite Quotes:

“If not me, then who?”

– Travis Manion, 1LT, USMC (KIA 2007)

“If not now then when, if not me then who?” – Malcolm X



ROBERT SUMMERILL

Born in Manchester, England, Robert Summerill moved across the Pond (Atlantic Ocean) five times before finally becoming a US citizen in 2021. He met his fiancée, Melissa Stewart, at Florida State University in 2014 where they were both studying for their Masters degrees.

Robert has a Bachelors in Cognitive Neuroscience and Psychology, and a Masters

in Social Work and Administration (and most of a PhD.) He lives with his fiancée and two terrible cats. On the weekends he volunteers his time with the Place of Forsyth, to help the needy. He loves finding new places to eat, and has several nerdy hobbies like running role-playing games for half a dozen people at a time, and video games.



ROBERT GORDON

Robert Gordon is a Legal Assistant in the Records Department. Born and raised in Georgia, he is the oldest of three siblings. Robert is working on getting a diploma for Post Production Editing. He enjoys analyzing movies and editing different mediums of media together.

Congratulations

YOU HAVE A NEW POSITION!



MISTY BOTU

DEPUTY VICTIM WITNESS ADVOCATE, TRIAL DIVISION

Misty is a very compassionate advocate who constantly goes above and beyond. She aims to seek justice for each victim and does not let anything get in her way. Her mission - to give all victims a voice within the judicial system - has become clear through her work. While preparing victims for their journey to justice, Misty finds unique resources tailored to the needs of each victim so that person may thrive in the days ahead. She looks to uplift and restore faith within those victimized by crime in Fulton County.

Misty has more than 10 years of experience working with individuals who have survived the unthinkable. Misty grew up in Kansas City, Missouri ("Go Chiefs"). In 2010, Misty earned her bachelor's degree, Cum Laude, at the University of Missouri-Kansas City. While studying for her bachelor's degree, she concentrated her studies on victimization. Starting her profession with the Adhoc Group Against Crime in Kansas City, Misty quickly learned that she had a knack for providing support to crime victims. She has a great deal of experience working with families of homicide victims and youth displaced from their homes due to being

a danger to themselves or others. She decided to further her education within the legal field by obtaining certification as a Paralegal in 2018. Before joining the Office of the Fulton County District Attorney as a victim advocate, Misty worked as a Paralegal with a law firm for two years. Born in California and raised in the Midwest, she has a very diverse background and seeks equality for all regardless of economic and/or social status, race, age, sexual orientation, religion, or gender. She enjoys spending time shaping her three young children to become outstanding human beings and going on vacation whenever she can. She lives by integrity and is a God-fearing woman. Misty is full of positive energy and has no problem sharing that with all whom she encounters.

Misty loves to share her favorite quote:

"Just when the caterpillar thought the world was over, it became a butterfly..."

NEW EMPLOYEE



SHARON PAULS

Senior Investigator
Non-Complex

Congratulations

YOU HAVE A NEW POSITION!



LUCIA WILLIAMS

CHIEF SENIOR VICTIM WITNESS ADVOCATE,
NON-COMPLEX, ORCA AND FIRST APPEARANCE

Born and raised until age 3 in Vicenza, Italy, Lucia Williams is a military brat. She moved at age 12 from North Carolina to Savannah, Georgia, before coming to Atlanta, which she now calls home.

Calling herself “a true boy mom,” she has two sons in college and a third who graduated high school in 2022. Her youngest “son” is a 2-year-old playful stay-at-home German Shepherd. She graduated with honors from Saint Leo University. She began attending the Savannah campus, where she obtained an associate degree in liberal arts. She then attended the Atlanta campus, where she received a Bachelor of Arts in Sociology with a Minor in Criminal Justice and subsequently a Master’s in Criminal Justice with a concentration in Forensic Science.

Lucia is a passionate victim advocate who is driven to help others. She has more than 13 years of experience working

with domestic violence and human trafficking survivors; adults and children with special needs; those with behavioral-health issues; the homeless; the elderly; children with incarcerated parents, among others.

When not working, Lucia loves to spend time with family, go on weekend getaways, travel to other countries, go to the beach (she’s a true water baby), read, meditate, do yoga, cook, watch movies at home or at the theater, skate, and volunteer at church and in the community.

NEW EMPLOYEE



DIANELLY RIVERA-GOW
Deputy Victim Witness Advocate
Trial Division

SHOUT OUTS!



*Assistant District Attorney
Betsy Weintraub*

During this season of giving, and without any competition involved, ADA Betsy Weintraub organized and spearheaded her own 'collection' of money and warm coats for the cleaning crew who clean our building as well as the streets and 'alley' next to us—she noticed that they were outside in the cold, early mornings without adequate outerwear, and took appropriate action.

Faye Pous Rosenbaum
Deputy District Attorney
Case Intake Unit



*Investigator
Ryan Gammon*

Good Morning FCDA FAMILY:

Please join me in a HUGE congrats to Investigator Ryan Gammon for receiving the Presidential Service Award for his community service commitment to Phi Beta Sigma Fraternity Incorporated. I understand he is the only recipient from the State of Georgia. Since being here 2 days he has already shown a Heart of Service. He served alongside his office mates in an exhausting toy drive day.

Ryan, I was extremely proud to learn of this accomplishment.

Thanks for making us look good and extending our reach.

Madam District Attorney
Fani T. Willis



Dec 13
[Suspect facing 4 domestic violence cases gets bond and kills victim, police say](#)

WSBTV.com
News Staff



Dec 29
[Final day of hearings in YSL case ends with another defendant taking plea deal](#)

By Michael Seiden
WSB-TV



Dec 14
[Atlanta rapper Gunna pleads guilty in RICO case, released from jail](#)

By Eric Perry and FOX 5 Atlanta
Digital Team
fox5atlanta.com



Jan 4
[Employee arrested for trying to sneak drugs into Fulton County Jail](#)

WSBTV.com
News Staff



Dec 16
[Prosecutors relent some, but still seek to restrict filming at upcoming gang trial](#)

By Shaddi Abusaid
The Atlanta Journal-Constitution



Jan 5
[Fulton DA Fani Willis, defense attorney Brian Steel facing off in Young Thug trial](#)

By Tim Darnell
wrdrw.com



Dec 16
['They're just 17-year-olds:' Georgia lawmakers discuss bill to raise age of juvenile offenders](#)

WSBTV.com
News Staff



Jan 7
[Rapper Young Thug to go to trial in gang, racketeering case](#)

By KATE BRUMBACK
wsbtv.com



Dec 17
[Former Atlanta police officer indicted in the 2019 shooting death of Jimmy Atchison](#)

By Nick Valencia and Ray Sanchez,
CNN



Jan 9
["I Would Not Want to Be Prosecuted by Fani Willis": Is Trump Going to Be Criminally Indicted in Georgia?"](#)

BY BESS LEVIN
Vanityfair.com



Dec 20
[Young Thug's brother one of the latest to take plea deal in YSL RICO case, court documents show](#)

11alive.com
11Alive Staff



Jan 9
[Fani Willis, the Georgia prosecutor investigating Trump, has taken on seemingly untouchable targets](#)

www.washingtonpost.com



Fani T. Willis

FANI T. WILLIS

District Attorney
Atlanta Judicial Circuit

