



**BUCKHEAD COUNCIL  
OF NEIGHBORHOODS**  
[www.buckheadcouncil.org](http://www.buckheadcouncil.org)

## **BUCKHEAD COUNCIL OF NEIGHBORHOODS**

Peachtree Presbyterian Church

Room 2202

March 12, 2020

6:45 - 8:15 PM

### **March 12, 2020 AGENDA**

5:45 — 6:55 Introductions

6:55 — 7:00 Gordon Certain, Secretary-Adoption of Minutes

#### **PUBLIC SAFETY - CRIME**

7:00 — 7:20 Chief Judge of Fulton County Superior Court: Chris Brasher

7:20—7:30 Public Safety Q&A

#### **TRANSPORTATION — TRAFFIC**

7:30 — 7:45 Commissioner of Transportation: Josh Rowan

7:45 — 7:55 GDOT District 7 Engineer: Kathy Zahul: Peachtree Creek Bridge

7:55—8:05 Transportation Q&A

#### **LOSS OF TREE CANOPY**

8:05—8:15 Tree Conservation Commission Board Member: Chet Tisdale

8:15—8:25 BCN Tree Canopy Chair: delille Anthony

8:25 — 8:30 Tree Canopy Q&A

8:30 Adjourn

**ANNOUNCEMENT:** April 16<sup>th</sup>: BCN will host a "Candidate Introduction" for Fulton County: District Attorney and Sheriff Candidates (Later Cancelled)

## INTRODUCTIONS

It was a very unusual meeting format, happening just as the impact of the COVID-19 pandemic was beginning to sink in. Stay-at-home rules had not yet been proposed, but Mary Norwood had the meeting room carefully laid out so that people would all be sitting at least six feet apart at tables freshly covered with protective sheets of clean paper. There were signs everywhere to be careful and not touch anything or anyone. In spite of it all, 47 people participated in the meeting. An innovative smart phone attendance system was implemented so passing potentially hazardous attendance clipboards around was not needed to record who attended.

<b>Neighborhood</b>		
Buckhead Village	Fred Wooten	
Collier Hills	David Gylfe	
Cross Creek	Scott Aaronsen	Debra Wathen
Garden Hills	deLille Anthony	Jeff Clark
Loring heights	David Benson	Jim Elgar
Margaret Mitchell	Robin Morgan	
Memorial Park	Garth Peters	
Mt. Paran-Northside	Jennifer Rose	
North Buckhead	Gordon Certain	Walda Lavroff
Peachtree Heights East	Debbie Moscato	Nolan Leake
Peachtree Heights West	Sam Lenaeus	Doug Mullins
Peachtree Hills	Jules Murphy	Laura
Peachtree Park	Don Hilbert	Greg Zimmerman
Peachtree Road	James Curtis	
Pine Hills	Coleman Williamson	Keb Wyant
Riverside/Grove Park	Amber Connor	
South Tuxedo Park	Mary Norwood	Kim Shorter
Tuxedo Park	Walter Cheatham Dorothy Snowden	Gloria Cheatham Grady Cheatham
Wesley Battle	Maureen Becker	Greta Shuler
West Paces - Northside	Steve Dickson	Teresa Ann Shell
<b>Organization/Agency</b>		
Anytime Bail Bonding	Scott Hall	
APD Zone 2 Commander	Major Andrew Senzer	
ATL	Steve Dickerson	
Buckhead Reporter	<i>Name not reported</i>	
Concerned Citizens of Buckhead	Susan Lindley	
FC Superior Court Chief Judge	Chris Brasher	
Gas Valet	Ben McFarlin	
GDOT	Tori Brown	Kathy Zahul
Jacobs	<i>Name not reported</i>	
Tree Conservation Commission	Chet Tisdale	Megan McCulloch

## **ADOPTION OF MINUTES**

### **Gordon Certain, Secretary**

The January meeting minutes were approved by the BCN Board. Gordon explained that those minutes had been unusually lengthy because an innovative online transcription service provided by Sonix.ai was used. When an audio recording of a meeting is uploaded, Sonix provides what is advertised as a 90% accurate word-by-word transcript. Of course, getting from 90% to close to 100% takes a lot of work. The objective of the transcripts in these minutes is to provide the reader with an unusually detailed insight into the presentations made by our speakers, unlike normal minutes.

The editing process starts with uploading the meeting's audio to the Sonix website. After a few minutes a draft transcript can be viewed online or downloaded to Word along with timing markers so segments of the audio can be replayed to help clarify the speaker's actual intent. The Sonix process is amazing but far from perfect. It makes errors such as completely leaving out some of a speaker's words or duplicating them. It confuses similar sounding words such as "to", "too" and "two". It displays limited awareness of sentence and paragraph structure.

It is hoped that most Sonix imperfections have been found and fixed. To make the minutes more concise, some speaker comments may be summarized during editing. In presentations with informative illustrations and screen shots, the speaker's comments may be considerably summarized. The results, while not verbatim quotes, should provide insight into the speakers' presentations.

In some cases, conventional style summaries are better at reporting what a speaker presented in the meeting.

Please let BCN know if you find portions of these minutes need correction or verification by sending an email to BCN at <https://www.buckheadcouncil.org/contact/>.

## **PUBLIC SAFETY – CRIME**

### **Chief Judge of Fulton County Superior Court Chris Brasher**

My name is Chris Brasher. I am a Superior Court Judge here in Fulton County and have been on the bench for 14 years. I was appointed by Governor Perdue in 2006. I've been reelected four times since then. I'm not up for election this time, but I will say that you do have some judicial elections. Educate yourself on them and make those important decisions come May 19th because they're important.

I started my career as a prosecutor in the Alcovy Circuit which is Newton and Walton counties, east of Atlanta. I spent about five years there. I spent the next 12 years at the Georgia Attorney General's office, both as a statewide prosecutor and also heading up the section of our Attorney General's office that represented all of the state level law enforcement agencies. So, I represented the GBI, the State Control Department of Corrections, the Parole Board, folks like that, also the Georgia Post Council, which certifies peace officers. I spent 12 years doing that and appeared in court in about 130 counties in our fair state. There are 159 counties. So, I've been in court in most of them. I have been in court in all the Federal District Courts as well as the Eleventh Circuit, and the US Supreme Court is part of my practice. I've been on the bench for 14 years. I spent the first 10 years doing a mixed docket, which was felony criminal cases as well as all manner of civil cases except domestic. Then for three years, I spent time on what's called The Family Court here in Fulton County. We have a family division that deals exclusively with family cases.

I did that for three years and I was elected to be Chief Judge and started that on February 1st of this year. My introduction to being Chief has been the Corona virus. On Monday, I spent two hours on it. Tuesday, I spent four hours on it. Yesterday, I spent five hours on it and today has been seven. We are probably going to have a Judicial emergency in our county as in others. There are going to be some significant limitations on what the court does and especially on summoning jurors. We're going to talk to you about that in just a few minutes to give you an

idea that this is really capturing a lot of energy in government, as you might imagine. Because we're trying to be responsive and trying to keep people out of harm's way and we recognize, just to close the loop on that, lots of people have lots of choices about where they go. People don't have a choice when it comes to attending court. We need to be good stewards of that authority and make sure that we're being responsible about it. Some of the things you'll hear in the paper tomorrow and over the weekend will be dealing with that issue. When I say that I presided over serious violent felony cases in the superior court, let me tell you what I mean by that. About 70% of our time in court as Superior Court Judges is spent on disposing of serious violent felony cases. When I say that, I mean what we refer to in the criminal law as the Seven Deadly Sins: murder, rape, armed robbery, kidnapping, aggravated child molestation, aggravated sexual battery, aggravated sodomy. Those are the Seven Deadly Sins. They are defined as serious violent felonies under Georgia law.

We have Superior Court judges, fifteen of whom hear felony cases. Seventy percent of their time in court is spent in resolving serious violent felony cases. Why do I tell you that? Because we will talk about repeat offenders. We will talk about recidivists. We will talk about those who are mad, who are afraid of the reality that people were talking about them. They are the ones who break through all the mores. They are willing to go into somebody's house and have a home invasion, willing to take something from someone with the use of a gun, willing to take someone else's life, willing to violate one of our children in our community. Those are the things that we spend most of our time on, I think everybody probably will agree, those are the things that we need to spend time on. That doesn't mean that's what happens in your community or what happens in my community is not important.

First is I'm not going to make any excuses for anything. I'm going to tell it like it is. The other side of that is some of the things that I say, you might not like but I'm going to tell it to you like it is and I'm going to tell you as straight as I can. We have a bunch of new judges on our court; many of them are former prosecutors. I ask that you give them a chance. You come to court and watch them in action. You listen to what they say. When I started out as a prosecutor I worked in a small town. On Wednesday, most of the businesses were closed. And you know what a lot of people did? They went to court and watched what happened. That's the way it was in Covington and Monroe in 1991. That's what people did. Of course, it doesn't happen here. I'm not asking you to take away from your lives to do that. But sometimes it's helpful, and not just on the cases that you're interested in, but on all the cases. It's helpful to be in court and watch what happens because I think you'll see we are earnestly trying to get the job done as best we can with the cases that we have.

When I talk about the Superior Court of Fulton County and really the Superior Courts and all the Metro counties, what we look at is throughput. What is it we're pushing through the courts every year? What kind of cases are we dealing with? I had some reports pulled from over the last three years just so that I'd have some information to share with you. We have had 493 armed robberies that we've disposed of, 257 child molestation cases, 57 manslaughters, 226 murder cases, 117 rapes, 75 aggravated sexual battery, and 42 aggravated sodomy.

Each of those is serious. Violent felony cases take an average of four days to try. So, if we have a jury trial on one of those cases, it takes 3.85 days to try one of those. We usually summon 65 jurors. That means 65 people from our community come and give up days or 3.85 days of their time to be there. This is the kind of process that we're talking about.

Last week I was presiding, and I went and spoke with the jurors on Monday and Wednesday. There were 625 jurors in the Jury Room on Monday. And I spoke to them and I'll tell you what I told them. And that is: your being here makes things happen. When I was a prosecutor, I realized that people don't do things until they have to. That's human nature. Jurors aren't happy, so if I always tell every group I talk to if you want to tell your friends and neighbors one thing they can do to improve our justice system. It's come to jury duty and don't complain about it. It's a big ask, I understand. It always seems to happen in the most inconvenient times. But I'll tell you that it is really difficult to pick juries on the gruesome murder cases and child abuse cases. Okay, nobody wants to be there for that. I've had probably 20 to 25 occasions where

we're picking a jury for a child molestation case in the jury room. When we asked individual questions, not out in front of everyone, someone would disclose to me that they were abused as a child and they've never told anybody. So that's the kind of emotion that we're dealing with. Why am I saying this to you? Because you as a jury get to decide what is and is not acceptable in our community. We got police officers, prosecutors, defense attorneys, judges, court staff. All these people push all these cases to a decision and the jury gets to decide. So it is the most direct way we get to participate in our government. In every other circumstance, we hire or elect somebody else to do it for us, but when the jury is empaneled, they get to make the final decision.

I'll leave that alone just to tell you that's the number one thing as far as what's important. When I go through these numbers that I talk about, as far as the serious violent felony cases, again I want to reiterate, I'm not here to say that burglary, entering an auto, robbery without a weapon, stealing packages off front porches: I'm not here to say those are not important. Nowhere in my talk will you hear me say that's my point and I don't ever want to imply we don't think those things are not important. I will tell you that we just don't try that many of those because the sentences are relatively short. Most people plead to them because they know that they're going to spend a little less time in prison if they plead guilty than if they go to trial. But the reality is that the sentences, whether imposed by judges pursuant to a trial or impose pursuant to a plea, generally the term is, that statistical term is, they regress to the mean. They start to get closer and closer together. And when you compare the actual time served versus what the sentences are, you see that they almost converge at the end because they're getting out on parole since we have serious violent felons in our prison system.

Since we began the designation of serious violent felonies, the percentage of "Max Outs" (those who serve every day of their prison sentence) has steadily increased and continues to increase as the percentage of people that are being released on parole continues to decrease. But the lines are converging and therefore, we're inching up higher and higher with a population of people who will serve their entire sentence, whether it's a life sentence, whether it's a 50-year sentence on a child molestation, whether it's a 10-year sentence on a robbery, or 5 years on a felony theft by shoplifting, they're going to serve every day and get out when their sentence is over. Why is that important? It's important because those people are going to get out of prison whether they plead guilty and go to prison for a year or they go to trial and get five years to serve. They're going to get out and they're going to be back in the community. I'm here to talk to you about what we can do about that.

When I started as a prosecutor, we had Diversion and Detention Centers as part of our state prison system. We had two versions. We had Diversion Centers where nonviolent felons would go and live at night, work during the day, pay their child support, and pay for their lodging. We don't have those anymore. They were cut out. We don't have the Detention Centers, either. You may remember Zell Miller got elected, in part, on putting Boot Camps in the prison system way back in the early 1990s. So, we don't have those anymore. Those are things that have been cut by the wayside.

It happened when the prison system budget decreased in the early 2000s, as a result of the recession. The prison budget went from \$1.4 billion to about \$850 million. In the span of about three years, many of those things were cut. One thing that wasn't cut was the total number of people in prison. That's remained very constant over the last 20 years. About 53 thousand people in Georgia are in prison. What's gone up is the number of people held in the jails. So, we may have 50,000 people in prison, but we've got 250,000 people in the jails around our state. We've got another 300,000 people on some kind of supervised release, probation, or parole. That's when we look at the incarcerated population. We've got to think about those people too, the number of people that we're paying for in prison.

Clearly, we all agree that people who are willing to cast aside the mores of our society and break all of the basic rules need to go to prison and to stay for a long time. I think everybody agrees. The question is, what do we do with the rest of the people and that's where treatment counts. That's where these chances that we take occur. I know that some of those chances don't work. I

know that when people are given a chance, human nature being what it is, some people don't do well with that. Some people do the Treatment Court and model shows a lot of promise. The recidivism rates for people who complete Treatment Courts is very low compared to the general population, but there are people who don't do it. There are people who are selected out of it. So, anybody with a violent crime in their past is not going to go to a Treatment Court. They're either going to go to prison or not depending on the result of their case, but people who don't have a violent past, who are willing to take on some responsibility for themselves, they can go through the Treatment Courts. That's the numbers on Treatment Courts for us right now.

We have had an average of 279 people in the Treatment Courts for the last three years. The biggest is Drug Court. It is probably bigger than the other two combined. Drug Court is exactly what it sounds like: somebody who has a demonstrated history of drug addiction and who is willing to subject themselves to have treatment, group testing, etc. and is there, willing to go through that. They can complete Drug Courts.

The other two are the Behavioral Health Treatment Court, which sounds like a hodgepodge. It is for somebody who has a dual diagnosis: they have a mental health disorder and they have a drug problem, somebody with that dual diagnosis. We presently have 71 people in that court. And then the other is the Veterans Court. It means exactly what it says: somebody with either a little health disorder or a drug problem who is a documented veteran, they can go into the Veterans Court. We average about 35 people in the Veterans Court. We've got room to grow each of those programs and I hope that we do because they are successful. But, the reality is that every time we try to put somebody in one of those programs, we're taking a chance that they're actually going to do their part.

I want to draw an analogy for you. I live in Sandy Springs. My wife works in Buckhead. My son and daughter-in-law live in Buckhead. I don't know anybody in my circle who doesn't have a family member that hasn't been touched by drug addiction. The reality is that most of the people that I know, and perhaps it's true for most of the people you know have been touched by drug addiction. Their family had some resources and they may have burned through all the cash. They may even have cashed in a retirement plan to feed their addiction. But ultimately, somebody had an intervention with them. They got into treatment. They probably, if they bear out statistics, failed at recovery at least three times because that's generally what statistics show. But ultimately, hopefully, they got clean because if they didn't get clean, they'd probably end up on the streets or dead.

The people that we deal with in the Superior Court, they don't have that structure. They've never had the money. They've always stolen together. So the people that we shunt into the Treatment Courts, we're not doing it because we want to hold their hand, we're doing it because we recognize that they have an addiction, and the only way to stop it is to try and break the cycle because if we put them in prison, statistics show, they'll be an addict in dormancy while they're in prison and they're going to get out and they're going to go right back to it again. So, when we talk about those programs, we are not talking about the term [Hugga Thug](#), not talking about that. That's not how our court is made as far as I'm concerned. This is tough stuff for tough situations because if they don't do it, they're going to prison.

When we talk about those kind of treatment courses, there's one other I want to mention just so that you know, it's around. It's what we call Parental Accountability Court. I've been working on that for about a year. Basically, it's to try and get people who have significant child support arrearages, whose children were on welfare, to pay that back, to get a job, work and support their children. Many of them are in jail. If they don't come to the Parental Accountability Court, they are in jail because they can't pay child support. So again, that's one of the other things we're trying to do to cut down on the prison population and the jail population.

You know a little bit about me. I don't know anything about you all except that you all are here because you're concerned about public safety. I want you to know I am too. When I sit down with these kind folks who were willing to come talk to me, there is no doubt that you all want better outcomes for Public Safety in Fulton County. I'll tell you some of the things that we've

done to try and address that and they're continuing efforts. They're not perfect. One is the step to begin to transfer more and more of the repeat offenders out of the non-complex system into our courts. Okay, and I have the numbers on that for the last three years. We've gone from transferring out 95 in 2017 to transferring out 145, double that number, in 2019. We're shifting more of these repeat offenders back up to Superior Court back to the elected judges, so we'll deal with them.

The second thing is pretrial pre-arrest diversion for as many mental health patients as we can. Here's a sad truth: 40 years ago we had places in our society where people with chronic mental health diseases went to. [Example: The Georgia Mental Health Institution on Briarcliff Road – ED.] They were terrible places. We don't have those anymore. Also, what we do have is prisons and jails. So, when you look at the prison budget in Georgia, which is about \$1.3 billion this year, about \$200 million of that is spent on mental health treatment and medication. For psychotropic medications, we're paying a hundred million dollars a year for psychotropic medication for 53 thousand inmates in prison. The same percentage is applied to the jails so next to personnel costs the biggest cost that jails and prisons pay mental health treatment and medication. This is a mental health problem. It is exacerbated by drug abuse. It is exacerbated by poor choices. There's no question about it, but it is a mental health problem and it is a substance abuse problem. So, one way or the other we're going to address. I hope that you'll agree that if we can proactively try and get people out of the system who are actively suffering from mental health problems or give them incentives to get better, be compliant with medication, go to group, take your tests, all those things, that we're going to have better outcomes.

## **Public Safety Q&A**

**Amber Conner:** I want to get your opinion on what we have found. We all know crime is out of control in Fulton County. It is our opinion that offenders, repeat violent and nonviolent alike, aren't facing sufficient consequences for breaking the law. And how do we know this? We have documented that 14,154 repeat offenders received signature bonds in Fulton County from January 2018 to December of 2019. I can talk to you later about what I found about what happens during probation revocation and pretrial release. They meet with the magistrates, which is where a lot of these problems begin, not so much with Superior Court but a lot of times in Magistrate Court. This is a quote from the AJC, June 26, 2014. "As one Community newspaper put it, the statistics are jaw-dropping. Repeat felony offenders in Atlanta have been arrested more than 7,000 times and 72 percent of those convicted were given probation or alternative sentencing." Chief George Turner said that same year if we could hold those 481 offenders, this city would be in a great place. Turner told the Buckhead Council of neighborhoods, "We may not be Mayberry, but it would make us safe".

That was in 2014. Then five years later, a quote from the AJC earlier this month: "Eddie Brantley was arrested driving a stolen car, stolen from outside a Midtown drycleaner. Police had previously arrested him 69 times for armed robbery, burglary, aggravated assault, possession of a firearm by a convicted felon, and for 19 parole or probation violations." And, this is why we all started calling it The Revolving Door.

That's another reason why we asked our Senator Randy Robertson to introduce Senate Bill 402. I can make sure to get that to you. I do understand that we don't have proper facilities. It does confuse the issue when you don't have a mental health facility that's separate from the jail and you don't have a drug rehabilitation center separate from the jail and you don't have the proper tools for juvenile repeat offenders because the investment hasn't been made or those things have been taken away. That then makes it more difficult to make sure that we don't deal with repeat violent offenders over and over and over. It's really just a system where there's a lot of cracks. That is why I, myself, am supporting Fani Willis for DA because we need a new one.

I can pass around this paper that shows 2018 failure-to-appear rates on signature bonds. It is very disconcerting.



I'm glad that you're with us because after hearing you speak it seems that you understand where the problem is. It's because of signature bonds that are given by the magistrates. Sometimes, even though it's a felony entering auto charge, a lot of times these guys are given a signature bond and are allowed to get out almost immediately. In other cases, it doesn't even seem to matter that they put a child in harm's way, I just don't feel like it's necessary for a magistrate who is not elected or for a Superior Court Judge that is retired to oversee a case like that where we, as citizens, can't really hold the judge accountable.

I really appreciate what you said and I can see your leadership will be really good. I'm very excited to see how it plays out in these next years.

**Judge Brasher:** I appreciate that. You have given me several things to discuss.

The first one I want to talk about is **non-monetary bail**. Okay. Recently I had a literature survey done from around the country for the last 60 days about non-monetary bail. It is like wildfire across the country. Many people say it should be completely done away with and many people say that money bail is one of the worst ways that we incarcerate the poor that's ever been devised. Okay. Both of those views exist in society and both are driving policy, on a collision course with each other.

What many jurisdictions are trying to do, including ours, is to rework the risk assessment tools that are used to try to more accurately assess whether someone should be released on non-monetary bail. And here's why: because if we didn't release people on non-monetary bail we'd have 6,000 people in Fulton County jail, which wouldn't happen because we'd be under a Federal Monitor and would be ordered to release half of that jail population. We have to make some decisions. I'm going to go back to what my promise was: I'm not making excuses. I'm not ever going to make an excuse for somebody who was let out and shouldn't have been let out to commit another crime. I'm never going to do that. But I will tell you that if you don't have non-monetary bail, only people who have no money will stay in jail because people who have money or have property in the county can get out. But people who don't will not. That's an outcome that has been rejected across the country. What we do need to do, though, is make better tools so that we can make better assessments and have the tools validated. That's what I would mention about non-monetary bail and risk assessment.

The next topic is **repeat offenders**: that definition has changed markedly over the last five years. When we started, repeat offenders had to do with how many times somebody had been arrested. In the criminal justice system, however, that doesn't really have an impact because we count how many times people been convicted. That's not to say that there aren't people on that list who weren't previously convicted. I'm just saying that that definition has changed. The reality is that one of the reasons why this movement of cases out of non-complex of the repeat offenders is because of that issue. However, there are people who need to be in front of Superior Court judges, not in front of Magistrates. That's why we doubled it over the past three years. You had said that many of the people got probation or alternative sentencing. Understand that one of the alternative sentences is one of the treatment courts; understand that that is part of the alternative sentencing. There can always be better judgments about who goes into those and who doesn't. One of them is to make sure that violent offenders don't go into those kinds of programs. They shouldn't.

I want to tackle head on an issue about the discrete number of offenders in an area that commit all the crimes. So, I'm not a police officer. I've never been a police officer. I've never served. I'm not going to pretend to be and I'm not going to try to talk to you like one, but I will tell you what I've learned from my time as a prosecutor and my time studying criminal justice and that is that the people who get caught a lot are really bad at what they do. They get caught because they engage in concrete thinking: "I see. I want. I take."

Whatever is causing it, the cycle has got to be broken: whether it's obstinance, drug abuse, or a mental health problem, that cycle has to be broken. If it's obstinance then you go to prison. If it's drug abuse or mental health, they need treatment. So, there is a cycle that we've got to



unpack sufficiently to be able to address. That doesn't mean we should put our neighborhoods at risk.

There is a notion that sometimes comes up about this discrete number of offenders. If we could just get these people off the street and our community would be safer. I'll tell you that the people who break into 20 cars a night: they're not getting caught. Most of the ones that are really good at it are not getting caught, it's the ones who aren't good at it who leave all the stuff. I've tried Entering An Auto cases: people who left things they stole two weeks ago are still in the car when they get stopped. I mean, you know, these are not high thinkers.

Understand, the sad reality is there's probably an order of magnitude more people who are willing to break the law and commit a crime if they are put in front of an opportunity to do it than there are people who get caught. But because the opportunity has been taken by someone else or police car rolls by or whatever the case might be, they don't do it.

I'm not a sociologist, but what I want to tell folks is please be wary of simple solutions to complex problems. The idea that we could go out and arrest 400 people and our crime problem would stop, I guess it could be true. We're probably never going to find out because we're probably never going to get all of them. But I urge you to understand that we get lots and lots of people who get caught for the first time and go to prison and they've done three or four or five and they go to prison. So again, those are not excuses. This is just a complex system with lots of moving parts and what you said was absolutely correct and that is there are a lot of cracks and there are places where cases get moved from one place to another, there are overlaps and problems like that. It is a system brought by the hand of man. It is therefore fallible. I take full responsibility for them. But thank you very much for your comments. I appreciate your support.

**Mary Norwood:** I have two questions. Number one, Judge. I want to ask you point-blank if the Atlanta Detention Center were in some way able to be used by the City, by Fulton County, what kinds of help do you think it might be able to provide?

**Judge Brasher:** Well, I have to have a caveat to your question and that is I have no say over whether that happens. But I will tell you that some of those things that we used to have that we don't have any more, gosh, it would be nice to have. Gosh, it would be nice to have treatment. It would be nice to have more robust places for people to be and diversion centers etc. That would be a great thing because we're missing that. We don't have those opportunities anymore like we used to.

**Mary Norwood:** So now, they have to be in jail, or they have to be back out on the street because there is no other alternative.

**Judge Brasher:** Yeah. So, we have these regional substance abuse treatment centers that are run by the Department of Corrections. The wait time for somebody to get into one of those is over a year. So, they might as well not exist. When communities can have those things locally, you can make use of it. If we as a state try to use it, it just overwhelms the facility immediately and it becomes basically useless.

**Mary Norwood:** So, if this organization decided to advocate for the city's Detention Center, to be used in our Criminal Justice System, it could be used to transfer people that are in the jail going back to their home county. It could be used for treatment. It could be used as a Diversion Center.

**Judge Brasher:** Certainly, the last two seem like plausible opportunities. The first one, a "way stop", that complicates a transportation process that's already very difficult. We bring 200 inmates a day to the Fulton County Courthouse from the jail. There are two armored buses and seven vans and multiple police cars or sheriff's cars that bring this cavalcade of folks to the jail every day. You can imagine what that process is like that starts at 5 o'clock in the morning so that they can be in court at 9 o'clock. The process of moving inmates is very cumbersome and the idea that you would move them twice may not make a lot of sense. But still, I understand what you mean.

**Mary Norwood:** No, I was talking about something else. There are people that need to go back to Henry County or need to go to Richmond County or need to go to Clark County and they are taking up some space in the Fulton County Jail, as I understand it.

**Judge Brasher:** Well again, there is going to be some transportation because they're going to be booked in somewhere when we figure out who they are and where they need to go. Needless to say, we don't always accept someone's word when they get booked into jail.

**Mary Norwood:** Got any other questions for the Judge? If not, then we're going to wrap it up.

**Gordon Certain:** If you had the power and the resources, what would you fix?

**Judge Brasher:** One of the first things I would address is mental health. Some of the saddest things we see are that there are people for whom there are clear ways for them to be productive members of society but when there's not sufficient resources to provide help, or keep them current on their medication, they end up in situations where they break the law. Mental health is the one place we need to address.

**Gordon Certain:** Who would be doing it?

**Judge Brasher:** There is no magic bullet for it. There's there is State money. There is County money. There is local money, but there's just you know, it's just always less than what you want.

**Fred Wooten:** I've been reading that Atlanta is a sanctuary city. The Feds going to withhold funding and I can't figure it out. I don't know who's involved. What kind of funds goes where that they want to get. I don't know. Can you shed some light on this issue?

**Judge Brasher:** I don't know the answer to your question. I know what the term Sanctuary City means and I understand that there are opportunities for local law enforcement (not the courts) to participate or to not participate in programs that assist the Immigration and Customs Enforcement folks. I know that that's a patchwork not only across Metro Atlanta, but across Georgia and across the country. That's about all I can say about that.

## **TRANSPORTATION**

### **TRAFFIC GDOT District 7 Engineer: Kathy Zahul**

#### **Northside Drive Peachtree Creek Bridge Replacement Project**

Commissioner of Transportation Josh Rowan did not attend. The presentation about the Northside bridge replacement project at Peachtree Creek was made by Kathy Zahul. She said the subject bridge is about century old and is undersized for today's vehicles. It is also susceptible to flooding and potential flood damage. She outlined the \$18 million bridge replacement project and its impact on the surrounding area in the following charts. Work is slated to start in May. With the consent of nearby neighbors, some work will continue after normal daytime hours so the project can be completed more quickly. The project is slated to be completed in August 2021. The project will involve closures of the bridge a number of times, mainly in the summer when traffic is lighter.

A Q&A session followed this presentation.



## Northside Drive at Peachtree Creek Bridge Replacement Project

Buckhead Council of Neighborhoods Meeting  
March 12, 2020



## Northside Drive at Peachtree Creek

### Project Need and Purpose

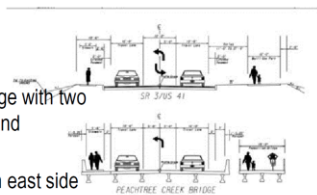
- Existing Northside Drive Bridge over Peachtree Creek built in 1926
- Undersized for today's vehicles
- Compromised structural integrity
- Opening under bridge is undersized to accommodate normal flood events
- Attached water and sewer lines that further impede water flow



## Northside Drive at Peachtree Creek

### Project Description

- Approx. \$18 million project
- Construct new Northside Drive bridge with two 10-foot lanes, dedicated turn lane and sidewalk on west side of bridge
- Construct new pedestrian bridge on east side of the Northside Drive bridge to connect to the Beltline multi-use trail and accommodate relocated water and sewer lines
- Both bridges will be constructed at higher elevations than the current structures



## Northside Drive at Peachtree Creek

### Previous Activities

- Work started March 2019
- Extensive underground and overhead utility relocations on Northside Drive in project area through December 2019
- Began relocation of sewer and water lines under the Pedestrian/Utility bridge in January 2020



## Northside Drive at Peachtree Creek

### Current Activities

- 20' deep micropile installation for Pedestrian bridge and Northside Drive bridge (excluding those under the center lane of Northside Drive).
- City of Atlanta DPW installation of new pump station at Northside Drive/Woodward Way through November 2020.

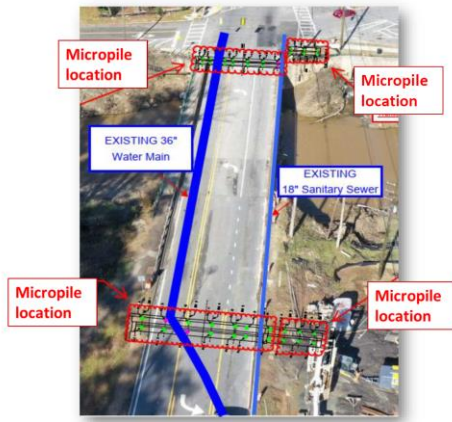


## Northside Drive at Peachtree Creek

### Look-Ahead

#### Sequence of Bridge Construction Activities

- Build the new Pedestrian/Utility bridge
- Relocate underground utilities
  - Water and sewer
  - Under Northside Drive near Sagamore Way
- Attach water and sewer lines to new Pedestrian/Utility bridge
- Finish micropile installation for new Northside Drive bridge (under center lane – must be complete before demolition of existing bridge).
- This work will require nightly (9p-5a) closures of two lanes on Northside Drive for 21 days in summer 2020 – flaggers will assist drivers through closures.



### Look-Ahead

Sequence of Bridge Construction Activities – after completion of pedestrian bridge and activation of relocated activities

- ❖ Remove existing Northside Drive bridge
- ❖ Build the new Northside Drive bridge
- ❖ After bridge construction, crews will ensure roadway tie-in to new, higher bridge approaches
- ❖ For safety and work efficiency, these activities will require full closure of Northside Drive at Woodward Way for 90 days -- traffic will be detoured

Traffic will be detoured for 90 days – tentative installation Fall 2020  
(expect more accurate estimate within the next 2 months)



### Look-Ahead

#### Post-Bridge Construction

- ❖ Realign Beltline Connector path to new Pedestrian bridge approach.
- ❖ Paving and striping
- ❖ New crosswalk on Northside Drive at Woodward/Sagamore Way
- ❖ Suitable stand of grass
- ❖ Other project close-out activities
- ❖ Project scheduled for completion in August 2021

## POLICE CRIME REPORT

### Atlanta Police Department Zone 2 Precinct Commander

#### Major Andrew Senzer

Major Senzer provided a brief report on crime in the Zone 2 Precinct. Crime was up 6%, year to date, in auto-related crimes and also up 6% in Part 1 Crimes (the felonies reported regularly to the FBI), and that auto thefts were up 17%. 83 of the 140 vehicles stolen were either left running or had their key fobs left in the vehicle.

One area of improvement was a reduction in vehicle crimes in valet parking, which had been a big problem. Zone 2 officers held a well-attended meeting in late January with valet parking managers and discussed what the valet industry could do to strengthen their safety protocols. The meeting was effective and Senzer said not a single vehicle had been stolen from valet lots since that meeting.

Zone 2 Larcenies from Auto were up 19% year to date. He said that some of these perpetrators are very crafty and they are very good at what they do and they keep getting opportunities to do it. He said we're seeing the same people doing these things over and over again.

He said his guys are doing a lot of traffic stops trying to mitigate what's going on with the crimes in the Buckhead Village and the Piedmont Corridor areas (Beats 206 and 211 hit the hardest). He reported a homicide at Lenox Mall which resulted from a dispute over a parking space.

Senzer reported that Zone 2 had committed a large amount of their resources to provide visible law enforcement at Lenox Square. But, Senzer said, they are having conversations with Simon corporate, making suggestions that they increase their extra job officer staffing. He said they also need to enforce their house rules. He said things that have been tolerated over the past

several years have led to an atmosphere where anything goes. He said they need to do what they can to enforce their house rules before we can be successful on law enforcement.

## **LOSS OF TREE CANOPY**

### **Tree Conservation Commission Board Member: Chet Tisdale**

I want to give you a few facts about trees and then we can talk about the tree ordinance that's been proposed. As most of you know Atlanta is the City of Trees, the City in the Forest. 48% of the city is covered by trees and it's the only major city in the United States that still has a large portion of its native forest that is still viable. We prize our tree canopy. Trees provide significant benefits to Atlanta. We have a river but it's too far away so I think trees are our most valuable natural resource. They help store water. They reduce air pollution which is very significant in Atlanta and they reduce the heat island effect. Streets that have trees near them are repaved less frequently. Trees provide significant environmental, health, and economic benefits.

Atlanta is the third worst city in the country in terms of temperature rise, behind Louisville and Phoenix. You might ask, why Louisville? Louisville didn't have a tree ordinance until very recently. Due to the lack of a tree ordinance, they now only have about 8% of the downtown area covered by trees.

In Atlanta, 60 to 70 people die every year from heat. That's more than from tornadoes or hurricanes. Trees provide a lot of benefits to us.

There's a new proposed tree ordinance that just came out yesterday. deLille will talk about it a little bit. I want to encourage you to get interested in this subject and I encourage you to read the tree ordinance or summary of it. Talk to your neighbors and to your neighborhood associations. Talk to developers. Talk to Tree Next Door. Talk to Trees Atlanta. And then, make yourselves heard with your City Council representatives. It is just critical. If you have ties to the Mayor's office, that's also very important because I'm told that she may not see the benefit in trees. She is extremely interested in affordable housing and health but may not see that linkage. So, I hope you will get involved and talk to your city government officials about tree protection.

Tisdale went on to describe a high-profile tree loss incident involving the Federal Reserve Bank on Peachtree Street. The Bank had applied to the city for a permit to remove 12 Chinese elm trees. They argued that the trees posed a danger since the bank's security cameras could not see around them and people could be robbed, or other attacks committed. An appeal was filed to the Tree Conservation Commission by residents of Sherwood Forest and Ansley Park. Tisdale reported a member of the Commission as countering during the appeal hearing "well, you know if trees were that much of a problem, Piedmont Park must have a lot of robberies. So maybe we should just cut down all the park's trees as well." The Commission upheld the appeal and denied the Bank's tree removal application. Tisdale expected that the Bank would come back later with a revised tree plan. Instead, several months later he was notified that the Bank's elm trees had been cut down. The Bank had decided it was beyond the reach of the City ordinance even though they had originally made application for a City tree removal permit. The City, apparently agreeing, took no action against the Bank. Tisdale said he still has some question about whether the tree cutting workers could be prosecuted under the tree ordinance.

He noted that environmental laws have been strengthened in this country in response to disasters like the Cuyahoga River catching fire in Ohio. That led to the creation of the EPA Clean Water Act. Tisdale hopes that concerned residents will take pictures when they see other outrageous examples of trees being cut and share them to galvanize the City Council into creating an even stronger tree ordinance.

## **LOSS OF TREE CANOPY**

### **BCN Tree Canopy Chair: deLille Anthony:**

**Editor's Note:** deLille discussed issues with the current tree ordinance and concerns about the draft version of the new tree ordinance that was distributed on the day before the March meeting. While a long discussion of these issues occurred at the March meeting, that discussion is dated and will not be included here. Up to date information about this topic will be an important part of the agenda for the September meeting.

## **MEETING ADJOURNED**