

Patty Baker, Clerk of Superior Court Cherokee Cty, GA

**CHEROKEE COUNTY  
STATE OF GEORGIA**

**GRAND JURY PRESENTMENT**

To: Honorable Ellen McElyea  
Chief Judge, Superior Court  
Cherokee County, Georgia

Honorable David L. Cannon, Jr.  
Judge, Superior Court  
Cherokee County, Georgia

Honorable M. Anthony Baker  
Judge, Superior Court  
Cherokee County, Georgia

We, the members of the Grand Jury, chosen and sworn to serve the September 2021 Term of the Superior Court of Cherokee County, hereby submit the following report and recommendations.

We, the September 2021 Term Grand Jury, heard 99 Bills of Indictment, returned 99 True Bills and 0 No Bill.

Presentment 1

We, the September 2021 Grand Jury, commend the Honorable David L. Cannon, Jr., District Attorney Shannon Wallace, Clerk of Courts Patty Baker, and Bailiffs Faye McCurry, Alan Day, and Linda Wolfe for the informative Grand Jury training and orientation that we received on the morning of September 13, 2021.

We, the September 2021 Grand Jury, recommend that an electronic copy of the Grand Jury Handbook that we received on our first day of service be placed on the website of the Cherokee County Clerk of Court and the Blue Ridge Judicial Circuit District Attorney so that potential Grand Jurors can review this handbook prior to his or her service.

Presentment 2

We, the September 2021 Grand Jury, commend Superior Court Bailiffs Faye McCurry, Alan Day, Johnny Champion, and Linda Wolfe for their diligent assistance in arranging materials for the Grand Jury proceedings, managing the schedule for cases to be presented, coordinating Grand Jury payroll and ensuring that all of the Grand Jury proceedings ran smoothly.

### Presentment 3

We, the September 2021 Grand Jury, commend District Attorney Shannon Wallace, each of her Assistant District Attorneys and staff members, and each law enforcement officer and investigator associated with the cases brought before this Grand Jury for their professionalism and hard work in protecting the citizens of Cherokee County.

### Presentment 4

We, the September 2021 Grand Jury, express our thanks to the Honorable David L. Cannon, Jr., for his professionalism and informative empanelment of this Grand Jury.

### Presentment 5

We, the September 2021 Grand Jury, express our sincere gratitude to the District Attorney and her staff, the Clerk of Courts and her staff, the Bailiffs, the Judges, the law enforcement and all of those involved in organizing, coordinating, and managing Grand Jury during this global pandemic.

We, the September 2021 Grand Jury, were socially distanced in the jury assembly room for two sessions and in Courtroom 1B for two sessions and were each required to wear masks throughout our service. It was abundantly clear to the Grand Jury that our health and safety was a top priority at all times during this term to all individuals involved with ensuring the statutory duties of the Grand Jury were fulfilled.

### Presentment 6

We, the September 2021 Grand Jury, express our appreciation to Court Administrator Lynn Epps for her presentation on October 11, 2021, regarding bailiff pay. We, the Grand Jury, recommend the Cherokee County Board of Commissioners maintain the current bailiff pay of \$85 per day.

### Presentment 7

We, the September 2021 Grand Jury, express our sincere appreciation to Lisa Cline for her presentation on October 11, 2021, on the Board of Equalization and its functions. Pursuant to O.C.G.A. §48-5-311, we, the Grand Jury, were provided notice by the Clerk of Courts of five

vacancies on the Cherokee County Board of Equalization. The Cherokee County Clerk of Courts publicized these vacancies in compliance with O.C.G.A. §15-12-8, and there were five applications submitted to the Clerk of Court.

We, the September 2021 Grand Jury, reviewed the submitted applications for the vacant positions on the Cherokee County Board of Equalization and pursuant to O.C.G.A. §48-5-311, hereby make the following appointments: Deana Murphy is appointed as an Additional Alternate Member to the Cherokee County Board of Equalization for a term which ends on December 31, 2023; Helmut Baxter, Kim Smith and Raymond Rollins are appointed as Additional Alternate Members to the Cherokee County Board of Equalization for a term which ends on December 31, 2024; and Robert Rugg is appointed as a Regular Member to the Cherokee County Board of Equalization for a term which ends on December 31, 2024.

#### Presentment 8

We, the September 2021 Grand Jury, express our appreciation to Deputy Chief Assistant District Attorney Katie Gropper for her presentation on October 11, 2021, of the current Cherokee County Child Abuse Protocol and the 2020 Cherokee County Child Fatality Review Committee Annual Report. We, the September 2021 Grand Jury, found this presentation to be extremely informative and the Grand Jury appreciates the dedication and hard work of each member of the Cherokee County Child Fatality Review and the Cherokee County Child Abuse Protocol Committees. While the statistics regarding child fatalities in Cherokee County in 2020 are extremely alarming to the Grand Jury, we greatly appreciate the District Attorney's Office for presenting these statistics and helping the Grand Jury better understand the scope of child fatalities in Cherokee County in 2020.

#### Presentment 9

We, the September 2021 Grand Jury, express our appreciation to District Attorney Shannon Wallace for her educational discussion about her office and the tour of the Office of the District Attorney which occurred on October 11, 2021. We, the Grand Jury, physically inspected the District Attorney's main office and the Grand Jury room inside of the Justice Center, as well as the Juvenile Division and file room, which is located in the Historic Courthouse. While the District

Attorney is completely out of space and cannot continue to grow until more space is allocated, we, the Grand Jury, found the Office of the District Attorney to be orderly and efficiently run.

We, the September 2021 Grand Jury, recommend more physical space be allocated to the District Attorney to meet the needs of this office as the office continues to grow. Furthermore, we, the Grand Jury, recommend any future Grand Jury room be ADA compliant and larger in size than the current Grand Jury room so that social distancing would be possible inside of this room.


#### Presentment 10

On November 8, 2021, we, the September 2021 Grand Jury, received a letter through District Attorney Shannon Wallace written by Debra Stickley, a resident of Jefferson, Georgia, and mailed to the Clerk of Courts, Patty Baker, titled "NOTICE OF DEMAND BY WE THE PEOPLE FOR GRAND JURY TO ORDER AUDIT OF COUNTY ELECTIONS." On that same day, we also received through District Attorney Wallace a copy of a document labeled "Petition to the Cherokee County Grand Jury For Criminal Violations of Civil Rights," signed by Dr. Kandiss Taylor and Holly Kesler of Georgia Patriots, which was emailed to the Clerk of Courts, Patty Baker, on August 30, 2021. We, the September 2021 Grand Jury, acknowledge the receipt of these documents which allege voter irregularities and a conspiracy of voter fraud in Cherokee County during the 2020 election. After review of these documents and discussion, we, the Grand Jury, voted to not pursue any type of investigation into the Cherokee County Board of Elections.

#### Presentment 11

We, the September 2021 Grand Jury, express our appreciation to Clerk of Courts Patty Baker, for her presentation on December 13, 2021, regarding juror pay. To be more in line with other jurisdictions and upon recommendation of the Clerk of Court, we, the Grand Jury, recommend Traverse Juror pay be increased from \$25 per day of service to \$30 per day of service. We, the Grand Jury, also recommend Grand Juror pay be maintained at \$50 per day of service.

Respectfully submitted this 13<sup>th</sup> day of December 2021.

  
Paul Anderson  
Grand Jury Foreperson

CHEROKEE COUNTY  
STATE OF GEORGIA

ORDER

It is ordered that the within and foregoing Grand Jury Presentment having been read and considered, the same be filed.

It is further ordered that a copy of the Grand Jury Presentment, along with a copy of this Order, be sent to the Cherokee Tribune for publication and the usual fees paid thereon.

This the 13 day of December, 2021.

  
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Judge, Superior Court  
Blue Ridge Judicial Circuit