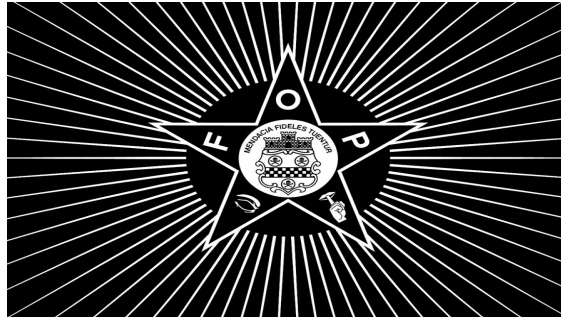


January 2022



Newsletter



President's Message

? What will be your role in the Lodge for 2022?

Congratulations to the newly elected Executive Board of Lodge 64. Each position on the Executive Board has a specific role. Each member of the lodge has a role. There is the role of the "Ator Family" in every Lodge. There is the "Spectator", this is the person that sits there and watches everything with little or nothing to say to the group. Then there is the "Participant", this is a person that takes part in the activities of the lodge. Well, we can not forget about the "Dictator", this is the person who tries to take control by force, always their way or no way. Then, there is the "Investigator", this is the person always trying to find an infraction. In closing there is the "Instigator," this is the person that initiates something to get everyone else riled up. In 2022 what role will you play with the Lodge?

"Doing More With Lodge 64"

Secretary Corner



The Fulton County Lodge 64 website is: **"GAFOPLODGE64.com"**

Dues payments are as follows:

Active -\$120.00
Retired- \$60.00

Payment Options: You can pay your dues at the General Meeting, Pay Pal Here or Cash App. **Please note there is a \$5.00 fee to use PayPal.** The Cash App name is: **\$FCLODGE64**

If your mailing or email address or telephone # has changed, send an email to adriennegrooms@fop.net with the updated information to ensure that you receive lodge correspondence. Questions call 404.767.0501.

The Lodge uses **CallingPost** to send information to members concerning General Meeting dates, etc. The post is sent via text and email. When you receive a text, it will come from "242-51". It will give a message that Fulton County FOP has sent you an important message using CallingPost. To receive reply "OK" (type the actual word). The Lodge newsletter is emailed every month to all members from this email address:

adrienneblackie@icloud.com



****Next Meeting Location****

General Meeting, Thursday, January 27, 2022 @ 5:00 PM at

**Woodward Academy Chapel
1662 Rugby Ave
College Park, Ga. 30337**

Light Refreshments will be served

Upcoming Training Topics

On Saturday, January 29, 2022, 8AM to 2PM, the Training Committee will conduct the following training classes:

- ◆ Use of Deadly Force & De-escalation Options
- ◆ Community Policing

The location will be at the College Park Auditorium - 3633 Main St. College Park, GA 30337.

The upcoming classes are as follows:

The location & dates are TBA

- ◆ February - Legal Updates
- ◆ March - Mental Health

Fulton County Lodge 64 Does It Again !

We have done it again! Lodge#64 has made the Fraternal Order of Police, 911 Media publication again for our community service "Cops and Kids Christmas Event" that was held on December 11, 2021. This makes the third time that we have been featured in this publication. The hard work of Fulton County Lodge 64 Members has not gone unnoticed by the National FOP. **"Doing More With Lodge 64"**



"Doing More with Lodge 64"

Keeping You In The Know

The Jones Law Firm, LLP
1269 Monroe Drive N.E.
Atlanta, Georgia 30306
(770) 716-1306
January 24, 2022

PEACE OFFICER'S GRAND JURY RIGHTS: OPPORTUNITY OR TRAP?

For many years Georgia Peace Officers faced with possible indictment for work related actions had the right to notice of the Grand Jury Hearing, to receive a copy of the proposed charges, to attend the proceeding with their attorney, to hear all the testimony, and at the conclusion of the State's evidence make an unsworn statement that could not be cross examined. Unfortunately, this process changed in 2016 when new legislation drastically scaled back Officer rights.

O.C.G.A. § 17-7-52 sets out the current procedure when the State seeks to indict a present or former Peace Officer ("Officer") for actions taken in the performance of duty. The Prosecuting Attorney ("PA") must notify the Officer in writing of the proposed action and give the Officer a copy of the proposed bill of indictment or special presentment ("Charges"). The PA must provide this notice and the Charges to the Officer at least 20 days before the date the Grand Jury ("GJ") begins hearing evidence.

This notice must advise the Officer that (1) That the GJ is investigating the Officer's conduct to determine if there is probable cause to conclude that the Officer has violated State law; (2) the date when and the location where the GJ will begin hearing testimony on the charges; (3) That the Officer may request, but cannot be compelled, to testify as a witness before the GJ in this proceeding; and (4) That, if the Officer requests to testify, the Officer can do so upon the conclusion of the PA's case AND that the Officer will be subject to cross examination by the PA or members of the GJ.

If the Officer wishes to testify the PA must be so notified before the start of the GJ proceeding. The PA must inform the GJ that the Officer has the right to appear and testify, but if the Officer does not do so the GJ must not consider the non appearance in any way in making their decision on the case.

Before the start of the hearing the PA must advise the GJ on the law applicable to the proceeding, to the potential charges, and to any defenses to the possible charges, particularly Code Sections 16-3-20 (justification), 16-3-21 (use of force in defense of self or others), 16-3-23.1 (use of force, no duty to retreat), and 17-4-20 (arrest without warrant; use of deadly force).

Prior to the Officer's testimony, the PA has to advise him or her that (1) The Officer's appearance is voluntary, and he or she cannot be compelled to appear as a witness; (2) By agreeing to be sworn as a witness on the charges, he or she will be asked to testify and answer questions and may be asked to produce records, documents, or other physical evidence; (3) The Officer may refuse to answer any question or to produce records, documents, and other physical evidence if a truthful answer to the question or producing such records, documents, or other physical evidence would tend to incriminate the Officer or would tend to bring infamy, disgrace, or public contempt upon him or her; (4) Any testimony given by the Officer may be used against him or her by the GJ or in a subsequent legal proceeding; and (5) If the Officer is represented by an attorney, the attorney shall have the right to be present in the GJ room during the Officer's testimony, and the Officer will be permitted reasonable opportunity to consult with the attorney outside the GJ room.

The next step is for the Officer to be sworn and to make a statement. Then the PA or the Grand Jurors can question the Officer. While the Officer may have an attorney present that person cannot propound questions to the Officer nor object to questions put to the Officer. During the hearing process the GJ can amend the proposed indictment or instruct the PA to do so. In that event a copy must be provided to the Officer and his or her attorney.

Given the current GJ procedure, should the Officer testify before the GJ? On the plus side for testifying is that the Officer has a chance to tell his or her side of the story in an effort to convince the GJ not to indict. On the negative side of the equation is that the Officer testifies without hearing what was said by the other witnesses, the PA or Grand Jurors can cross examine the Officer, the Officer's lawyer cannot ask questions, nor interpose objections, and anything said by the Officer can be used against him or her.

One of the major concerns with the Officer testifying is that the PA can use the occasion as an opportunity to question the Officer at length about the case, the Officer's background, other possible instances of misconduct, and basically anything else that the PA can think of in an effort to lock the Officer into his or her testimony, to forestall possible defenses, and to get a preview of how the Officer reacts on the stand.

Another matter to consider is that probable cause rather than proof beyond a reasonable doubt is the legal standard needed to indict. Given this lower evidentiary standard, even if the Officer makes a compelling case on his or her behalf, the GJ could decide that the testimony of other witnesses indicating that a crime had been committed would make the matter a jury question and they would be duty bound to indict.

The decision to testify is an important one that is fraught with danger and should not be done without careful consideration of the pros and cons and without extensive preparation. An Officer who receives notification of a proposed criminal action against him or her must obtain an attorney for assistance. The Officer and the attorney must thoroughly investigate the case before making a decision on whether or not to testify. While the right to testify may be an opportunity to successfully resolve the case it can also be a trap that jeopardizes the Officer's chance for success.

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The Jones Law Firm, LLP
Derek H. Jones
Meghan S. Jones



WELCOME!

Fulton County Sheriff's Office:

- ◆ Anika Anderson
- ◆ Andrewar Hollie
- ◆ Maya Merritt
- ◆ Ladain McDowell
- ◆ Cory Newby
- ◆ Doneisha Patterson
- ◆ Rachel Peterson
- ◆ Crystal Hawkins-Pugh
- ◆ Carmeilla Seay

Other Agencies:

- ◆ Donald Hannah - Retired APD
- ◆ Maryam Mohammed - Union City PD



You did it!
Congratulations

Congratulations to our newly promoted brothers and sisters from the Fulton County Sheriff's Office

- ◆ Bro. Damien Butler promoted to the rank of Major
- ◆ Sis. Laprincess Jenkins promoted to the rank of Lieutenant
- ◆ Bro. John McDaniel promoted to the rank of Lieutenant
- ◆ Bro. Apfollo Harvey promoted to the rank of Detention Lieutenant
- ◆ Sis. Charolette Callaway promoted to the rank of Detention Lieutenant
- ◆ Sis. Skakenia Essien promoted to the rank of Sergeant
- ◆ Bro. Gilbert Francois promoted to the rank of Sergeant
- ◆ Sis. Chastidy Norwood promoted to the rank of Sergeant

Congratulations on your hard work and well deserved promotions

Congratulations!

Fulton County Lodge #64 Officers Contact List

<u>Position</u>	<u>Name</u>	<u>Contact#</u>	<u>Email Address</u>
President	Charlene Heard	404.680.0071	cheard714@gmail.com
1 st V. President	Howard Billingslea	770.861.0912	billingslea@bellsouth.net
2 nd V. President	Elbert Carter	678.575.8454	ecarter@bellsouth.net
Secretary	Adrienne Grooms	470.215.1429	adrienneblackie@icloud.com
Treasurer	Andrea Thomas	470.215.1362	andreathomas@fop.net
State Trustee	Eardley Jarvis	404.808.3910	eej1525@aol.com
Sgt@Arms	Jerome Hull	404.645.1075	Jerome.hull1254@gmail.com
Chaplain	Alfred Francois Jr.	770.310.2632	afrancoisj@aol.com
Motor Unit-Pres.	Elbert Carter	678.575.8454	ecarter@bellsouth.net
Lodge#64 Attorney	Derek Jones	770.716.1306	derek@joneslawfirmllp.com
Lodge#64 Attorney	Meghan S. Jones	770.716.1306	meghan@joneslawfirmllp.com
<u>Attorney After Hours#:</u>		770.460.6728	



FOP Newsletter printed by DPD Group— Located 1 block down from FOP Lodge 64 —corner of East Point Street & Taylor Ave.

If it can be printed— we can print it!

POWER of PRAYER



- ◆ Continue to keep Bro. Donald Chambers and Sis. Adrienne Grooms in prayer on the recent passing of his father and her cousin Mr. James Grooms
- ◆ Continue to keep Sis. LaPrincess Jenkins in prayer on the recent passing of her sister Mrs. Angela Brown
- ◆ Continue to keep Bro. Obie Norris in prayer on the recent passing of his sister-in-law Mrs. Lydia Norris
- ◆ Continue to keep Bro. Ron Grant and Sis. Sherry Grant in your prayers on the recent passing of his brother and her brother-in-law Mr. Reggie Grant
- ◆ Continue to keep Bro. Frank Wildy in prayer on the recent passing of his father, Bro. Woodrow Wildy
- ◆ Continue to keep Bro. Dexter Reese in prayer on the recent passing of his brother Mr. Reginald Moreland
- ◆ Continue to keep the family of Bro. John Dozier in prayer on his recent passing



Get Well



- ◆ Continue praying for a speedy recovery for Mr. David Bradford husband of Sis. Vivian Dixon-Bradford
- ◆ Continue praying for a speedy recovery for Bro. Rodney "Cowboy" Burley
- ◆ Continue praying for a speedy recovery for Bro. Alfred Francois Jr.
- ◆ Continue praying for a speedy recovery for Sis. Denise Brooks
- ◆ Continue praying for a speedy recovery for Mr. Tommy Traylor brother of Sis. Sylvia Sheppard



Don't forget to let us know if you have knowledge of any member sick and/or in distress of any form. Call 404.767.0501 and let us know. We are in this together!





DISCLAIMER

The Fraternal Order of Police, Fulton County Lodge#64

Does not provide nor sponsor a daily, weekly or monthly prayer line in which motivational or inspirational texts are sent to your telephone. Your personal information is not sold nor provided to anyone for that purpose. If you are asked and/or solicited by anyone to include members of the lodge, etc. for your personal contact information, you should question the purpose. Please govern yourselves accordingly. If you have questions and/or concerns regarding this matter contact President Charlene Heard, 404.680.0071.

{ The Fraternal Order of Police, Fulton County Lodge #64 will not be held responsible or liable in any way for any claims, damages, losses, expenses, cost or liabilities whatsoever resulting directly or indirectly for any unauthorized telephone calls or texts that you receive from any third person be them a member of the lodge or not regarding inspirational or motivations of any kind }

CHECK OUT THE FULTON COUNTY LODGE #64 WEBSITE

Find information from:

- ◆ National FOP
- ◆ Georgia FOP
- ◆ Meeting dates
- ◆ Training dates
- ◆ Upcoming Events
- ◆ Our Local Fallen Hero's Tribute



- ◆ Scholarship Applications & Information
- ◆ Executive Board Information
- ◆ Newsletters
- ◆ Invoices
- ◆ Membership Applications
- ◆ Beneficiary Form

www.GAFOPLODGE64.COM

"Doing More With Lodge" 64"

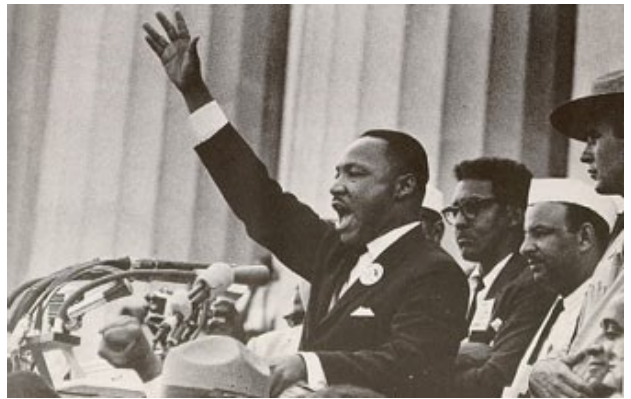
**Fraternal Order of Police
Fulton County Lodge #64
2896 East Point Street
East Point, GA 30344**

STAMP



*"Our lives begin to end the day we become silent about things that matter."
Dr. Martin Luther King Jr.*

Membership Applications QR Code



Fulton County Lodge 64

"Doing More With Lodge 64!"