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Two Hopefuls Sign Up in Bid to Unseat Gwinnett DA Danny Porter

Lawrenceville criminal defense lawyer Wesley Person and Patsy Austin-Gatson, a supervising attorney with the Gwinnett County Solicitor's Office, are the Democratic challengers to Republican DA Danny Porter.

By **Greg Land** (https://www.law.com/dailyreportonline/author/profile/Greg-Land/) | March 23, 2020 at 04:19 PM

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Patsy Austin-Gatson (left) and Wesley Person. (Courtesy photos)

Two Democrats will face off in the May primaries for a chance to take on longtime Gwinnett County District Attorney Danny Porter, who for a time considered switching parties before deciding to once again seek reelection as a Republican in November.

Lawrenceville criminal defense lawyer **Wesley Person** (https://wesleypersonforda.com/) and **Patsy Austin-Gatson** (https://patsy4da.com/), a supervising attorney with the Gwinnett County solicitor, both said the DA's office needs a new direction after 27 years under Porter's leadership.

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Austin-Gatson said she is particularly concerned with the continuing pattern of children—particularly young people of color—emerging from schools without the education or resources necessary to keep them from making early mistakes that can lead to more serious crime, gang affiliation and recidivism.

Person said he's been disappointed with the current DA's focus on prosecution above all, and failure to embrace the criminal justice reform policies pushed by former Gov. Nathan Deal, and his lack of support for diversionary programs and accountability courts.

Porter declined to weigh in on the election at this point, but his challengers laid out their backgrounds and platforms for the Daily Report.

Austin-Gatson, 61, is a New York native who graduated from Emory University School of Law in 1989. Upon graduation, she went to work for then-Georgia Attorney General Michael Bowers as an assistant attorney general.

"My first year, I argued a case before the Georgia Supreme Court," Austin-Gatson said.

After several years with the AG's office, Austin-Gatson left to work with Atlanta lawyer Herald Alexander. After a year or so there, Austin-Gatson launched her own practice, first in Decatur then in Gwinnett County.

"Emory taught us to handle any area of law," she said, but in running her own practice handling civil, criminal and family matters, "I believe I became a full-functioning attorney. I learned a lot more about what the average person experiences."

Austin-Gatson was in private practice for about 20 years, she said—including a stint in which she co-owned a boutique popcorn-selling business—when in 2018 a former intern, Brian Whiteside, was elected Gwinnett County solicitor and offered her a job.

As a supervising attorney there, Austin-Gatson said she's taken the lead in a program to limit access to citizens' records of misdemeanor offenses and worked with the office's victim-assistance program.

If elected district attorney, "I want to see more things done to help children not come into the criminal justice system," Austin-Gatson said.

"Gwinnett is a diverse county now," she said, and it's "disheartening to see that 52% of our children are not even prepared for kindergarten ... Prisons are being built for them. I feel like we are failing as a society."

She said the DA has a duty to initiate community outreach efforts to groups like the Boys & Girls Clubs.

"I don't want to be prosecuting children," she said. "We need to let them know we care about the path they take. As district attorney, I want to be to be in a position of preventing gang violence and gang affiliation; I don't want our kids feeling like they have to be in a gang to be accepted."

Austin-Gatson said she also would like to establish a Conviction Integrity Unit like the one recently launched by Fulton County District Attorney Paul Howard to review old cases in which questions of wrongful conviction or overlooked evidence may have

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sent the wrong person prison.

Person, 55, graduated from Mercer University's Walter F. George School of Law in 2003 and signed on as an assistant district attorney with the four-county Griffin Judicial Circuit, "prosecuting everything from drug cases to armed robberies and aggravated assault. I don't think I ever tried a murder case there," he said.

After a couple of years, he left and worked with some "small civil and criminal defense firms" before relocating to Gwinnett and setting up a largely criminal-oriented practice.

In 2018, Person launched an unsuccessful run for a vacant seat on the Gwinnett Superior Court.

Person said he decided to run for DA "because I looked at what other places were doing in terms of criminal justice reform, and saw how slow Gwinnett was in embracing it."

"We just got a pretrial diversion program in 2018 and still not a lot of people are going into it because they restrict the types of cases," he said. "Look at Fulton and DeKalb. They have accountability courts for drugs and veterans, but also for other categories: mental health, nonviolent felonies—there's no reason we shouldn't have that in Gwinnett."

Person also said he's concerned about Porter's ability to retain lawyers.

"There's a tremendous amount of turnover; he's lost a lot of veteran prosecutors ... and people leaving who've been there less than a year," Person said.

Person said one factor may be the "huge backlog of cases.

"There are a lot of cases where low-level felonies or drug possession charges could be resolved through reasonable pleas so we can start dealing with these serious cases ... armed robbery, murder, gang-related cases are not being tried because the docket is clogged up with cases that could be moved expeditiously," Person said.

The DA's office, he said, "is still operating like it was back in the '80s and '90s, with the mindset of a small bedroom community. But this is a large metropolitan county now; we need to not only prosecute crimes but help reduce the rate of crime."

Persons said he'd set up community prosecutors in the district of each county commissioner to meet with church and community groups and "help identify elements creating problems and help eliminate them."

"Right now, most people only know their district attorney through what they see on TV," he said.

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Greg Land

Greg Land covers topics including verdicts and settlements and insurance-related litigation for the Daily Report in Atlanta.