

Pine Lake protest: Traffic dissidents hit town in wallet

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For two months, rain or shine, three protesters have held a daily vigil on Rockbridge Road, hoisting placards to complain that **Pine Lake's** aggressive traffic squads are heavy-handed and unfair. Usually, city officials smile and endure such protests, knowing that the pickets' outrage eventually will dissipate and they will fold up their signs and head home. But Darryl Dorton, Douglas Coffey and Karim Shahid have stuck to it. And they have seized the city's attention by employing a second tactic to divert some of the lucrative revenue stream **Pine Lake** derives from traffic court. In March, the men started standing outside the old church that serves as **Pine Lake's** municipal court and telling defendants they could ask to move their cases to DeKalb County State Court. Dozens of people listened.

According to computerized court records reviewed by The Atlanta Journal-Constitution, the city lost more than \$25,000 in fines from transferred cases in March alone. When cases get transferred from a municipal court to a state court, the county and state keep the proceeds, said DeKalb State Court Clerk Kenneth Cheek. "They're breaking me," complained **Pine Lake** Police Chief Mac McGlamery. "If this keeps up, I can't pay my force. We write the ticket and state court keeps it. We don't get a dime. "Since coming to the job in mid-1997, McGlamery has increased the force from two officers to seven and more than tripled ticket revenue.

The town of 900, just west of Stone Mountain, last year generated 72 percent of its \$1.2 million revenue from traffic fines. Almost all of it came from the three-tenths of a mile of Rockbridge Road inside **Pine Lake**. Most of the fines were for tag or driver's license violations. On March 29, the city slapped Coffey and Dorton with a show-cause order, saying it appeared the two men were practicing law without a license by advising people outside of court. The order, signed by **Pine Lake** Municipal Court Judge Alan Mullinax, demands the men appear before him and explain why they should not be held in contempt of court. The case is set for a second hearing Thursday. The first hearing, on April 8, was postponed after Mullinax decided the two men's attorney, Arnold Ragas, was not currently a member of the Georgia Bar Association. Ragas, a state representative from Decatur, had just that morning paid to update his annual bar registration. But Mullinax ruled that because Ragas' check had not cleared, he was technically not a lawyer that afternoon. Mullinax said he did not want to talk about an ongoing matter. Ragas called the case an "obvious attempt to retaliate against protesters."

"It's an inherent and fundamental conflict of interest," said Ragas, who himself pleaded guilty in 1995 to **Pine Lake** charges of driving without proof of insurance. "The city of **Pine Lake** cannot exist but for the issuance of the tickets, the high fines, the numerous stops. And now the people you say are causing the revenue to go down, you're charging with a crime."

Mayor Alfred Fowler said he has talked with the two men about resolving their case more amicably. "You know how it works, compromise and reconciliation," said Fowler, who became mayor in January. He said the city last year figured ticket revenue would be \$275,000 rather than the more than \$800,000 actually collected, and he is not counting on another year of collections that high. However, Fowler added that it seems unfair that the city gets nothing for tickets bound over to state court. "You're defeating the whole purpose of why you have municipalities," said Fowler. He said small-town police forces are more likely to catch traffic offenses than are larger forces. Besides, a motorist not buying a tag is cheating the county out of money, he said.

The protesters say they won't stop advising defendants to transfer their cases to State Court until police stop using Rockbridge Road as a revenue source. "They kind of underestimated us," said Coffey. "They thought we'd bang on pots and pans for a few days and then go away. But I, too, have learned not to underestimate them." The protests started after Dorton waged a losing court battle with city officials over their refusal to renew his business license for a tree service and firewood lot on Rockbridge Road. That case now is in federal court. The protesters have charged that **Pine Lake** police target black motorists and have asked DeKalb District Attorney J. Tom Morgan to investigate. Morgan has agreed to look through records of traffic stops, but he cautions that proving a pattern of discrimination is difficult. "I know a lot of small towns that make a large portion of revenue stopping out-of-town residents," Morgan said. "There's nothing illegal about that. "However, he did find the charge against Dorton and Coffey odd. "I think it's perfectly legal to tell people what their rights are; it sounds like a free speech issue," said Morgan.

"My office has never prosecuted a person for practicing law without a license unless they got fees for their advice." Besides, **Pine Lake's** Municipal Court "has no jurisdiction over that crime," says former DeKalb Solicitor Ralph Bowden. "They can't back-door that jurisdiction. It sounds like a kangaroo court to me."

Map: PINE LAKE TRAFFIC STOPS

Map shows **Pine Lake** city limits. Map also shows location of where tickets are issued along Rockbridge Road between Allgood and Rowland roads. Inlaid map highlights area in relation to metro Atlanta. / MICHELLE MACK / Staff

Photo: Not my problem: Bill Callas, here fishing on **Pine Lake**, wonders what all the fuss is about. He says he's been driving 47 years and "never got a ticket for anything." / CATHY SEITH / Staff

Photo: More than pickets: Darryl Dorton (above) and two friends claim **Pine Lake** traffic enforcement is unfair and try to convince defendants to move cases to a county court. / CATHY SEITH / Staff