

**BOARD OF PUBLIC SAFETY**  
September 10, 2009  
Georgia Ports Authority, Garden City, GA

**BOARD MEMBERS PRESENT:**

Mr. Bud Black  
Mr. Rooney L. Bowen, III  
Sheriff Steve Cronic-via Conf Call  
Chief Lou Dekmar-via Conf Call  
Mr. Patrick Head  
Chief Dwayne Orrick  
Commissioner Brian Owens  
Mr. Jerry Willis  
Mr. Ellis Wood

**BOARD MEMBERS ABSENT:**

Mr. Wayne Abernathy  
Mr. Dub Harper  
Sheriff (retired) Bruce Harris  
Chief Jack McElfish  
Sheriff Cullen Talton

**OTHERS:**

Mr. Joseph Drolet, Senior Assistant Attorney General  
Ms. Cheryl Buie, Board Liaison  
Colonel W. W. Hitchens, Jr., Commissioner, Department of Public Safety  
Lt. Colonel F. D. Snellings, Jr., Deputy Commissioner, Department of Public Safety  
Major Mark W. McDonough, Department of Public Safety/Georgia State Patrol  
Chief Mark McLeod, Department of Public Safety/Motor Carrier Compliance Division  
Comptroller Joseph W. Hood, Department of Public Safety  
CIO Dan Brown, Department of Public Safety  
Director Vernon M. Keenan, Georgia Bureau of Investigation  
Assistant Director Dan Kirk, Georgia Bureau of Investigation  
Director J. Dale Mann, Georgia Public Safety Training Center  
Division Director Forest B. (Butch) Beach, Georgia Public Safety Training Center  
Deputy Director Patrice Kerner, Georgia Public Safety Training Center  
Ms. Laura J. Jones, Department of Corrections  
Mr. Adam Baswell, Department of Corrections  
Mr. Matt Wood, Ellis Wood Contracting Company  
Sheriff Al St. Lawrence, Chatham County Sheriff's Office  
Mr. Jody Stubbs, Stubbs Oil Company  
Garden City Police Chief David Lyons  
Rep. Burke Day, Public Safety and Homeland Security Chairman  
Mr. Lee Beckman, GA Ports Authority  
Mr. Roy Harris, Savannah-Chatham County CNT Director

Vice-Chairman Ellis Wood called the September Board of Public Safety meeting to order with a verbal roll call. Mr. Wood then introduced a dear friend of his, Mr. Jody Stubbs, President of Stubbs Oil to give the devotional, prayer and Pledge of Allegiance.

Vice-Chairman Wood recognized Mr. Lee Beckman of the Georgia Ports Authority and thanked him for the arrangements he made for the meeting and expressed to him how very grateful the Board was for hosting us and for making this trip very comfortable.

Vice-Chairman Wood then introduced Chatham County Sheriff Al St. Lawrence and thanked him for welcoming us to Chatham County and also for providing a bus for the port tour. Sheriff Al St. Lawrence welcomed everyone to Chatham County and wanted to take a moment to thank those responsible for providing peace officers mandate training in the technical schools. He went on to add that it has made it easier for the regional academies and we are beginning to see the fruits of that labor.

Savannah-Chatham Counter Narcotics Team Commander Roy Harris, Garden City Police Chief David Lyons and Matt Wood, son of Vice-Chairman Wood were introduced and welcomed to the meeting.

Vice-Chairman Wood also introduced and welcomed Representative Burke Day, Chairman of the Public Safety and Homeland Security Committee.

Mr. Wood asked each visitor to tell who they are and where they were from and thanked everyone for coming.

Vice-Chairman Wood called for approval of the August Board Minutes. Mr. Rooney L. Bowen, III made the motion, seconded by Sheriff Steve Cronic and voted approval by the Board members.

### **DIRECT REPORTS**

Colonel Bill Hitchens, Department of Public Safety told everyone that this is kind of my hometown and it is really an honor to have everyone here. Colonel Hitchens really wanted to thank Vice-Chairman Wood for the social event last night. Colonel Hitchens stated he went way beyond the call of duty. Colonel Hitchens thought it was a nice touch and he really appreciated it.

Colonel Hitchens stated that Sheriff Al St. Lawrence and he have worked together now since 1969 and he has put up with me in a lot of different capacities. Colonel Hitchens stated they have both watched each other and Sheriff Al St. Lawrence has accused the Colonel of catching up, but Colonel Hitchens stated he knows how old the Sheriff really is and Colonel Hitchens is not anywhere close to it. Colonel Hitchens stated he thinks Al is a unique person, he worked his way up in the county police, he was the chief here for many years; he retired and then ran for Sheriff and has been the Sheriff now for many years. I think he is the only person I know who was named Outstanding Chief in the state and he has been named Outstanding Sheriff and last year the POAG recognized him as Outstanding Police Officer and dedicated the conference to him. Colonel Hitchens stated he also worked in the Coast Guard here for many years and the Coast Guard Reserve and stated he did not know how many know, but Board member Jerry Willis was Captain of the Port here from 1981-1985 and actually ran the port from the federal perspective. This is kind of old home for Colonel Hitchens and Mr. Willis and there have been a lot of innovative changes. Colonel Hitchens stated he had not been back to the ports since the G-8,

but he has been downstairs and looked at some of the security apparatus and he knows what the Coast Guard has here now. It has changed drastically since 9/11.

As far as the DPS report, Colonel Hitchens stated he was not going to rehash all the budget items, but last month he talked extensively about State Patrol's newest 5% reduction, the across the board reduction that everybody is taking. For his agency, it resulted in two furlough days a month. Colonel Hitchens met with the Governor shortly thereafter and he reduced it to one day which essentially puts State Patrol \$1.7 million behind in our reduction. The good news is that State Patrol has since received a million dollar grant from the federal government for more DUI task forces across the state which will actually pay for about 15 positions. Colonel Hitchens stated his agency looked at it, has not finalized it, but the agency looked at it statistically and it looks like State Patrol is going to move some people. The State Patrol has one DUI Task Force, called the Nighthawks in Atlanta. It was deemed outstanding DUI Task Force in the country year before last. State Patrol will put some task force units in Gwinnett County, probably Clarke County and Chatham County. Statistically they are the areas that have the bigger problems both in terms of DUI arrests and fatalities. During the holiday weekend, which is pretty big business for State Patrol; this is State Patrol's time of the year Labor Day, Thanksgiving, Christmas, and New Year; many Board members probably saw the statistical data that was put out prior to the weekend which called for 18 fatalities. Colonel Hitchens stated they had reductions in everything except the number of accidents. The volume was about the same and he did not have an explanation as to why the fatalities were cut in half, but it was a very positive thing for the agency. The State Patrol predicted 1725 accidents; there were actually 2231 which was a plus of 506. With injuries, State Patrol predicted 975 and there were only 614 which is a reduction of 361. In terms of fatalities, State Patrol predicted 18 which are what we experienced last year. While most of these are based on volume and historic trends, there were only nine; that was cut in half and State Patrol is really proud of that.

In so far as new construction projects, Colonel Hitchens reported that the Department has been working diligently the last couple of years to build some new patrol posts around the state that were aging. He also reported that they have been working to put the Consolidated Communications Centers in. Yesterday State Patrol opened the new patrol post in Grovetown, which replaces the Thomson post. Board of Public Safety members will be receiving a formal dedication invitation from Columbia County. This post will be the Consolidated Communications Center for Troop E which runs from Augusta into Conyers. Monroe is essentially ready to open, they are moving furniture into it now; it will probably open within a couple of days. Dedication date has not been set for Monroe; but it will replace the patrol post in Conyers which will not be a Consolidated Communications Center. On Monday, Colonel Hitchens went to Brunswick, the Consolidated Communications Center for the coast which includes the posts of Rincon, Hinesville, Brunswick, Jekyll Island and Waycross. They were putting in flooring and the building should be completed in about one month. It is located in the complex with the Glynn County PD, Department of Transportation, and the Fire Department. The architect was trying to match the colors as the paint scheme takes on a coastal look and the paint looked great on paper, but when they put it on the building it was pink. State Patrol is in the process of changing that before GSP moves in. Gainesville is about two months away; Colonel Hitchens stated he understands that is going to be the Consolidated Communications Center for Troop B and he thinks

the Board members will be there next month. Colonel Hitchens stated he believes the Board is going to get a tour when going up there, but will still probably be a month away from opening. The State Patrol has 7 of the 9 Consolidated Communications Centers around the state completed and still has Americus and Cartersville to complete. Colonel Hitchens stated they had a ground breaking ceremony in Americus, Vice-Chairman Wood attended that last month and State Patrol has a commitment from Bartow County for P3-Cartersville. All the paperwork has been completed, the architectural drawings are in place but State Patrol has not had the groundbreaking yet. Colonel Hitchens stated he hopes that all of them except those two will be up and running by next spring.

Mr. Rooney L. Bowen, III, asked Colonel Hitchens if he would go on the record as of today and state that DPS is not planning on closing any patrol posts throughout the state. Colonel Hitchens stated he gets that question everywhere he goes and there is no intent. There are two reasons for the Consolidated Communications Centers and Colonel Hitchens stated he had already explained that. Number one is that the new technology is much more efficient, the technology is in place where a person can speak all over the state from one site. Colonel Hitchens stated he did not believe State Patrol could do it from one site because of the traffic but the CAD and the Records Management System is all in place and the agency is still going to keep all the patrol posts open. There will not be a Consolidated Communications Center in each post, the only people that will be there are the troopers that live there, the people that come and go and there will be a post secretary there. State Patrol is not closing any patrol posts. Members of the legislature have contacted me repeatedly asking if State Patrol was going to close the patrol post in their area and that is not the case, was never the intent. Colonel Hitchens stated he was a little concerned with the furloughs because initially the secretaries would be furloughed too, and in those places where the agency is now utilizing federal stimulus money for the secretaries, they are not being furlough. Essentially a post would have been closed for a day if the secretary was not there because there would be no radio operators there in the areas where they have gone to Regional Communications Centers.

Vice-Chairman Wood commended Colonel Hitchens, Lt. Colonel Snellings and Major McDonough for the ability to keep the morale up through these trying times and noted that he had not detected any dissension. Vice-Chairman Wood stated he thinks they have done a tremendous job with the troopers, thanking them for what they have done to encourage them and to make them understand the situation the State Patrol is in financially. Vice-Chairman Wood stated they all have done a good job with that and he appreciated that.

Director Vernon Keenan, Georgia Bureau of Investigation began by stating he was glad that Chairman Burke Day was with the Board members this morning as it gives him an opportunity to apologize to him in front of his home group here. At the last legislature, Director Keenan went to Chairman Day with a piece of legislation that the Governor had approved. Director Keenan assured Chairman Day that the legislation would be very non-controversial, the legislation would be simple and it was. The legislation very simply took the responsibility that GBI has to regulate Bingo for non-profit organizations in this state and move it over to the Department of Revenue which is in the business of doing regulation of all manner of industries and licensing areas. This is the first Revenue Commissioner who would ever entertain taking on this responsibility. After the Governor approved

the legislation, Director Keenan went to Chairman Day with a one paragraph law change which removed that responsibility from GBI and gave it to the Department of Revenue. Director Keenan assured Chairman Day that GBI would be there with him, that this could not be controversial, it is too common sense. GBI members went to the first legislative hearing on the bill and it was before one of the judiciary committees, civil non civil. Chairman Day went before the committee, got before the other legislators and there was an onslaught. At one point during the hearing with all of the questions that were being asked and the side bar issues that were coming into play, Director Keenan thought he was going to have to stand up and remind the legislators that cannibalism was not legal in Georgia and that Chairman Day was carrying a very simple bill for the GBI. The end of the story is that the bill worked its way through the legislature and in the closing days of the legislature, the Bingo bill which started out at one paragraph was 35 pages long. The bill got so controversial that the speaker had it pulled from the floor. Director Keenan stated he learned a valuable lesson to never put his reputation behind something being noncontroversial and assuring a legislator it would not be a problem getting it through the legislature. Director Keenan stated he did not intend to go forward with that bill again after he touched that hot stove. Director Keenan stated it was easier for himself and GBI to handle Bingo regulations than it was to fight that animal.

Director Keenan went on to use this opportunity to straighten out some factual matters in regards to a very high profile case that the GBI has been working in Stephens County where two undercover task force agents shot and killed an unarmed man who turned out to be a Baptist minister. Director Keenan stated he could not get into the details of the case as it is still under investigation, but he made a couple of points. Number one, Director Keenan stated he has been getting emails from across the state from people demanding that the GBI fire the agents and that they be arrested. After it was twisted in the media, Director Keenan insured the Board these are not GBI agents that are involved in the shooting. They are task force agents that belong to a Multi County Drug Task Force in Northeast GA. The task force agents are not under GBI supervision but for some reason some of the media got the information confused and some members of the public were thinking these were GBI folks and they are not. Director Keenan insured the Board that the GBI has not been involved in the shooting. Second thing is that the media continues to report that they are waiting on the GBI decision as to what will happen with the officers. Director Kennan clarified to the Board that the GBI does not clear officers; the GBI does not fix accountability for the officers' actions. The GBI's role in a use of force investigation is to determine the facts. The GBI conducts a criminal investigation for the purpose of turning an investigative report over to the appropriate prosecutor. In most cases that is the local DA and these are priority type cases for our agency. Last fiscal year, the GBI worked 136 police use of force cases. Most of the use of force cases involved police shootings. The GBI trains our agents specifically in how to conduct these investigations. Director Keenan stated the GBI uses a tremendous amount of resources on these cases when the evidence in these cases come to the crime lab whether they are worked by GBI or a local agency, they are a priority. Director Keenan stated the GBI has learned from experience that when someone dies at the hands of the police or is seriously injured by law enforcement there must be an accounting for that incident to the community and to the judicial system. The GBI realizes that even if there are not criminal actions on the part of law enforcement which most of the time there is not, it is only a very few instances that there is criminal action by the police officers. That notwithstanding there is going to be civil litigation come out of any use of force

incident. All of the processes the GBI has in place for this are structured toward that end. When the investigation is finalized, GBI does make a finding, which is not our responsibility; that is the responsibility of the DA. The agency constantly battles with the news media and with some of our other law enforcement agencies, saying the GBI is not clearing anyone. The GBI gathers the facts and then presents them to a prosecutor. The GBI does have structured processes with other state agencies such as the Department of Corrections that whenever DOC has someone that dies in the custody of the Department of Corrections or is seriously injured, there is protocol set up as to how the GBI will interact with that department. GBI does an investigation, provides a copy of the investigative file to the agency head and the DA. Many times the US Department of Justice will come in and request a copy of that report. Director Keenan's point in laying this out is to clarify for the world that the GBI does not have the authority or responsibility to make a determination as to the conduct of police officers. Board member District Attorney Pat Head may want to give from the prosecutor's perspective here, but of the things that GBI knows from doing this across the state, how District Attorneys' handle the situation once we present it to them varies from District Attorney to District Attorney. There is no uniform process for that across the state. Director Keenan personally thinks that DA Pat Head has one of the best processes in the state and has a lot of success with this.

Additionally Director Keenan outlined to the Board the updates that he had provided to the Governor and OPB relative to the stimulus funds that GBI has received and what they are doing with those funds. Director Keenan outlined the three areas where GBI is receiving the recovery funds. The first is a grant which GBI has already received and has implemented in the amount of \$947,000.00 which goes to our Internet Crimes Against Children Unit. Last year the ICAC unit won an award from the US Department of Justice for the most arrests of any task force in the nation. Director Keenan reported the State of GA made more arrests than anyone else in the nation, but that does not mean that Georgia had the worst problem in the nation; it just means that Georgia does not tolerate internet crimes against children and child pornography. Director Keenan stated that the \$947,000.00 the unit received is the largest grant that can be awarded. The agency is in the process of buying new equipment that will cover part of the unit's operating expenses but more importantly they are able to hire three computer forensic specialists and one administrative assistant to support that unit. These are resources coming into a unit that badly needs support. 2.8 million dollars has been received for the Crime Lab which will allow the Crime Lab to hire twelve scientists and three technicians. Director Keenan stated this is important not only because we need additional resources in the state crime lab but the agency will have many of our experienced scientists retiring in the next two to three years. Depending on the discipline, it takes 18 to 24 months to train a scientist. This will give the agency an opportunity to bring in some new scientists, get them trained and be positioned to replace the veteran scientists that are retiring. Mr. Rooney L. Bowen, III, then had a question and said my question on that is and I agree with you to bring them on, but the retention part is keeping them, by the time that you get them trained, you have the federal government and private entities that want them, by the time they get their certification or their discipline mastered, a lot of scientists are gone because they are taking too many \$25,000.00 year raises and going to other places. Mr. Bowen understood and could not see where there is an answer for that except to keep doing what the GBI is doing, but that is a problem is it not? Director Keenan stated that is a major problem and that the answer to it is that salaries for scientists have got to be increased when the funding is available. The agency is in a training mode, you

are exactly right, the scientists the department is bringing on, the agency will keep part of them, and the rest of them will leave and go to better jobs. Director Keenan stated he wished the agency could take the money spent on training scientists and fund their pay raise. Director Keenan reported that the last calculation he looked at, over the last four years, the agency spent like \$11 million dollars training scientists that are no longer with the agency. GBI is making progress, the agency has scientists that will be retiring, have new scientists coming here part of which will stay with us and others will take their training and leave after a few years. They will come in and back fill. Otherwise, if the agency had to wait until we had actual vacancies for retiring scientists to train new scientists then the agency would be two years away from getting any work out of the new scientists. It is a chess game if you will, but the department is treading water. Director Keenan stated the third area is a grant that goes to toxicology and that is for 1.8 million dollars which will allow the GBI to hire seven new toxicologists and the related equipment for them to do their work. Toxicology is critical to the death investigation process. The delays the agency previously had in issuing autopsy reports and final determination cause in manner of death have been related to backup delays in toxicology reports. The agency has prioritized all of that. Chief Dekmar asked about the backlog numbers on the toxicology reports now. Director Keenan advised there were 3042 backlog cases. Chief Dekmar then noted at the last meeting Director Keenan stated it would take 4-6 months to turn that around, are we still saying 45-90 day range? Director Keenan went on to state it depends on what month we look at it, because what will happen is the lab will have scientists that are in training that are not productive, they will complete their training and enter the work force and once they start working then that brings down the back log, but then we have a scientist who leaves, that's a vacancy and the backlog starts climbing back up. So really you are shooting at a moving target. That is why stability in the work force is so important. Sheriff Cronic then asked with the change in the new protocol requiring the DA or law enforcement agency to notify active cases vs. inactive cases, how has that impacted the backlog, has that had any effect? Director Keenan responded to yes it does because what the agency is looking at is a balancing act. The GBI cannot handle the new cases coming in the door plus work the cases that are still in the backlog. What the agency is attempting to do is apply resources to those cases that we know are of importance to law enforcement or prosecutors. Therefore, GBI notifies law enforcement and prosecutors that in some of the disciplines the case that has been waiting to be worked for one year will not be worked unless law enforcement notifies the GBI that is what they want. The reason for that is the GBI cannot do both, we cannot handle new cases coming in nor handle those cases that are in the backlog. The cases do not go away; they just do not get worked. Director Keenan further stated this is where we are headed to in the Crime Lab with the limited resources we have. With all this balancing going on to work priority cases, cases that law enforcement or DA's have notified us that are important to them, without that they will sit in a pending status and be worked whenever, maybe never. Concerning the 2.8 million for scientists and pathologists, Sheriff Cronic questioned if any equipment was included in that grant to expand GBI's capabilities or is that going to back up what we are currently doing. Director Keenan stated there is equipment included in the recovery funds, as you can imagine it does not do any good to just have scientists, the agency has to update the equipment as well. This is something the lab is headed to in the next few years; the agency's equipment will have to be replaced across the lab as it will be outdated.

Director Dale Mann, Georgia Public Safety Training Center stated he had good news and bad news and would start with the bad news. Director Mann stated that a 5% budget reduction in this fiscal year means that GPSTC will not buy \$200,000.00 worth of ammunition that is usually bought; will not buy \$20,000.00 in vehicle maintenance, \$50,000.00 in warehouse supplies and \$20,000.00 worth of print shop supplies. What will happen is at the end of this fiscal year, unless we reverse some of that, GPSTC will have no ammunition left in our bunker. For fiscal year 2011, at a 4% budget reduction the agency can probably manage about the way it is managed this year. For the worst case scenario at an 8% reduction, GPSTC will close one of the three contract academies in the Atlanta area, the Macon Academy and will reduce contracts with everybody that we have by \$50,000.00. Also GPSTC would have to charge a tuition rate of \$5.00 per hour for everyone who comes to the training center. GPSTC will completely discontinue ammunition provisions; students will have to bring their own ammunition if they come to the training center to shoot. This is the absolute worst case for GPSTC. Internally GPSTC will also shut down whole programs that are not required by law and will start firing people and sending them home without jobs. What GPSTC is hoping for is just like every other state agency in this room, is that we do not get there. GPSTC is hoping the economy turns around, revenues pick up and the agency does not have to go down that road. Director Mann then shared his good news. Yesterday the agency signed documents that will allow the City of Garden City to build a 1.6 million dollar facility which will become the new regional police academy in this area. The police academy will be located about 5 miles from here, across I-16. Director Mann said he appreciated the comments of Sheriff Al St. Lawrence about the technical schools. Director Mann stated there is coming a transition day that we have all talked about before where there will probably be an increase in the number of students in the technical schools for basic training and a decrease for us. That does not mean that we will not need police academies. The agency needs to deliver training to keep police agencies from having to send them 3 and ½ hours away from here to get training. There is a lot of training that GPSTC can transport here. The new facility, a 10 and ½ thousand square foot building, to be designed for the purpose of a police academy means the agency will get a lot of function out of a relatively small space. GPSTC has a set of plans and met with the contractors and architects yesterday. Plans are being developed as we speak; permitting will probably occur in November and should see some ground being broken right close to where the old state patrol post used to be. The post is gone and all the land has been abated; there is a brown field clear title that is going to be issued to Garden City and basically what we are doing is trading about 19 acres of the 20 acres that we own to Garden City in exchange for building of the academy building and 100 guaranteed parking spaces. Director Mann stated it is going to be great, be a brand new building and it is the first time GPSTC has ever done this in the State of Georgia. This is the first time the agency will have a dedicated police academy built just for that purpose.

Director Mann stated he would let the rest of the Board report speak for itself and will be glad to answer any questions. Director Mann stated he was not trying to be a doomsayer but if the agency goes to 8% for 2011, Board members just have not seen the hurt that they are going to see with this agency. Mr. Rooney L. Bowen, III, asked how the \$20,000 decrease in vehicle maintenance would affect the EVOC driving course and that sort of thing. Director Mann replied that they will deplete storage of things that the agency has such as taking filters off the shelf and taking rims out when they get broke. Director Mann went on to say the agency keeps a pretty good supply for anything that

breaks at driver training and immediately fixes it. That will not be the case anymore. The agency is not replacing parts that we are pulling off the shelf. Mr. Rooney L. Bowen, III asked Director Mann if he was telling the Board members that when the ammo and maintenance parts come off the shelf they are not being replaced, when it is gone it is gone and Director Mann confirmed that. Director Mann reported that the agency cannibalizes the old GA State Patrol cars; the agency keeps the engines, transmissions and everything else. Director Mann reported that GPSTC probably runs the most frugal driver training anyone could do anywhere because GPSTC does not have the initial capital outlay for the cars. The agency takes worn out patrol cars and uses inmate labor, thanks to the DOC to go through those cars and keep them road worthy enough to do driver training. Director Mann stated that FLETC in Brunswick, uses brand new cars, but their driver training budget is a lot bigger than GPSTC. GPSTC does it pretty much on a frugal end; Director Mann stated he does not think anyone can do it any cheaper than GPSTC. Director Mann relayed that if one goes to other states for example in TN they have a five day driving training class; GPSTC actually gives students more driving time than they do. TN has three cars and they will have 30 students and 3 cars to do driving training for a week. One can imagine, the other 27 are just waiting for their turn to drive. Colonel Hitchens spoke on Director Mann's behalf, stating this process started when GSP turned patrol cars in at 70,000-80,000 miles and they were in pretty good shape, now the cars get turned in at 200,000 miles and you have to pull them off the lot and fix them up. Director Mann stated we do not drive many patrol cars back to the training center.

**DONATIONS**

Mr. Joe Hood, Department of Public Safety requested approval of the following donations:

One Decatur Gen. II Select Radar	\$1,370.00	Treutlen County Sheriff's Office
One Canine, Training and Equipment	\$10,000.00	Troup County Sheriff's Office
Office Furnishings	\$19,961.68	Brunswick Golden Isles Chamber of Commerce
Office Furnishings	\$9,698.46	Glynn County Police Department
Office Furnishings	\$5,000.00	Camden County Sheriff's Office
One Stalker DSR Radar	\$3,250.00	Colquitt City Council

The motion for these donations was made by Mr. Rooney L. Bowen, III, seconded by Mr. Bud Black and voted approved by the Board members.

Mr. Hood then stated at the last Board meeting, DPS had consideration and acceptance of a donation from the Gwinnett Village Community Improvement District at a value of \$90,539.00 to support additional patrols in and around that district. After some additional legal research and legal advice, it

has been found that DPS has concerns which will prohibit the agency from accepting this specific donation so Mr. Hood asked the Board of Public Safety to reverse the decision and notate it in the minutes with a motion if you so will. Mr. Bud Black asked Mr. Hood what that basically means. Mr. Hood stated the community improvement district is set up in the GA Constitution and it has a list of powers within the Constitution and the Constitution allows for general powers. The Constitution does not allow for police services so the concern is that the community district cannot actually contract or donate funds for something that it is not empowered to do by general law and by general law, my understanding is legislature has not passed a law which states that Gwinnett Village Community Improvement District has police powers. They passed local legislation for Gwinnett County only but they do not have any general statutory authority to pass that local legislation. They sort of got the cart before the horse. With that understanding, Mr. Hood stated DPS had a concern that if the agency accepted the donation that someone could protest that tax payer's dollars are being used and state that they do not have the authority to donate those tax payer's dollars for police powers. Then DPS would have to give the money back and given our financial situation, DPS would not be in a position to do that, so that is the concern as I understand it. Senior Assistant Attorney General Joe Drolet stated basically that a person donating has to have the authority to donate for it to be valid to include it in the budget and there were serious questions about that. Senior Assistant Attorney General Joe Drolet went on to report that the way it is right now; the Constitution limits what a community improvement district can do and does not have the authority to make donations for one thing or for services. Mr. Rooney L. Bowen, III made the motion to rescind the donation and was seconded by Commissioner Brian Owens and voted approved by the Board members.

Concerning donations that were accepted at the last meeting and not reflected correctly in the minutes, Mr. Joe Hood asked for a correction to the July minutes concerning the following donations:

Twelve Canon Powershot A480 Digital Cameras	\$1,559.88	Houston County Sheriff's Office
Ten Fujifilm Finepix J50 Digital Cameras	\$899.00	Jenkins County Sheriff's Office

The motion for the corrections was made by Mr. Jerry Willis; seconded by Chief Dwayne Orrick and voted approved by the Board members.

Ms. Patrice Kerner, Georgia Public Safety Training Center requested approval of the following donation:

Dutch Police Hat	\$25.00	Mr. Fred Springer
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Mr. Rooney Bowen, III made this donation approval motion; it was seconded by Chief Dwayne Orrick and voted approved by the Board members.

**OLD/NEW BUSINESS**

Director Keenan told of the GBI Region Five Building in Statesboro being dedicated to Mr. Johnny McGlamery on August 26, 2009. It was a very nice dedication with a lot of people in attendance.

Concerning the By-laws of the Board of Public Safety Article 1-Office, at the pleasure of the Board, a motion was made to put the change of the office address on the agenda at the next Board meeting. Mr. Rooney L. Bowen, III made the approval motion; it was seconded by Mr. Pat Head and voted approved by the Board members.

Mr. Bud Black made special mention of Mr. Wayne Abernathy and his health and asked all Board members and those associated with the Board to contact him or send him a card.

Sheriff Steve Cronic advised he would work on the final details for the October 22<sup>nd</sup> Board meeting to be held in the Gainesville area. Sheriff Cronic stated he would get with the school system and finalize plans for DOC Commissioner Owens to have a question and answer session after our business meeting. Vice- Chairman Wood stated that Commissioner Owens has agreed to allow DOC to participate in the agenda and will be looking forward to that. Mr. Bud Black stated he had a contact person that would accommodate the Board members with a boat tour and dinner on Lake Lanier. He also thought it would be nice to take a tour of the new post at Gainesville.

Representative Burke Day, Chairman of the Public Safety and Homeland Security Committee thanked the Board for the opportunity to speak and then shared with the Board something that meant a lot to him personally. Chairman Day went on to say that while driving this past year from Tybee Island to Atlanta was sort of a long trip and upon getting there, the legislature did not realize just how huge the deficit was. Chairman Day stated the legislature created four budgets before they had one that would pass because revenue estimates kept coming in and dropping. What it did too, was put the respective department heads under the entire public safety umbrella, under considerable stress and certainly a lot more work to close realities. Chairman Day spoke of the inspiration to himself when Colonel Hitchens, Director Keenan, Director Mann, Commissioner Owens, and others within the entire Public Safety-Criminal Justice system appropriately rose to the occasion and the ability that they had to inspire their people. Chairman Day went on to say as we go into yet another tough year, he does not think anyone is going to have much fun. Chairman Day said as a tax paying citizen he was very grateful to know that the State of Georgia has people in the proper places in law enforcement to run our state's public safety programs. Chairman Day thanked Colonel Hitchens, Director Keenan, Director Mann, and Commissioner Owens within the Public Safety-Criminal Justice arena and tipped his hat to them and told them they really deserve it as they have earned a lot of trust over the years and he thought this past year raised that to an even higher level.

Vice-Chairman Wood thanked Representative Day for his effort to come today and told him his presence is special.

Mr. Bud Black thanked Vice-Chairman Wood for his leadership and thanked him for his hospitality last night with the Savannah River Boat Dinner Cruise and being the best host ever.

Vice-Chairman Wood stated the Board presented Ms. Laura Jones a resolution at last month's meeting for her dedication to the Board of Public Safety and wanted to continue that line of thought and appreciation a little more significantly today. Vice-Chairman Wood thanked DOC Commissioner Owens for Laura being here today. The Board then presented Laura with plaque and a small gift.

There being no further business, the meeting was adjourned.

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Rooney L. Bowen, III  
Secretary