

BOARD OF PUBLIC SAFETY

Minutes of Meeting Held December 9, 2004

MEMBERS PRESENT:

Mr. Wayne Abernathy
Mr. Hal Averitt
Mr. Charles D. "Bud" Black
Mr. Rooney Bowen, III
Chief Lou Dekmar
Commissioner James Donald
Mr. W. H. "Dub" Harper
Sheriff Bruce Harris
Mr. Pat Head
Chief J. D. Rice
Sheriff Jamil Saba
Sheriff Cullen Talton

MEMBERS ABSENT:

Governor Sonny Perdue

OTHERS PRESENT:

Mr. Chris Brasher, Department of Law
Ms. Laura Jones, Board Liaison
Colonel George Ellis, Georgia State Patrol
Lieutenant Colonel K.W. Hancock, Georgia State Patrol
Lieutenant Colonel Arthur White, Georgia State Patrol
Captain Richard Ashmore, Georgia State Patrol
Mr. Terry Landers, Georgia State Patrol
Ms. Gordy Wright, Georgia State Patrol
Mr. Wayne Yancey, Georgia State Patrol
Ms. Terry Long, Georgia State Patrol
Ms. Dee Brophy, Georgia State Patrol
Assistant Director Chris Ash, Georgia Bureau of Investigation
Mr. Ray Higgins, Georgia Bureau of Investigation
Deputy Director Paul Heppner, Georgia Bureau of Investigation
Director Dale Mann, Georgia Public Safety Training Center
Mr. Richard Guerreiro, Consultant with Georgia Public Safety Training Center
Mr. David Wall, Georgia Public Safety Training Center
Sheriff Donnie Haralson, Sheriff of Crisp County
Chief Dwayne Orrick, Chief of Police of Cordele
Ms. Lisa Godbey Wood, former Board member
Chief Hubert Smith, former Board member

Vice-Chairman James Donald called the December meeting to order, starting with honoring several special attendees. Resolutions were presented to three former Board members and to Colonel George Ellis.

Sheriff Donnie Haralson thanked the Board members for the honor to serve eight years on the Board of Public Safety.

Chief Hubert Smith said it was an honor to serve these past twelve years with the Board. Several members expressed their thanks to Chief Smith for the way he handled matters in a professional manner, and, even more so, with training new board members.

Ms. Lisa Godbey Wood expressed her appreciation to the Board members on how her nine months on the Board had been a productive time and how she had come to appreciate the work of law enforcement agencies.

Colonel George Ellis thanked the Board members for their support during his career, especially during the years as Colonel of State Patrol. The Board members praised him for his successful career, noting how he has been a team player in the state.

Vice-Chairman Donald referred the Board members to the October Minutes. Mr. Wayne Abernathy made the motion to approve the October Minutes, which was seconded by Mr. Dub Harper and unanimously approved by the Board.

Vice-Chairman Donald called Mr. Bill Hitchens before the Board, requesting confirmation as the new Commissioner of Department of Public Safety and Commander of Georgia State Patrol. Mr. Bill Hitchens stood before the Board members, stating that he had retired from State Patrol several years ago, coming out of retirement to work at CJCC, and, then with Department of Homeland Security. Mr. Hitchens said he felt like he was going back home to work with State Patrol; that he looked forward to working with the Board members and taking their advice. Mr. Rooney L. Bowen, III, noting how Mr. Hitchens is coming to the position with professionalism and integrity, made the motion to approve Mr. Hitchens as Commissioner of Department of Public Safety and Colonel of State Patrol. Said motion was seconded by Sheriff Bruce Harris and unanimously carried by the Board members.

Vice-Chairman Donald welcomed visitor Chief Dwayne Orrick, Chief of Police of Cordele, to the Board meeting.

DIRECTORS' REPORTS

Georgia State Patrol

Colonel George Ellis brought to the Board members a couple of items. He first called on Mr. Wayne Yancey to introduce a new attorney in Legal Services. Mr. Yancey explained that through a grant, a new attorney had been hired to represent troopers in Administrative License Section hearings. The new attorney, Ms. Dee Brody, will operate this program in three troops.

Colonel Ellis then requested Lieutenant Colonel Kenny Hancock to come before the Board and address a question that had been presented at a previous Board meeting. Regarding the Operation Review Unit, Lieutenant Colonel Hancock explained the unit had been formed last year to give the command staff an idea of what the troopers are doing. The unit is comprised of a captain and a sergeant first class. Since its inception, the unit has done seventeen post reviews, two troop headquarters reviews, and three aviation hangars. During the reviews, inspections are made of the facilities and equipment, including the facility work area, kitchen, bedrooms, vehicles, vehicle records, trooper firearms, magazines, ammunitions, radio reports, record logs, trooper activity timesheets, day reports, performance management review forms, and many other areas, including supervision and leadership at the post. Answering questions, Lieutenant Colonel Hancock pointed out that with these reviews, it brings uniformity in all things.

For the final time, Colonel Ellis stood before the Board members stating he would be working closely with Mr. Bill Hitchens during the transition. Colonel Ellis pledged his support, believing the Governor made an outstanding choice.

Georgia Bureau of Investigation

Deputy Director Chris Ash came before the Board expressing, on behalf of the GBI, gratitude and appreciation to Colonel George Ellis for his service and leadership to the state and for his friendship to the GBI.

Director Vernon Keenan is attending a meeting of Criminal Information Sharing Alliance, "CISA". Deputy Director Ash stated that some of the board members have been on the Board many years and saw how GBI was involved in an information sharing program called Gulfcoast States Initiative. The program, which was funded through Department of Defense, expired several years ago, leaving a big hole as far as increasing the computer equipment for the investigative division offices. The GBI looked around and found a program called Criminal Information Sharing Alliance, which is composed of the states of Arizona, California, New Mexico, Idaho, and Texas. By getting in with this group, it has been important to see that criminal intelligence sharing has been critical throughout the country; state-to-state. Over the last five to six years, receiving between \$4 to \$5 million in funding has helped build on the

computer system which is primarily being used in the Investigative Division. This is how the regional offices have been able to have an electronic case management system.

Deputy Director Ash proudly announced that recently the GBI received its second reaccreditation. She noted that it takes a lot of work; it is not an easy thing to achieve. Chief Lou Dekmar, who is also on CALEA, echoed by saying that out of 18,000 law enforcement agencies applying, only about 800 receive accreditation. Chief Dekmar also took a moment to compliment GBI for its willingness to quickly assist in the taser situation that occurred in LaGrange; the GBI quickly completed the autopsy and toxicology and in getting those reports to the medical examiner.

Deputy Director Ash had two personnel matters, which she requested be brought in Executive Session.

In response to budget questions, Deputy Director Ash emphasized that Governor Perdue has clearly said he is not interested in cutting anything from the Crime Lab; he is interested in providing what the citizens of Georgia need and what the courts need in Georgia. The GBI is being challenged in doing everything possible to provide services in a most efficient way and is taking a look at every business practice to make sure everything possible is being done to make it cost efficient.

Georgia Public Safety Training Center

Director Dale Mann brought a couple of things to the Board. First, he introduced Mr. David Wall, the new Director of Georgia Fire Academy. Mr. Wall stood before the Board members saying during the first few weeks of being in the position, Mr. Wall has been listening to staff, to customers in the field, and to fire chiefs; this is a team effort. Mr. Wall looks forward to working in conjunction with all professionals in the State, and, looks forward to getting advice from Director Mann, as well as from this Board.

Director Mann brought an issue to the attention of the Board members. A Fire Academy Advisory Council has been established under the Board of Public Safety, see O.C.G.A. § 25-7-4(b). The membership includes a representative from the Association County Commissioners of Georgia, from the Georgia Municipal Association, from the Insurance Services Office, along with the director of the Georgia Firefighter Standards and Training Council. Director Mann pointed out that this Advisory Council had not met since 1999; so, he suggested this council be started up again, allowing fire chiefs bring issues to the Fire Academy and to the Board of Public Safety. After roundtable discussion, Vice-Chairman Donald requested the Public Safety Training Center Committee discuss the issue and bring it back to the full Board with a recommendation.

Director Mann brought a second issue wherein, in 1991, the Board of Public Safety, brought the superintendent position of the Fire Academy under the Training Center's Administrative Division. This change was done to eliminate duplicate administrative functions. After hearing questions from the Board members of how it is currently affecting the budget for the Fire Academy, Vice-Chairman Donald requested the Training Center Committee discuss the issue and bring it back to the full Board for a recommendation.

GEORGIA CRIME INFORMATION COUNCIL

Mr. Rooney Bowen, III motioned for the Board to move under the Georgia Crime Information Council, which was seconded by Mr. Dub Harper and voted approval by the Board.

Mr. Paul Heppner, Deputy Director of GCIC, reported to the Board that every federal, state, and local law enforcement agency in Georgia is bound by a myriad of state and federal rules which govern the act of criminal justice information. Periodically, the GBI audits every agency that is on the criminal justice information system. More importantly, there are criminal agency coordinators in every agency that monitor what goes on in the day-to-day operations. Deputy Director Heppner continued explaining that every year he comes before the Board to request approval of the actions that were taken throughout the previous year of the problems associated in the network. Deputy Director Heppner briefly described each of the nine actions taken. After addressing several questions, a motion for Approval of Actions Taken To Resolve Problems In 2004 was made by Sheriff Bruce Harris; said motion seconded by Mr. Rooney L. Bowen, III, and said motion approved by the Board members.

Mr. Rooney Bowen, III requested that Deputy Director Heppner bring before the Board a synopsis of what Georgia Crime Information Center does, along with what the Board's role and responsibilities are under the Council. Deputy Director Heppner responded to several questions. More specifically, a question on court-ordered expungements. Board Attorney Chris Brasher responded those are cases wherein a local law enforcement agency or a prosecutor's office would deny an expungement request, the case would be appealed to a superior court, but the court would grant the expungement.

Mr. Rooney Bowen, III motioned for the Council to go back under Board of Public Safety, which was seconded by Mr. Wayne Abernathy and unanimously approved by the Board members.

Amended Director Report

Director Dale Mann came back before the Board of Public Safety to mention that Mr. Frank Rotondo, Executive Director of Georgia Association of Chiefs of Police, submitted a request for

the 60-mile radius rule to be temporarily changed to reimbursement under a 30-mile radius, to be applied for a conference being held in February. After roundtable discussion, Mr. Bud Black made a motion to deny the request, which was seconded by Mr. Pat Head and unanimously carried by the Board.

RULES

Mr. Wayne Yancey, Georgia State Patrol/Department of Public Safety, requested the Board members give final approval to adopt Rule 570-19-.01, which is a housekeeping rule. Several months ago, several local jurisdictions came to the Department of Public Safety and asked to amend the rule to take off the limitations of the size for the computer-generated citations. However, the Department of Motor Vehicle Safety cannot handle paper or information more than eleven inches in length. In conforming with the change of the eleven inch limitation, Mr. Yancey indicated the rule has now been changed. Chief Lou Dekmar moved for final adoption, which was seconded by Mr. Rooney Bowen, III, and unanimously approved by the Board.

DONATIONS AND RESOLUTION

Mr. Terry Landers, Department of Public Safety/State Patrol, presented several donations for Board approval:

Cash Donation	\$5,000	Chief Billy Cantrell Canton Police Department
Cash	\$6,000	Jasper County Commissioners
Stalker Radar DSR II	\$3,010	Sheriff Phillip Street Sheriff of Dade County
Pro Laser III Radar Unit	\$3,595	Commissioner Jim Parker Chattooga County Commissioner
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Two Kustom Signal Pro Laser Units	\$7,390	Butts County Commissioners
Three Radar Units	\$9,030	Sheriff Joe Nichols Sheriff of Newton County

Stalker Dual Antennae Radar	\$2,000	Sheriff Scott Berry Sheriff of Oconee County
MPH BEE III Radar	\$2,200	Sheriff Clayton Lowe Sheriff of Madison County
Two Kustom Signals, Inc. Golden Eagle	\$3,825	Major Craig Peavy Dooly County Sheriff's Office

Sheriff Cullen Talton motioned to approve the donations, which was seconded by Mr. Hal Averitt, and unanimously approved by the Board.

Mr. Richard Guerreiro, Georgia Public Safety Training Center, presented one donation for approval:

Toy Fire Truck	\$119.00	Mr. Billy Hand Ingles Markets, Inc. # 403
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Mr. Wayne Abernathy motioned approval of the donation, which was seconded by Mr. Hal Averitt, and voted approval by Board.

Mr. Ray Higgins, Georgia Bureau of Investigation, presented the following donations:

CCS8 Wireless Clock Cam	\$503.60	Sheriff Randy Courson Sheriff of Echols County
IR20 Compact IR Illuminator		
PC-6EX-2 IR Video Camera		
PA-3 Super High Gain Micro Audio System		
302 XS BW Pinhole Micro-Video Camera		
302 XS BW Micro-Video Camera		
PC-100XP Pinhole Micro-Video Camera		
MLV19 2.4 Ghz Transmitter/Receiver		
Dc-12-500 12-volt Power Supply		

Chief J.D. Rice motioned approval of the donation, seconded by Mr. Bud Black, and voted approval by the Board.

ADMINISTRATIVE AND EMERGENCY ISSUES

Ms. Terry Long, Georgia State Patrol, came before the Board with a Resolution involving an issue with Troup County. In 1973, Troup County conveyed property to State of Georgia for the purpose of building a patrol post. One-third of the property has been partially developed for a firing range. The Sheriff of Troup County would like that particular parcel transferred back to Troup County for the specific purpose of constructing, maintaining, and operating a firing range. This range would be used by not only the Sheriffs' office, but also by all law enforcement in that area. Ms. Long explained that this issue recently came before State Patrol because it will have to be approved by the legislators in the upcoming 2005 General Assembly. After determining that all parties involved look favorably upon this transfer, Sheriff Bruce Harris motioned approval of the transfer. Mr. Pat Head seconded said motion and the motion was carried by the Board.

NEW AND OLD BUSINESS

Mr. Bud Black thanked Mr. Bowen for his hospitality and hosting dinner the previous night for the Board members and the agencies.

Mr. Hal Averitt made a motion to go into Executive Session, Chief Lou Dekmar seconded said motion, and all members present affirmatively voted to go into Executive Session.

Following Executive Session, Chief Lou Dekmar motioned to move into regular session, Mr. Hal Averitt seconded said motion, and the Board members voted approval.

Mr. Pat Head made a motion that the salary of Colonel Bill Hitchens as Commissioner of Department of Public Safety be set at \$120,000 beginning December 16, 2004. Mr. Head also motioned that the salaries of Commissioner of Department of Public Safety, Director of Georgia Public Safety Training Center, Director of Georgia Bureau of Investigation, Lieutenant Colonels of Georgia State Patrol be increased by 2%, not to exceed \$1,600, and to be effective January 1, 2005. Said motions were seconded by Chief J.D. Rice and unanimously carried by the Board.

There being no further business, the meeting was adjourned.

Rooney L. Bowen, III
Secretary