

BOARD OF PUBLIC SAFETY

December 10, 2009

Rutland Hall, Tift College Campus, Forsyth, GA

BOARD MEMBERS PRESENT:

Mr. Charles D. Black, Jr.
Mr. Rooney L. Bowen, III
Chief Louis M. Dekmar
Mr. Patrick H. Head
Chief W. Dwayne Orrick
Commissioner Brian Owens
Sheriff Cullen Talton
Mr. Gerald T. Willis
Mr. Ellison G. Wood

BOARD MEMBERS ABSENT:

Sheriff Steve Cronic
Retired Sheriff Bruce Harris
Mr. W. H. Harper, Jr.
Fire Chief Jack K. McElfish

OTHERS:

Mr. Joe Drolet, Senior Assistant Attorney General
Ms. Cheryl L. 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 McDonough, Department of Public Safety/Georgia State Patrol
Chief Mark McLeod, Department of Public Safety/MCCD
Captain Russell D. Powell, Department of Public Safety/Georgia State Patrol
SFC Pete McCaleb, Department of Public Safety/MCCD
Mr. Joe Hood, Comptroller, Department of Public Safety
Mr. Lee O'Brien, Legal Services, Department of Public Safety
Mr. Dan Kirk, Assistant Director, Georgia Bureau of Investigation
Ms. Terry Gibbons, Deputy Director, Georgia Bureau of Investigation
Ms. Monica Mahone, Budget Administrator, Georgia Bureau of Investigation
Mr. Butch Beach, Deputy Director, Georgia Public Safety Training Center
Ms. Patrice Kerner, Deputy Director, Georgia Public Safety Training Center
Ms. Laura J. Jones, Department of Corrections

Vice-Chairman Ellis Wood called the December Board of Public Safety meeting to order. Vice-Chairman Wood then introduced GSP Chaplain Reverend Rick Lanford to give the invocation. After the invocation, Vice-Chairman Wood led the group in the Pledge of Allegiance.

Vice-Chairman Wood thanked DOC Commissioner and Board member Brian Owens and his staff for allowing the Board of Public Safety to use the DOC facility here on Tift Campus and the DOC Board Room in Atlanta. Vice-Chairman Wood then asked all those present to introduce themselves. Vice-Chairman Wood called for approval of the October minutes. Mr. Rooney Bowen, III made the motion to accept; it was seconded by Mr. Wayne Abernathy and voted approved by the Board members.

DIRECT REPORTS

Colonel Bill Hitchens, Department of Public Safety stated he had a Budget meeting with the Governor on November 24, 2009 and stated there were no changes to any programs. Colonel Hitchens advised the Board members that there is nowhere else to cut; that the Department has stopped the promotion system, turned in blackberries and southern linc communications. Colonel Hitchens went on to state that the DPS has a lot of vacancies and that it would take \$650,000.00 to fund the vacancies. Colonel Hitchens told the Board members that the Motor Unit receives their fine money which is in turn used to enhance the unit. Colonel Hitchens stated the Motor Unit worked 2,000 crashes last year and that the Department will increase unit members to 27 from 19 last year. Colonel Hitchens stated that the Department of Corrections has done an excellent job in renovating a facility on Memorial Avenue for the Motor Unit.

Colonel Hitchens discussed the Thanksgiving holiday patrol statistics and advised the Board members of the Christmas and New Year's holiday patrol predictions.

Colonel Hitchens told the Board members that 5 of the 9 Communications Centers are up and running. Colonel Hitchens relayed to the Board members that there had been some problems with the Mobile Data Terminals (MDTs) in the patrol cars and it mostly involved software problems.

Colonel Hitchens introduced his new Executive Assistant SFC Pete McCaleb who replaced Capt. Mike Fagler who went out with a disability retirement.

Colonel Hitchens then fielded several questions. Mr. Bud Black asked Colonel Hitchens the status of Post 6 Gainesville. Colonel Hitchens responded that the opening has been delayed to mid January 2010 due to rainy weather.

Mr. Wayne Abernathy questioned Colonel Hitchens as to whether there would be more personnel detached to Capitol Police for the upcoming legislature session and Colonel Hitchens advised he does not see any more personnel being detached at this time.

Mr. Rooney Bowen, III asked Colonel Hitchens if there would be more furlough days for personnel in order to maintain the 2009-2010 budget and Colonel Hitchens responded that the department cannot cut any further.

Mr. Dan Kirk, Assistant Director, Georgia Bureau of Investigation presented to Board members a list of questions and answers concerning the closure of three Georgia Bureau of Investigation Crime Lab Facilities to include the Northwestern Regional Lab in Summerville, the Southwestern Regional Lab in Moultrie and the Western Regional Lab in Columbus. Assistant Director Kirk stated the main reason for closing the three crime labs was due to reduced budget restraints that leaves the crime labs with too few staff and not enough money to operate eight locations and the bottom line is that it makes no sense to keep a building open with only three people. Mr. Rooney Bowen, III asked Assistant Director Kirk what would happen to the three buildings when they are vacated. Mr. Kirk stated that the Columbus

Lab has a reversionary clause, while the lab in Moultrie could possibly be sold and the DOC might have an interest in the Summerville Lab. Assistant Director Kirk went on to state that it would require an annual budget of approximately \$28 million dollars to fix the entire GBI Crime Lab system and as of October 31, 2009, the lab had 56 vacant authorized positions with no state funding available. Mr. Kirk went on to relate to the Board that with the closure of the three labs, the backlog is predicted to increase by 10-20% over the next year. Assistant Director Kirk reported that pending services which are requests for analysis that are held pending notification from a law enforcement agency or prosecutor that the analysis is needed, predicts that the number of services in pending status for the entire crime lab will increase by approximately 50% over the next year from 29,710 to 45,000-50,000. Assistant Director Kirk ensured the Board of Public Safety that the Crime Lab will work closely with law enforcement agencies, prosecutors, and courts to prioritize cases and to ensure that needed services are provided to allow the criminal justice system to function in an efficient manner.

Mr. Butch Beach, Deputy Director of Georgia Public Safety Training Center presented the direct report for the GPSTC and stated there were no changes. Mr. Beach went on to say he had three pieces of good news. Mr. Beach advised that last week the Governor Public Safety Awards was held at GPSTC and Board member and Lagrange Police Chief Lou Dekmar was honored for his significant contribution to law enforcement; Mr. Beach congratulated Chief Dekmar for this award. Mr. Beach stated the second good news involved the ground breaking of a regional training center in Garden City, GA this morning and should be operational in 6-9 months. The third piece of good news is that on December 18, 2009, GPSTC will break ground for a new burn building and we have been told that it will be operational by July 2010.

FISCAL REPORTS

Mr. Joe Hood, Comptroller for the Department of Public Safety summarized the Department of Public Safety's fiscal report by stating that the department ended September 30, 2009 with 71.19% remaining. Mr. Rooney Bowen, III commended Mr. Hood on their savings in the Department of Public Safety. Mr. Bowen stated he is on the DPS email list and has seen messages that are sent out to all users concerning changes and savings with UPS and also by taking the printers off the desks of those in the field posts and headquarters and replacing them with networked centralized copiers that can scan and email.

Ms. Monica Mahone, Budget Administrator for the Georgia Bureau of Investigation, reported that they finished September 30, 2009 with 74.12% of budget remaining.

Ms. Patrice Kerner, Deputy Director Georgia Public Safety Training Center advised that GPSTC ended September 30, 2009 with a balance of \$7,228,646. Ms. Kerner went on to add that through September of FY 2010, GPSTC's total state fund expenditure is 23% of the Governor's recommended budget of \$10,383,059 (reflects 5% withhold and furlough). Vice-Chairman Wood asked Ms. Kerner if GPSTC had sent out correspondence notifying police chiefs and sheriffs of the consequences in the event of an

8% reduction. Ms. Kerner stated the sheriffs and police chiefs were made aware at the Sheriff's conference and the GACP conference. Vice-Chairman Wood went on to relate it was kind of like the Crime Labs closing up; I told Director Keenan earlier this week, the one thing that made the closing of the crime lab more palatable to all of us was the fact that two years ago he started saying that if the economy does not change then this might have to happen and certainly does not seem to be a downside to me to notifying all the participating agencies that this could be a step that everybody should be prepared for. Vice-Chairman Wood stated he would defer to Director Mann's judgment concerning notifying the agencies that utilized the training facilities.

After the fiscal reports, Sheriff Cullen Talton asked to make a comment. Sheriff Talton stated that the Sheriffs in Georgia are real unhappy with the way things are going with the Crime Labs closing and I am sure that the Board recognizes this. Sheriff Talton went on to state that he hears more about the Southwestern Regional Lab in Moultrie as it is in Southwest Georgia and I feel like it is time for our legislators and the Governor to set their priorities on law enforcement because law enforcement is being cut to the bone. Sheriff Talton stated that it would be impossible for GPSTC, GBI, and DPS to keep operating. Sheriff Talton stated that he does not know how we will get the message to the legislators and Governor Perdue, but they have got to set law enforcement as a top priority. Chief Lou Dekmar joined with Sheriff Talton in relaying the same opinion and feelings and did not know how to get the message to the legislators and the Governor with a sense of urgency. After further comments and discussions from Mr. Bud Black, Chief Dwayne Orrick, DOC Commissioner Brian Owens; Vice-Chairman Wood stated that he has received some raw and constructive criticisms and agrees with Chief Dekmar but he does not know how to properly relay the message; his redundant response has been that it is a reflection on the economy and the money that exists, not only in our state but nationwide. Vice-Chairman Wood stated the only way he sees to fix the situation is to make money or change their priorities. We cannot control the money and I think our emphasis should be to our elected officials to concentrate on the priorities like Sheriff Talton suggested. Any suggestions that we could do or we might do other than continue to expose the problem and concentrate on changing priorities; I would be welcomed to listen too. Chief Dekmar suggested that the BPS have an ad-hoc committee and send a letter to the Governor, the new Speaker of the House and the Senate Pro-tem during this legislative session saying that Public Safety has been cut to the bone and there is a sense of urgency to prioritize public safety so that this state will not see a disparity of justice in some parts of Georgia.

Vice-Chairman Wood will appoint the ad-hoc committee sometime in January 2010.

DONATIONS

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

Two Genesis II Select Radar Units	\$ 2,750.00	Screven County Sheriff's Office
One Genesis II Select Radar Unit	\$ 1,700.00	Wayne County Sheriff's Office
Ten Stalker DSR 2x Radar Units	\$25,000.00	Bibb Co. Board of Commissioners
Ten LWRC M6A2 PSD model	\$23,030.00	Coweta Judicial Circuit

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Two Genesis II Select Radar Units	\$ 2,790.00	Jefferson Police Department
One Stalker DSR Radar Unit	\$ 2,995.00	Americus Police Department
Monies for Post Furnishings	\$ 2,000.00	Wal-Mart Foundation
Monies for Post Furnishings	\$22,828.50	Rockdale County Sheriff's Office

The motion for these donations was made by Chief Louis Dekmar; seconded by Mr. Bud Black and voted approved by the Board members.

Mr. Patrice Kerner, Georgia Public Safety Training Center, requested approval of the following donations:

Scotsman Ice Maker/Storage Bin	Excess of \$25.00	Regional Police Academy-Dalton
Four Conex Boxes	\$45,000.00	ATF

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

RESOLUTIONS

Mr. Lee O'Brien, Department of Public Safety came before the Board requesting approval for property in Conyers, Rockdale County, Georgia which was vacated when GSP Post 46-Conyers occupied its new facility in Monroe on September 28, 2009. Mr. O'Brien advised the property was provided to GSP by Rockdale County and that DPS is asking for Board approval in effecting the reversion of said property located at 2150 Iris Driver, Conyers, Georgia to Rockdale County, Georgia.

Chief Dwayne Orrick made a motion to approve the reversion of Georgia State Patrol Post 46 Conyers to Rockdale County, Georgia which was seconded Mr. Rooney L. Bowen, III and voted approval by the Board members.

Mr. Jon Paget, Georgia Bureau of Investigation, came before the Board requesting approval for the Board of Public Safety's recommendation that the State Properties Commission approve the receipt of 2.408 acres of real property for the State of Georgia from Rockdale County for use as a Georgia Bureau Investigation office, including a building on the parcel that was previously used as a Department of Public Safety Driver's License Office, with a clause in the new deed stating that the property shall revert back to Rockdale County if the property ceases to be used as a Georgia Bureau of Investigation office.

Chief Lou Dekmar made the motion recommending that the State Properties Commission accept the 2.408 parcel for the State of Georgia, to be placed in the custody of Georgia Bureau of Investigation, which was seconded by Chief Dwayne Orrick, and voted approval by the Board members.

Two more resolutions brought before the Board by Mr. Jon Paget, would allow the Georgia General Assembly to authorize the State Properties Commission to dispose of the Georgia Bureau of Investigation Southwest Regional Crime Lab facility, located in Moultrie, Colquitt County, Georgia and the real property on which it resides and to dispose of the facility which houses the Georgia Bureau of Investigation Northwest Regional Crime Lab, located in Trion, Georgia, and the real property on which it resides when, by further resolutions of the Board of Public Safety, these properties will be declared surplus. Mr. Paget went on to state that if the State Properties Commission receives authorization from the Georgia General Assembly in the 2010 legislative session to dispose of these properties upon them being declared surplus, the State Properties Commission can dispose of the properties without waiting until the 2011 legislative session.

After much discussion involving all Board members, Mr. Patrick Head made a motion recommending that the Board of Public Safety request that the Georgia General Assembly authorize the State Properties Commission to dispose of the facility that houses the Georgia Bureau of Investigation Southwest Regional Crime Lab, located in Moultrie, Colquitt County, Georgia, and the real property on which it resides, and after it has been declared surplus, was seconded by DOC Commissioner Brian Owens. Sheriff Cullen Talton voted no and the remainder of the Board members voted to approve.

Concerning the resolution requesting that the Georgia General Assembly authorize the State Properties Commission to dispose of the Georgia Bureau of Investigation Northwest Regional Crime Lab, and the real property on which it resides, located in Trion, Georgia, and after it has been declared surplus by this Board, Mr. Patrick Head made the motion to accept, which was seconded by DOC Commissioner Brian Owens. Sheriff Cullen Talton voted no and the remainder of the Board members voted to approve.

OLD/NEW BUSINESS

Vice-Chairman Wood advised he had received a number of questions concerning the Board appointments and quorums and making sure the Board is legal in counting members who were eligible to vote. Vice-Chairman Wood asked Board Attorney Joe Drolet to speak about this. Mr. Drolet advised that the Board consists of a number of appointees; some have to be confirmed by the Senate and when their terms run out they do not carry over. The appointees consist of a representative from the Georgia Sheriffs Association, representative from the GA Association Chiefs of Police, a representative from the District Attorneys Association of Georgia and a representative from the Georgia State Firemen's Association. Mr. Drolet stated for those board members that are not confirmed by the Senate that when their terms run out they do not carry over; but by a statute that says otherwise anybody who is appointed and does not need to be confirmed, carries over; even when their term ends until such successor is appointed. Mr. Patrick Head asked Mr. Drolet to go back and look at the terms of the various positions as they might have gotten out of sync with what the statute says and would have some concerns that an appointment that was made interim is not for a new term but in fact that it is only for the interim which would require another appointment. Mr. Head went on to say that he felt that some years back it got out of sync and the Board might need to clean that up. Mr. Drolet

responded that he and Vice-Chairman Wood had looked at the list and wants to make sure that Board members are appointed properly.

Vice-Chairman Wood congratulated Chief Lou Dekmar for his Governor's Public Safety Award that he received last week and thanked him for his contributions statewide and nationwide and for his help and contributions to the Board of Public Safety.

Vice-Chairman Wood reminded Board members that the Board of Public Safety would meet January 14th, 2010 in the Department of Corrections Board Room in Atlanta and will make a public presentation/thank you to Yolanda Harrison for her assistance to the Board of Public Safety. Vice-Chairman Wood also advised the Board members that the Vice-Chairman and Secretary shall be elected annually by the Board at its regular meeting in January and asked Board members to keep that in mind.

Vice-Chairman Wood asked the Board members to thank Chief Mark McLeod of DPS/MCCD for the gift bags and DOC Commissioner Owens for allowing the Board to use the Tift College facility. Vice-Chairman Wood went on to state that the Board anticipates meeting in Atlanta for the January, February and March meeting. Vice-Chairman Wood asked all to continue to remember the Christmas season and the special reason for the special season.

Mr. Patrick Head made a motion to adjourn the meeting, which was seconded by Commissioner Brian Owens and voted approval by the Board members.

There being no further business, the meeting was adjourned.

Rooney L. Bowen, III
Secretary