

BOARD OF PUBLIC SAFETY

February 10, 2011

Department of Corrections Board Room – Atlanta, GA

BOARD MEMBERS PRESENT:

Mr. Wayne Abernathy
Mr. Rooney L. Bowen, III
Mr. Daniel M. Bryant
Chief Jon Canada
Sheriff Steve Cronic
Chief Lou Dekmar
C. Murray Kight
Sheriff Dane Kirby
Commissioner Brian Owens
Mr. Lester L. Rampy, Jr.
Sheriff H. Cullen Talton, Jr.
Mr. Gerald T. Willis
Mr. Ellison G. Wood

BOARD MEMBERS ABSENT:

Mr. Patrick Head

OTHERS:

Mr. Joseph Drolet, Senior Assistant Attorney General
Ms. Cheryl Buie, Board Liaison
Colonel W. W. Hitchens, Jr., Commissioner, Department of Public Safety
Major Mark W. McDonough, Department of Public Safety/Georgia State Patrol
Major Stewart F. Hicks, Department of Public Safety, Georgia State Patrol
Major Wayne Beck, Department of Public Safety, MCCD
Captain Russell D. Powell, Department of Public Safety, Georgia State Patrol
SFC J. M. Lamb, Department of Public Safety, Georgia State Patrol
Sgt. Anthony Hughes, Department of Public Safety
Comptroller Joseph W. Hood, Department of Public Safety
Mr. Dan Brown, CIO, Department of Public Safety
Mrs. Melissa Rodgers, Legal Services, Department of Public Safety
Ms. Jacqueline Bunn, Legal Services, Department of Public Safety
Mrs. Angie Holt, SID, Department of Public Safety
Director Vernon M. Keenan, Georgia Bureau of Investigation
Assistant Director Dan Kirk, Georgia Bureau of Investigation
Deputy Director Rusty Andrews, Georgia Bureau of Investigation
Deputy Director Terry Gibbons, Georgia Bureau of Investigation
Fiscal Officer Lisa Urich, Georgia Bureau of Investigation
SAC Terry Sosebee, Georgia Bureau of Investigation
Ms. Dawn Diedrich, Georgia Bureau of Investigation
Director J. Dale Mann, Georgia Public Safety Training Center
Deputy Director Patrice Kerner, Georgia Public Safety Training Center

Deputy Director Butch Beach, Georgia Public Safety Training Center
Mr. Eddie Lovin, Georgia Public Safety Training Center
Mr. Ken Vance, Executive Director, Peace Officer Standards and Training Council
Mr. Kenneth Mantle, Department of Corrections
Ms. Kaitlyn Dalton, Intern with Attorney General's Office
Mr. Peter Canfield
Colonel Rueben McGhee, Houston County SO
Mrs. Louise Rumpy
Mrs. Maureen Bryant

Vice-Chairman Ellis Wood called the February Board of Public Safety meeting to order and thanked everyone for coming. Vice-Chairman Wood introduced Dr. Bill Perry, Pastor Emeritus of the Statesboro First Baptist Church to give the devotion and prayer. Vice-Chairman Wood also thanked SFC Josh Lamb of Post 45 – Statesboro for transporting Dr. Perry to the BPS meeting. Major Mark McDonough led the group in the Pledge of Allegiance.

Vice-Chairman Wood called on Sheriff Cronic to formally introduce new Board member Chief Jon Canada. Before the introduction, Sheriff Cronic mentioned the tough times since the Board of Public Safety last met as during this time, DPS has lost a dispatcher to domestic violence, a trooper with violence directed at law enforcement personnel and also lost a dear friend in Lt. Colonel Snellings and think it just shows us that it is important to have our priorities in line as none of us are promised tomorrow and appreciates Dr. Perry's words this morning. Sheriff Cronic introduced Chief Jon Canada as his friend, colleague, neighbor and fellow Lakewood Baptist Church member. Sheriff Cronic added that Chief Canada serves as the Fire Chief of the Gainesville Fire Department and he is one of those people that anytime you need him or anywhere you need him he is there for you and will be a wonderful addition to the Board and welcomed Chief Canada. Chief Canada responded that he is looking forward to getting to know everyone and working with the Board members.

Vice-Chairman Wood asked Captain Russell Powell to introduce new Board member Sheriff Dane Kirby. Capt. Powell began by stating he had known Sheriff Kirby a little over 10 years and several years ago Capt. Powell stated he maintained an office at the Blue Ridge post while he was a Lieutenant in Troop B; Sheriff Kirby served as a trooper at Blue Ridge at that time. Captain Powell stated some things that he learned about Sheriff Kirby is that he was very dedicated to his job and he was the kind of guy who believed in finishing the job when he started it and another thing that Captain Powell learned was that he felt a very strong devotion to the people of Fannin County, so strong that he wanted to be their Sheriff. Captain Powell added that Sheriff Kirby's father (Roy Kirby) had been the Sheriff many years ago and passed away after one term at a very young age. Captain Powell stated that Sheriff Kirby left the GSP after serving a little over 15 years and was elected Sheriff of Fannin County two years ago. Sheriff Kirby stated he was looking forward to meeting and getting to know everyone. Sheriff Kirby added that the Board of Public Safety had always meant a lot to him and will make sure to do everything he can to be a benefit to anybody that is associated with the Board of Public Safety. Sheriff Kirby stated it is a true honor and a privilege to be able to serve with such a

group of men; he looks forward to being a part of the future business of this Board and hopefully his contributions to the Board of Public Safety will benefit all involved.

Vice-Chairman Wood asked everyone present to introduce themselves.

Vice-Chairman Wood called for approval of the December 2010 Board Minutes. Mr. Rooney L. Bowen, III made the motion, seconded by Mr. Wayne Abernathy and voted approval by the Board members.

DIRECT REPORTS

Colonel Hitchens, Department of Public Safety began by stating he appreciated the recognition that Sheriff Cronin addressed earlier. Colonel Hitchens spoke about the Toys for Tots Campaign which is not directly related with what DPS does, but Colonel Hitchens was really proud of the DPS personnel and their response to the USMC reserve program. Colonel Hitchens stated he thought it was something special to be able to provide toys for underprivileged children. Colonel Hitchens stated that DPS collected 22,739 toys and \$36,672.00 in cash for the Toys for Tots program and commended the DPS personnel for giving to this program.

Concerning the FY11 amended budget, Colonel Hitchens believes GSP will get additional monies for fuel and reminded the Board members that he had spoken to this before where GSP is \$50,000.00 short a month on fuel and said he had spoken with the Sheriffs and thanked those that have donated fuel for our agency, as it had gotten to the point that GSP could not answer some calls or travel. Colonel Hitchens stated troopers have been doing some road checks to avoid the utilization of fuel that could not be purchased. Colonel Hitchens related that the House version of the amended FY11 budget has been released and if the Senate keeps pace with the House, GSP will receive an extra \$215,000.00 for fuel for the rest of the year, which is very positive for the GSP.

Colonel Hitchens stated that the House Appropriations Committee took \$500,000.00 from the GBA money that DPS receives to operate the Capitol Police Department and thinks Capitol Police can get through the fiscal year without these monies; Capitol Police will not be able to buy some things that they thought they might buy. Colonel Hitchens stated the purpose as he understands it, is that GBA is going to tear down the old Archives Building which has not been in use for some time. Colonel Hitchens stated DPS has had Capitol Police for 8-9 years and since DPS has taken over Capitol Police, funding has decreased significantly. Capitol Police was cut \$700,000.00 a couple of years ago and now \$500,000.00 and the GBA had a significantly larger department both in terms of armed officers, private security guards and safety officers. Colonel Hitchens advised the Board members that the Capitol Police Division underwent an operational audit that looked at the costs versus security. Colonel Hitchens stated he wanted to be on record that he wrote some things in the Capitol Police Audit response and worried himself because it looks like from what was written, and no final decisions have been made, but they want us to provide security with private security guards who only monitor what transpires.

Colonel Hitchens stated there was an assessment completed about six years ago by the GA Homeland Security Agency who were very critical of our security and stated the one thing that DPS needed was more armed personnel in state buildings; particularly the Capitol, the CLOB and the Judicial building. If it turns out like the audit appears, security will be provided by primarily private security guards who will monitor what transpires and run baggage through the magnetometer; they will have no authority to act. Colonel Hitchens related there had been two incidents; one where someone was accosted in the street, monitored by two guards that saw the incident and took no action and were later terminated by the company and then there was another incidence where two ladies were groped at #2 Peachtree Street and the guards took no action except to call the troopers and with the assistance of APD they chased the person and arrested him. Colonel Hitchens stated he has grave concerns as we are moving in this manner towards private security where people who have limited training and no authority, to be responsible for the safety and security for our governmental officials, the buildings on Capitol Hill and for those citizens who interact with governmental officials on a regular basis. Colonel Hitchens stated he wanted this information out there and he has expressed his concerns in the response but wanted the Board to be aware of this issue. Sheriff Cronic asked Colonel Hitchens what will happen with the troopers if they are pulled out of the Capitol Police assignments, will GSP be able to rotate these troopers back into traffic safety with saving lives. Colonel Hitchens stated there were no positions to speak of as we did this for financial reasons because DPS did not have sufficient monies to maintain them in the GSP division; 40 troopers were detached to MCCD that were funded with federal monies and 20 troopers detached to Capitol Police. Colonel Hitchens stated he thought the move was an enhancement to the Capitol Police operations and it took the troopers off of the appropriated budget which gave GSP a little bit of latitude to operate more efficiently in the field. Colonel Hitchens stated he certainly did not enjoy the fact that he took 60 troopers off the road and put them in other positions, but at the time based on finances, Colonel Hitchens saw no other alternative when GSP had very limited resources to begin with. Colonel Hitchens stated there are 33 troopers in the MCCD and right now GSP has 722 troopers in allocated positions, while GSP is authorized 953 troopers. Sheriff Cronic asked if this is a done deal. Colonel Hitchens responded that the \$500,000.00 still has to go through the Senate and there is obviously a need to remove the Archives Building and the GBA has limited monies they receive for rent of persons that occupy their buildings. Colonel Hitchens stated what concerns him is if they cut Capitol Police a half million this year, if that is going to be a permanent cut and conjunction with the operational audit, we will be operating most of our buildings with private security. Colonel Hitchens stated we have some Capitol Police officers who are in vehicles who respond to calls dealing with unruly people, burglaries, and parking lot issues. Colonel Hitchens stated Capitol Police officers will get a call when something happens but all of us in law enforcement business knows there is no predictability about when something will happen; there are threats made routinely on some of our state government leaders and some of the buildings which have never played out before and remarked that he was in a meeting with the Governor when the shootings at the Fulton County Courthouse occurred and he was called out of the meeting and asked what was transpiring and initially he thought it was the protest of the day. Colonel Hitchens stated we all found out what occurred as it played out all across the country and spoke to the Sheriffs stating they know what kind of security they have to put in their courthouse and we have to do this at the Judicial Building where they hear the appeals. Sheriff Cronic stated he would hope with a rise in attacks on our institutions this would be a consideration that the Legislature would take into account, particularly coming on the heels

of the shooting of Congresswoman Giffords. Colonel Hitchens stated he had his say in the review of the Audits and being honest he stated he would be talking with Governor Deal about this issue and Colonel Hitchens thinks that the Governor has a role in this and Colonel Hitchens feels very inadequate responding to problems with the forces we have at hand; first he does not want anyone to get hurt and then two, after the fact someone comes and ask why didn't we do something, we are in charge. Mr. Abernathy asked Colonel Hitchens what was the cost savings using private security. Colonel Hitchens responded it was pretty significant as the Department is billed \$15.00 per hour and the security guard company controls who works and at what location. Colonel Hitchens stated the security guards have assignments; they just stand there and watch you come through the door and do not know what the security guards would do if someone came through that was armed as they have no authority and very little training.

Colonel Hitchens stated he has been in the US Capitol many times and stated they have had several shootings and security is dramatically better than it is in our state facilities. Colonel Hitchens added that our legislators are keenly aware of this issue and he has been criticized a couple of times about wanting to improve the security but for the money that we pay the Capitol Police officers, you are not going to get the best people in Atlanta when APD pays their officers \$40,000.00 and ours make substantially less.

Colonel Hitchens reminded the Board members of the tragedies that have been experienced within the DPS. Colonel Hitchens told of Alisha Kendrick who was a communications officer for about two years at the Newnan Post that did not report for work one day and after she did not come all day and after several calls were unanswered, a trooper was sent to her home in Columbus who had to force the door open and when he got inside he found she had been shot and killed. Colonel Hitchens stated she had her bags packed and the trooper looked around the house and found her husband shot and killed in the bedroom. Colonel Hitchens said this has been deemed a murder-suicide. Colonel Hitchens stated Alicia was a good employee that did a great job and this was very tragic.

Colonel Hitchens stated on December 27th, 2010, Major McDonough called him about 2300 hours and stated a trooper had been shot in Atlanta. Colonel Hitchens stated he was in Rincon and Major McDonough was in Atlanta and about five minutes later Major McDonough called him back and told him the trooper had passed away. Colonel Hitchens stated he got in the car and came to Atlanta. Colonel Hitchens commended the Atlanta PD for the great job they did and just a few minutes after leaving his residence he received a call from Chief Turner stating they believed they had the guy and the gun. Colonel Hitchens related that the whole episode is on DVD and the GBI has done a great investigation and would not go into any facts as this is an ongoing case, but this is certainly a tragedy as TFC LeCroy is survived by a 35 year old wife and a 21 and 10 year old son. Colonel Hitchens related that the funeral was very emotional and the church sat 3500 people; there was standing room only. Colonel Hitchens stated he received calls from other state agencies and there were representatives from agencies all over the country. Colonel Hitchens expressed special thanks to the law enforcement in Cobb County as they did a great job for the DPS; they provided food at the

Sheriff's Department for people that came in from out of town and the local law enforcement. Colonel Hitchens stated he just cannot say enough about the contributions that were made by everyone.

Colonel Hitchens advised that there has been legislation passed which is named the Trooper First Class Chadwick LeCroy Act and this Act states that a person charged with a bail restricted offense shall not be released on bail on his or her own recognizance. Colonel Hitchens reminded the Board members that the individual who shot TFC LeCroy has been arrested 18 times, a couple of times under false names and had actually signed his own bond the previous time that he got out with a false name. In addition, Speaker Ralston has also introduced a bill to have an identification marker on the Driver's License of those convicted with one of the seven deadly sins. Colonel Hitchens added that when law enforcement officers see the driver's license of those that have been convicted, the officers will see the ID marker and know immediately that a violent crime was committed. Colonel Hitchens added there were a lot of questions from the legal people who are involved in defending people like this, it may not be proper, they believe that was probable cause to search vehicles and we all know that is not the case. Colonel Hitchens added that the only thing he said it would do is if anyone sees this ID marker, they are going to run a criminal history as they want to find out immediately who the officer is dealing with and be very careful while they are dealing with this violator because they are on notice. Colonel Hitchens thinks this is a positive bill.

Colonel Hitchens related to the Board members that Speaker Ralston presented a resolution at the Capitol to Mrs. LeCroy and the family members. Speaker Ralston spoke very eloquently about TFC LeCroy and his family and all the things that had occurred. Colonel Hitchens stated he was completely unaware that Mrs. LeCroy was not entitled to keep the state health insurance due to TFC LeCroy being employed for just two years. Colonel Hitchens went on to add that an employee has to be vested for 10 years to retain the insurance. Colonel Hitchens stated if TFC LeCroy had been severely injured, he would have been eligible to get a disability retirement and could have maintained his health insurance and if he had died the next day, Mrs. LeCroy would have been able to keep the insurance. Speaker Ralston has personally authored a bill that will change this, a safety net for all public safety officers and DOT employees, as this will also cover the DOT HERO officer that was killed a few days ago. Colonel Hitchens publicly thanked Speaker Ralston openly for being so involved, as he called myself and Major McDonough and other people in our agency asking what he could do for the family and never wanted anything to be public that he did something positive, he just wanted to help and Colonel Hitchens really appreciates this. Colonel Hitchens added former Governor Barnes is handling Mrs. LeCroy's estate work and Governor Deal and he have both spoken and both of them are in favor of this bill and Speaker Ralston is authoring it so we all believe this bill will be passed and signed.

Colonel Hitchens stated subsequent to TFC LeCroy's death, 12 days later, LTC Fred Snellings who had said goodbye to him on Friday night, the next morning while at home, fell over and passed away at the age of 62. Colonel Hitchens remarked that LTC Snellings was nominated and appointed by this Board as the Deputy Commissioner just two years ago. Colonel Hitchens thanked Sheriff Talton for the Houston County Firing Squad that participated at the gravesite in LaGrange. Colonel Hitchens relayed that he had known LTC Snellings for 37 years, he did a great job for the DPS and he stated that

LTC Snellings was one of the most loyal people he has worked with. Colonel Hitchens stated he appreciated LTC Snellings and certainly does miss him. Mr. Abernathy commented that the state troopers did a tremendous tribute to LTC Snellings funeral procession on the way to LaGrange and Chief Dekmar's Police Department paid a great tribute. Colonel Hitchens stated LTC Snellings was from LaGrange and there was a photo of him in a car serving as the Grand Marshall for the MLK Jr., Birthday Parade in his hometown and he was so proud. Colonel Hitchens stated as the funeral procession approached the cemetery in LaGrange, all the LaGrange police officers were standing at attention and they took care of all of the traffic and Colonel Hitchens thanked Chief Dekmar for all of their assistance.

Colonel Hitchens stated the last thing he had to bring before the BPS was the replacement for LTC Snellings' position. Colonel Hitchens stated that the law provides that he nominate a replacement and it is up to the BPS to approve or disapprove of it, by a majority of vote. Colonel Hitchens recommended Major Mark W. McDonough for the Deputy Commissioner-Lieutenant Colonel's position. Colonel Hitchens stated he picked Major McDonough out 6 years ago; never had any personal interaction with him, he had watched him, was aware of his background and certainly talked with a lot of people about what they thought about him. Colonel Hitchens added that Major McDonough has never failed him and he is a bright of guy that he knows, a great problem solver and very personable. After brief background information on Major McDonough, Colonel Hitchens stated that Major McDonough has always been very supportive and always looked out for the personnel of DPS.

Vice-Chairman Wood motioned the approval of the nomination for Major Mark W. McDonough to be approved as the Deputy Commissioner- Lieutenant Colonel of the Department of Public Safety, which was seconded by Mr. Rooney L. Bowen, III and voted approval by the Board members.

LTC McDonough thanked Colonel Hitchens and reflected upon LTC Snellings. LTC McDonough stated because of the timely death (notice he said timely, not untimely) as this is a reflection of LTC Snellings who was a man of faith who believed his life was directed by God so therefore his death was not untimely, but because God called him home at his appointed place and time. LTC McDonough stated there are three things that were just great things in LTC Snellings life-first was his faith and LTC McDonough hopes to emulate the same example of LTC Snellings as he sees himself as a sinner undeserving of God's grace. The second is an infectious personality that made everybody want to come to work every day; just remember that smile. And the third thing has already been mentioned by Colonel Hitchens which is probably the most important thing as a Deputy Commissioner and that is the loyalty to your boss and told Colonel Hitchens he hoped to do as well as LTC Snellings did. LTC McDonough spoke to Sheriff Kirby stating it is amazing the turns and twists of life; he hopes that he was a good supervisor to him and will do his best to be a good employee for him.

Director Vernon Kennan, Georgia Bureau of Investigation began by telling the Board members that in the last weeks of Governor Perdue's administration, Governor Perdue signed an executive order which transfers the State Health Care Fraud Control Unit from the GBI over to the AG's office which was done at the recommendation of the GBI and the concurrence of the new Attorney General. Director

Keenan related this is important to this Board as this means the GBI will no longer be the grant recipient from Health and Human Services over the State Health Care Fraud Control Unit. Director Keenan advised that the transfer will occur on June 30, 2011 as we go into the next fiscal year. Georgia operates the only unit of its kind which is organized around the Department of Audits, the Attorney General's office, and the GBI. Most states have their Health Care Fraud Control Unit in their AG's office; Georgia was the exception. Director Keenan stated the Georgia unit was established in 1995 and as Director Keenan had explained to Governor Perdue, this is a good government move in that you cannot really operate an effective unit when they are trying to serve three masters; the state auditor, the attorney general, and the GBI director, this will put it under one unit and the unit will continue to operate seamless. Director Keenan believes this is a great move and the GBI is happy to give this unit up and no one's job is in jeopardy, the personnel that are assigned to the unit will transfer over to the AG's office.

Director Keenan stated one of the values this Board can bring to the DPS, the GBI and the GPSTC is helping us with rumor control concerning issues that our departments are dealing with. Director Keenan realizes many times people come to the Board members and bring up an issue and if the Board members are knowledgeable about the issues they can cut off whatever rumor discussion is there. Director Keenan brought before the Board an issue that occurred a week ago where the DEA held a press conference in Atlanta and the DEA announced the conclusion of a major Mexican drug investigation had been conducted, take down had occurred, arrests were made and a tremendous amount of assets seized from the Mexican drug gangs. Director Keenan advised after condemnation by the courts, the assets were divided up between different law enforcement agencies to include the GBI and the DPS. Director Keenan said the GBI received 1.1 million dollars and as soon as he read it in the newspaper, he knew there was going to be a problem. The legislature is in session, they are looking for funding and here is a news conference where the GBI and DPS have received substantial amounts of money. Director Keenan asked the Board's assistance with the law enforcement agencies here to understand the limitations that exist with asset forfeiture funds, stating these are funds become available when law enforcement agencies are involved with an investigation where the federal government, whether there are assets, cash or vehicles that are seized or property that is sold by the US Marshall's services. This funding is divided up by the Department of Justice and goes to the law enforcement agencies. Director Keenan stated he had been explaining for the last few days to the General Assembly that this is not a pot of money that can be tapped into and used for anything other than the enhancement of law enforcement. There is a tendency for some legislators to think this money can be used to supplant state funds that go to the agencies, there is federal law that drives what this funding can be used for. Essentially these funds can be used for training, new equipment or enhanced programs. Director Keenan added we cannot cut an agency's budget and then use these funds to supplant those funds; in fact two years ago the US Attorney in Atlanta wrote a letter to every law enforcement agency in North GA reminding them that if their budgets are cuts, the asset forfeiture funds cannot be used to supplant that budget. Director Keenan asked the Board members if they hear or are approached with discussions about the agencies having a pot of money that is available for spending that is not the case; our asset forfeiture funds are amended into our state budget as we use them but that is how we buy our equipment. Director Keenan stated he had met with Senator Jack Hill, who is very clear and understanding on the limitations of asset forfeiture. Director Keenan

reiterated this is not a slush fund at the GBI or DPS that is available for use other than what was just outlined. Sheriff Cronic commented that asset forfeiture money cannot be used for staffing of personnel. Director Keenan confirmed that the asset forfeiture money cannot be used for salaries; there are very strict guidelines over this and GBI has been through an audit with the Department of Justice when we had a change of administration and it is not pleasant as they have a zero tolerance and zero sense of humor for violations.

Director Keenan stated he needed the Board's assistance with quelling the rumor mill as it relates to the GBI FY11 amended budget as there is within the GBI budget the transfer of 1.1 million dollars from the Multi-Jurisdictional Drug Task Force Program moving that money over to the general investigation budget which is where the field offices are at. Director Keenan added that OPB did this with the intention that in the future the GBI would pull out four of the eleven task forces that we supervise and those task forces would then be commanded by the local agencies. Director Keenan reminded the Board members that there are 23 Multi-Jurisdictional Drug Task Forces in GA which are funded through a combination of federal grant funds but mostly from the staffing that comes from local state law enforcement. Out of those 23, GBI supervises 11 and provides an assistant special agent in charge that commands the task force, which is operated under GBI policies, procedures and requirements and is a great partnership with local law enforcement. Director Keenan added that he has explained to the Governor's staff that it is not our intention to pull out these 4 task forces; our objective has always been at some point to relinquish the command of the task forces back over to the local agencies whenever we mutually agree that is what is to occur. Director Keenan stated GBI has reduced task force commitment over the years but that was upon the request of the local law enforcement. We are at the task force at the local law enforcement requests and Director Keenan stated the GBI does not intend to pull out and leave them hanging when we have the flexibility not to do that. We have had a transfer of money from the MJDTF Program area of four supervisors but the money was not cut from the budget, simply transferred over to our field office budget. Director Keenan reiterated this is not a budget cut, no one's job is forfeited and agents will continue to supervise these task forces which will get paid out of a different program area in the account. Director Keenan stated he had been asked about this in the budget presentation before the House about what was going on with MJDTF and this is just a movement of money and not a pullback of what we are doing in the drug enforcement arena at the local level.

Director Keenan stated all in all of today's budget environment, the budget cuts that GBI took in FY11 Amended was funding that GBI offered up, one time cuts that GBI can live with and will wait and see what FY12 will be like. Director Keenan stated he was asked by the legislature if the GBI could live with the budget and he stated yes as long as agents and scientists were not cut. Director Keenan stated the legislature did help the GBI with a missed calculation that was done, was not the GBI's mistake but we were missing 1.3 million out of telecommunications to go to GTA and we did not have that funding which has been restored by this last budget cycle which is great. Director Keenan remarked that all in all things are pretty well with the GBI budget.

Director Keenan stated he wears many hats, one of which he is the Bingo Czar for the State of Georgia, but also outside of the GBI, Director Keenan serves on the Executive Committee of the

International Association of Chiefs of Police which is the largest professional law enforcement organization in the world. Director Keenan stated he was put on the Executive Committee and with this comes certain responsibility of making certain presentations on behalf of the President and Membership of IACP and presented Chief Lou Dekmar with a certificate for being recognized by the IACP as a life member after twenty years.

Vice-Chairman Wood asked Director Keenan about the progress on the Moultrie Lab. Director Keenan responded that the GBI is finalizing the contracts to do the repair work at the lab. A lab manager has been hired and GBI is hiring the staff to work at this laboratory. While all this is going on the GBI has opened up an evidence receiving station at the lab and local law enforcement are able to bring their evidence to the Moultrie Lab and then we transfer to another lab where it is analyzed. Director Keenan expects the lab to be running at full capacity within 8-12 months.

Sheriff Cronic asked Director Keenan and Colonel Hitchens if they were able to backfill the 40 scientists and troopers that were federal grant funded positions. Director Keenan replied no and that the bill for the crime lab scientists would come due on the crime lab scientists in FY13.

Colonel Hitchens advised much of the federal grant money was ongoing for the MCCD and at this time DPS has a little problem as we are under a continuing resolution with the federal government and have received some money and think we might get more to continue the program but as long as there is money in the budget it continues.

Director Keenan stated their federal funds are term limited for the amount of years the GBI can have the grant ongoing. Director Keenan stated GBI is in a continually hiring process for scientists because the turnover rate is very high. The scientists that GBI hires are hired on the federal grant positions and when their training is complete and they go to work, we move the grant positions to vacated state positions in order to have the longevity and continuous funding. Director Keenan stated all of the training is provided with federal funds and there will be a big bill due in FY13 and the State of Georgia and the General Assembly will have to decide if they want the DNA unit to become dysfunctional because of lack of staffing or if we are going to receive funding to keep the scientists.

Chief Lou Dekmar commented that the bulk of DNA scientists are federally funded and what is the intent in the increase of lab resources in regard to a bill that is percolating concerning the mouth swabs for convicted felons. Director Keenan stated the bill that is being introduced at the request of the GACP will have no fiscal impact on the GBI, because currently the State of GA collects DNA from every convicted felon who is incarcerated and some convicted felons who are given probation. The GACP bill would be required that DNA be collected from every convicted felon regardless of where they are on probation or incarcerated. This will be additional 8-10 thousand samples to be collected and submitted to the GBI each year, but the GBI can handle this work load without additional resources. Director Keenan stated another bill that has been floating around and we have met with several legislators on this, would require DNA to be collected from every person who is arrested for a felon. This would be a great law and order bill, but the cost on this is substantial, about 6.2 million dollars to have this implemented.

Mr. Wayne Abernathy stated he had gotten his firearms license renewed and asked Director Keenan what the standard charge was for fingerprinting. Director Keenan referred the question to Deputy Director Terry Gibbons who stated that a state only check was \$20.75 and if the check is state and federal it is a total of \$40.00; the FBI charges \$19.25 and if they go through the GAP services there is an additional \$12.90 fee, but basically for state and federal check, the total is \$40.00. Deputy Director Gibbons stated that a local agency may also charge an additional fee for the actual fingerprinting. Director Keenan reminded the Board members that the legislature cut the GCIC budget two years ago and said make up the difference with the increase of user fees.

Director Dale Mann, Georgia Public Safety Training Center began by stating that the Public Safety Memorial Committee met yesterday and there were 20 names submitted with 15 to be honored and 5 remanded for more information. Director Mann stated those on the committee were very conscientious and there was much discussion about the officers who were killed in the line of duty.

Sheriff Steve Cronic made the motion to accept the names presented for the Public Safety Memorial, seconded by Mr. Murray Kight and voted approval by the Board members.

Chief Dekmar commented that he had served on the Public Safety Memorial Committee and this committee is one of the most conscientious and heart wrenching committee because folks want to do right by the profession and the family and sometimes that tension does not always complement one another and he admires the work that the committee does.

Director Mann invited all the Board members to the Firefighters Memorial at GPSTC on March 26th, 2011. GPSTC does not yet have the Public Safety Memorial scheduled, but may be the latter part of May or first of June. Director Mann stated GPSTC has had great reception from the Governor's office stating he wants to be involved.

Director Mann stated the second thing he would ask the Board members to do is to consider that OPB has decided that GPSTC can take a cut of \$32,000.00 and this takes an action of this Board to do this. Director Mann stated that OPB has requested that anyone who fails a class and comes back to the training center should pay for the second time or subsequent times they come back. Director Mann stated they ran the numbers and found out it would be around \$32,000.00 if we charge repeat students the going rate of \$15.00 per hour of instruction. This all sounds great when added up, but the reality is if Sheriff Cronic sends me someone for training and they fail and we send them back home, he is not coming back, but someone else may come in his place. This is paper money; it will never show up in the budget and want be revenue.

Sheriff Dane Kirby made a motion for GPSTC to charge for repeat students who had failed the first time through training, seconded by Chief Lou Dekmar and voted approved by the Board members.

Director Mann advised in regards to the FY11 supplemental budget, GPSTC took a \$511,000.00 cut which amounts to 5 positions; fortunately for GPSTC these 5 positions are open, we rarely fill

positions as we know there is a good chance in this budget cycle that we will not get to keep the money for them. Director Mann stated GPSTC can handle the FY11 but the biggest problem will be FY12 as we have some things that we have put on the table to consider, none of these are permanent now. Director Mann has put up some suggestions but does not mean they are going to stick. Director Mann said he received a question from a Senator of the Appropriations Committee, wanting to know why GPSTC did not charge students tuition to go through basic training. Director Mann replied respectfully to the Senator telling him that when he talks to the Chiefs and the Sheriffs, they tell me they sent you 26 million dollars last year and they wonder what you did with this money. Director Mann stated that the Senator had no more questions.

Director Mann asked Director Ken Vance of P.O.S.T. to please come forward and give an update on the technical schools and their police mandate training.

Director Vance began by stating the pilot program at the technical schools is closing in on the end and stated he is very proud of what the technical schools have done and realizes there is some tweaking that still needs to be done. Director Vance stated he continues to be associated with Ron Jackson and the technical school people, trying to make those tweaks as we can. Director Vance advised so far they are averaging 75-100 graduates a year, not nearly enough but have received feedback regarding the good quality students coming out of these programs. Director Vance stated there would be a committee to look at the next group of schools that might want to come on board and look at the future as to where this is going and at this time there are 6 schools participating in the pilot program.

Chief Lou Dekmar asked Director Vance at what point will the comprehensive test be available for anyone that comes from the different academies which is proctored by an independent body from P.O.S.T. Chief Dekmar added that this test will then make the determination as to whether or not someone is mandated based on the results as this will be the test of quality for those individual programs based on the graduation or the certification rates. Director Vance remarked that this spring, three pilot graduation classes will take this test (will not be a pass/fail test) it is to let us get a measure of what Chief Dekmar is speaking about and P.O.S.T. is already using a test very similar to this for people from of out of state coming in who may want to exempt some of the training they would have to go through in Georgia. Director Vance said to be honest with everyone, P.O.S.T. has not had any one from outside the state to pass this test and that it is a hard test.

Sheriff Cronic commented that the Board members want to make sure that there is a standardized exam so that we can ensure the quality of the training no matter if the candidates receive the training at a regional academy or technical school and asked if there is any timetable for this test.

Director Vance expressed that a politician told him that right now is not a good time to put anything on the table that might cause people to not be able to get a job, and P.O.S.T. thinks we can adopt this as a rule, rather than having this go through law and if we have to go through the legislature it would be next year. Sheriff Cronic asked why it would be necessary to go through legislature to develop the standardized test. Board Attorney Joe Drolet advised that the P.O.S.T. Act only provides certain requirements for one to apply to be a peace officer, it does not provide leaving out anything saying that

there can be some sort of final test, there is some question whether or not legislation would authorize depriving someone to be a police officer. Mr. Drolet added that P.O.S.T. could probably recommend a test that everyone else uses, it would be a way to get around it, but if you want to clearly have the test as a requirement to be a police officer, then you would have to have some minimum test that has been developed by P.O.S.T. that would probably need to be in the P.O.S.T. Act. Sheriff Cronic added that there could be liability issues due to the fact that if you cannot guarantee the same level of training then it is not going to be that unforeseeable that we will have a suit that will be based on someone receiving inadequate training at either a technical college or a regional academy.

Chief Dekmar asked who establishes the relationship with the technical schools and what is the nature of the relationship between P.O.S.T., the academies and the GPSTC. Director Vance remarked that P.O.S.T certifies the academies. Chief Dekmar asked if the academies or technical schools as a requirement in successfully completing the class have an agreement that they are going to use the test by P.O.S.T which really is the parent organization. Director Vance asked would the GPSTC and academies have the same test, as P.O.S.T has the parent relationship with the pilot technical schools, but not with GPSTC. Chief Dekmar stated nothing prevents Director Mann from saying before a student graduates from mandate training, they will have to take this test. Director Vance stated when we started talking about tests; Ray Saxton and Director Mann and those people came up with a comprehensive mid-term and comprehensive final exam now which had not been done until the last two years. Director Vance stated this is a great thing and we all agree on this that we are the only profession that does not tests at the end to make sure that everyone has a collective body of knowledge and this is the reason we have spent money coming up with this test.

Vice-Chairman Wood stated he felt so strongly part of last year about trying to revisit the testing issue. Vice-Chairman Wood stated that the exit exam is one thing that seems to not be standardized; it seems that the technical schools have the ability to not pass a student, and that ability does exist in some other places. Vice-Chairman Wood added that P.O.S.T. has to be the lead agency in this process as they are the ones who certify the officers and he feels very strong about what Sheriff Cronic said earlier in regards to the liability.

Chief Dekmar commented that the ultimate quality control will be this final exam and Vice-Chairman Wood stated that the technical schools will have to go back to P.O.S.T under some umbrella and he feels strongly about putting the technical schools, the Chief of Polices, the Sheriff's Association, Director Mann and Director Vance in a roundtable discussion. Vice-Chairman Wood added it could be that there is a legislature process that could be refined during this time but keeps on seeing a lot of loose ends that needs to be gathered around and one thing Director Vance stated early on is that the pilot program is a two year program and at issue is whether to continue the program and the other issue is to whether to allow the program to expand. Vice-Chairman Wood stated a small refined group should study these issues.

In closing, Director Vance stated that P.O.S.T. wants to do what is right for law enforcement and public safety in Georgia and by the same token by doing this we are helping out Georgians as a whole.

Mr. Rooney L. Bowen, III commented that the training in the technical schools is more or less funded with the HOPE grant and keeps hearing rumors about cuts to HOPE and there may be factors out there that is out of our hands right now as to what the General Assembly ultimately decides to do with the HOPE scholarship grants and if they come in too extreme on this, it could shut the whole program down at the technical schools.

Vice-Chairman Wood stated the BPS would be a support agency with P.O.S.T. being the lead agency and will start trying to put together a group of people that will be studying the mandate police training in the technical schools.

DONATIONS

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

Ten Driver's License Readers	\$ 4,100.00	Spalding Co. Sheriff Dee Stewart
One Kustom Golden Eagle II Radar	\$ 1,980.00	GOHS/NETEN
Two Driver's License Readers	\$ 814.00	Hart County Board of Commissioners
Five Stalker Radar Units	\$15,050.00	Burke County Board of Commissioners
Fuel Money	\$ 2,400.00	Bulloch County Board of Commissioners
Window Tint-MCCD vehicle	\$ 65.00	Oconee Drug Task Force
2011 Ford Crown Victoria	\$30,000.00	Braselton Police Department
Six TASER X26 Models	\$ 4,943.40	Bulloch County Sheriff Lynn Anderson
Three Sony DCR-SR68 Camcorders	\$ 900.00	Mountain Judicial Circuit DA Monroe PD Chief Keith Glass
One Stalker Lidar	\$ 3,000.00	Sgt. Kendrick Lowe door prize donation Applied Concept/Stalker Radar
Fuel Money per month	\$ 1,800.00	Long County Board of Commissioners

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

Ms. Lisa Urich, Georgia Bureau of Investigation requested approval of the following donations:

Two Chevrolet Impala 4Dr Sedans \$50,000.00 Social Security Administration

One Forensic Tower II i7 \$ 5,995.00 The Innocent Justice Foundation

The motion for these donations was made by Mr. Danny Bryant, seconded by Sheriff Cronic and voted approved by the Board members.

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

Contribution to the \$ 300.00 Federal Law Enforcement Officers Association
Georgia Public Safety Memorial

The motion for this donation was made by Mr. Lester Rampy, Jr., seconded by Sheriff Cronic and voted approved by the Board members.

FISCAL REPORTS ENDING DECEMBER 31, 2010

Mr. Joe Hood, Department of Public Safety stated he has updated the DPS fiscal report to reflect the Governor's directive to OPB for DPS to withhold 4 percent of allotment requests throughout the year. Mr. Hood stated that due to various factors the total percent remaining for the DPS budget is 46.02% of the recommended budget. Mr. Hood added on the whole, the DPS will meet its budget for the fiscal year as it stands today.

Ms. Lisa Urich, Georgia Bureau of Investigation began by stating the GBI had 53.52% of budget remaining and for State General Funds, GBI was at 58.16% and with the 4% holding the remaining percentage is 54.63% for the GBI. Ms. Urich advised GBI is holding strong with its budget and should meet our budget with no problem.

Ms. Patrice Kerner, Georgia Public Safety Training Center told Board members that the GPSTC year to date percentage expense as of December 31, 2010 was at 46%. Ms. Kerner stated with the Governor's recommendation of withholding 4%, this brings the GPSTC budget down to 9.9 million dollars and when you add the 4% to the YTD 46% expended, GPSTC is right on target with 50%.

Ms. Jacqueline Bunn, Deputy Director of Legal Services for the Department of Public Safety came before the BPS with proposed revisions to the Georgia Department of Public Safety Rule 570-7-.02 Application for Permit Amended and Rule 570-7-.03 Permit Amended which relates to radar permits which is under the purview of the DPS. Ms. Bunn added that DPS is trying to make sure that the rules reflect what the law requires and essentially what DPS is doing is including the language authorizing the Sheriff to make an application for speed detection devices and therefore will not have to go through the local governing board, the Sheriff can do this independently.

After several questions and discussion, Mr. Wayne Abernathy made a motion to accept the proposed revisions to 570-7-.02, Application for Permit and 570-7-.03, Permit amended which will allow the Sheriffs' authority to apply for speed detection devices. This was seconded by Sheriff Dane Kirby and voted approved by the Board members.

SAC Terry Sosebee, Georgia Bureau of Investigation asked for adoption of O.C.G.A. 45-16-27(e) Death Investigation with limited disclosure of crime scene photographs and video recordings. SAC Sosebee reminded the Board members that this rule was presented at the November 2010 meeting and the public had an opportunity for comments in December at a public meeting at the GBI headquarters and have had no comments from the public on this new rule.

Chief Lou Dekmar made a motion to adopt O.C.G.A 45-16-27(e), which was seconded by Mr. Danny Bryant and voted approved by the Board members.

OLD/NEW BUSINESS

Vice-Chairman Wood advised the Board members that he had received an acknowledgment card for the flowers that were sent to LTC Snellings' funeral.

Mr. Rooney L. Bowen, III, stated his court has implemented a program working with teenagers at the local level that have been involved in vehicle crashes. Mr. Bowen went on to advise after the case has been adjudicated and as part of the sentence, the driver has to go back to the trooper that worked the crash and interview the trooper. Mr. Bowen stated this has been a great program as the trooper gives pointers to the driver of the crash and then the driver writes an essay after the interview. Mr. Bowen expressed this has been great at the local level and would like to see it on a state wide level.

Vice-Chairman Wood stated the Board would meet in the DOC Board room on March 10, 2011 and will go to Glennville for the April 14, 2011 joint meeting with DOC.

Vice-Chairman Wood requested input for future meeting locations, maybe at a school.

Vice-Chairman Wood reminded the Board members that officers will need to be elected at the March meeting and plans to work more diligently with Director Vance and Director Mann to start the study group on the technical schools.

There being no further business, the meeting was adjourned.

Rooney L. Bowen, III
Secretary

