

# **BOARD OF PUBLIC SAFETY**

Minutes of Meeting Held January 12, 2005

## **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. Patrick Head  
Chief J. D. Rice  
Sheriff Cullen Talton

## **MEMBERS ABSENT:**

Governor Sonny Perdue  
Sheriff Jamil Saba

## **OTHERS PRESENT:**

Mr. Chris Brasher, Department of Law  
Ms. Laura Jones, Board Liaison  
Colonel Bill Hitchens, Department of Public Safety  
Lieutenant Colonel K.W. Hancock, Department of Public Safety  
Lieutenant Colonel Arthur White, Department of Public Safety  
Captain Richard Ashmore, Department of Public Safety  
Mr. Terry Landers, Department of Public Safety  
Ms. Rebecca East, Department of Public Safety  
Mr. Wayne Yancey, Department of Public Safety  
Director Vernon Keenan, Georgia Bureau of Investigation  
Deputy Director Kent Wilson, 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, Fire Academy, Georgia Public Safety Training Center  
Ms. Melissa Rodgers, State Board of Pardons and Paroles  
Mr. Matthew McElroy, House Budget Office

Vice-Chairman James Donald called the meeting to order wishing everyone a happy new year. Vice-Chairman thanked everyone for bearing with him this past year; he looks forward with excitement of the coming year in working with the Board.

Vice-Chairman Donald asked if any Board member wanted to introduce any special guest or visitor. Mr. Wayne Abernathy recognized visitor Melissa Rodgers, who is currently with the State Board of Pardons and Paroles. Ms. Rodgers will be returning to the Department of Public Safety to work as Director of Legal Services, and, will become a regular attendee at the Board meetings.

Vice-Chairman Donald turned the Board members' attention to the December Board Minutes, requesting approval. Mr. Wayne Abernathy made a motion to approve the Minutes, which was seconded by Chief J. D. Rice, and unanimously approved by the Board.

## **DIRECTORS' REPORTS**

### **Georgia State Patrol**

Colonel Bill Hitchens reiterated that Ms. Melissa Rodgers will be returning to the Department of Public Safety as chief of Legal Services. She is attending today's meeting, currently working at State Board of Pardons and Paroles. When Ms. Rodgers previously worked with the Department of Public Safety as deputy director in Legal Services, she worked with Colonel Hitchens in many cases. Colonel Hitchens is pleased she is returning to the department.

Colonel Hitchens reported the manpower count is 953, with 785 troopers on board, which is 168 short. A budget presentation will be made next week before the joint Appropriations Committee, where he will describe the shortage. At issue now is the legislation that is being prepared for the Department of Motor Vehicle Safety to transfer specific duties and manpower to Department of Public Safety and to two other agencies. With the taking on of more duties and employees, hopefully, it will help impact the shortage.

Colonel Hitchens expressed concern there are not many recruits for trooper school. He noted that the starting salary for a trooper is almost \$22,000. During his recent visits to between fifty to sixty troops, he was astounded at number of troopers who are sitting at the radio rather than being on patrol. Colonel Hitchens does not see any solution in the immediate future.

Noting one area the Board of Public Safety is interested in, Colonel Hitchens presented a report on the Pursuit Policy and P.I.T. maneuver. Because of previous requests from the Board members on the pursuit policy, Colonel Hitchens did a powerpoint presentation, which had been put together by Lieutenant Colonel Kenny Hancock, Captain Richard Ashmore, and staff of the training division. The following slides were presented on Pursuit Policy and Training: Background, Key Elements Of DPS Pursuit Policy Statement, Definitions, Pursuit Decision-Making, Discontinuing A Pursuit, Terminating A Pursuit, P.I.T. Maneuver, Report and Review of Terminated Pursuits, Training Requirement, Pursuit Driving Training. By way of further discussion, Colonel Hitchens explained that in his earlier days, there was a dramatic approach to

pursuits; there was little controversy about the way they were handled; until 1994, there was a legal case in which a chase occurred in a suburban area in Warner Robins. This was the first time a Georgia law enforcement agency was held liable for its role in a high-speed pursuit. There are now a wide variety of policies of how pursuits would be handled. One way is using stop sticks; every trooper vehicle is equipped with stop sticks. In 1997, Department of Public Safety started training on Precision Immobilization Technique (PIT). It is very effective, however, a lot of criteria is involved as to when it should be done in the pursuit. However, Colonel Hitchens indicated that the first priority is to utilize stop sticks. The Department is getting ready to start new training cycles for this coming calendar year. While addressing comments and questions, Colonel Hitchens invited the Board members to attend a driving training course at the end of January. The Board members thanked Colonel Hitchens for providing the pursuit policy at his first Board meeting.

Mr. Wayne Abernathy took the opportunity to compliment Vice Chair Donald on the new display cabinet in the Board room. The Vice Chairman accepted the compliments on behalf of the inmates at Ware State Prison, who built the cabinet. The Board members were reminded that the Board table had been made at Ware State Prison.

### **Georgia Bureau of Investigation**

Director Vernon Keenan reported that Governor Sonny Perdue is recommending that the Georgia Bureau of Investigation receive \$1.4 million to hire 20 new scientists and/or lab technicians to handle work coming into the lab; to also address the backlog. This funding would be for July, 2005. Governor Perdue is also recommending for the Amended Budget the amount of \$3 million to use to outsource cases. Governor Perdue directed Director Keenan to put together a plan to look at what is involved in outsourcing cases to private laboratories. The staff is working out the type cases that the Crime Lab will outsource to private labs. Generally, they will be the areas where there is the greatest backlog. The GBI will diligently review private laboratories; selecting only those laboratories the GBI will be comfortable and confident with. Upon approval by the General Assembly, the money will be available for this fiscal year budget. For the next few months, the GBI will be working on the outsourcing contracts, along with the preparation of hiring twenty scientists. Right now, the GBI is in the process of completing employment of the fifteen scientists positions that were provided last year. As for outsourcing cases, the areas that are being looked at involve analysis of paint and plastics. This will allow the scientists, who were doing that type of work, to be placed in the area of doing toxicology or other areas.

Second, Director Keenan reported that the GBI is doing something that will have an impact on the backlog and the way of doing business. Governor Perdue expressed the concern about cases that GBI would process, but in the end would never be used by the prosecutor or law enforcement agency. It is estimated that 20% of all evidence coming into the State Crime Laboratory is never used, neither by a law enforcer or in court. A good amount of resources is

invested in the scientific analysis, that in the end is not needed. In working with the Crime Lab staff, they have come up with a plan, which was implemented the first week of January. After lab work is completed, the report is placed on the crime laboratory management system, an interactive web base system, enabling the law enforcement agency to pull down and read the report. It is set up now for the prosecutor or law enforcement agency to go into that same system, go to that particular request, and cancel the request. Director Keenan indicated that what this plan allows is to cut down the number of cases that are no longer needed. The first week that this was set up, there were fifteen cases removed from the system. Director Keenan is very encouraged with this change in the way business is done in the GBI.

The third area Director Keenan touched on was the issue of tasers. Several months ago, the Board had asked the GBI Medical Examiner's office to review the medical aspects of use of tasers and the danger associated. Dr. Kris Sperry has embarked on a research project to do just that. In the meantime, Chief Lou Dekmar and Chiefs of Police Association appointed a committee to review tasers, from the aspect of not only looking at the medical side, but also at the legal side, at the training side, and at the policy side. Director Keenan indicated he is on that committee with Dr. Sperry, as well as Director Dale Mann, along with a representative from the federal training center and various police chiefs. Director Keenan is encouraged that a committee report will come out that will educate not only law enforcement, but will serve as a good product to bring before the Board of Public Safety to educate Board members on tasers. Director Keenan looks forward to bringing the committee's final product to this Board, so they can look at all aspects of medical, legal, training, or policy on tasers.

### **Georgia Public Safety Training Center**

Director Dale Mann stated that at the December Board meeting, he had reported to the Board that in 1991, the Board of Public Safety submitted a recommendation to combine the superintendent positions over the Fire Academy and the Police Academy with the position of Director of Training Center. Since the December Board meeting, the Training Center sub-committee met to review the recommendation and discuss the affect of the combined positions. By way of further explanation, Mr. Chris Brasher, Board attorney, explained that in 1991, the Wilson Report, from the Board of Public Safety stated that it would create an economy of scale in the Training Center by appointing one person to be over the three academies. The Board did the right thing by combining the positions; Board member Wayne Abernathy remembers this issue being decided. Following the committee meeting, it was decided that there is no need to change this arrangement.

Director Mann reported that this morning the Training Center sub-committee met and went over a proposed list of names to place on the Fire Academy Advisory Board. There are nine positions, four positions as required by O.C.G.A. 25-7. Two positions are required because of the positions they hold, i.e., the President of Fire Chiefs and President of Firefighters Association. Three other positions are nominated by Director of Training Center. The

committee members reviewed the nine names and agreed they would serve well on the Advisory Board. Chief Rice commended Director Mann for re-activating this Board. Sheriff Cullen Talton made a motion that the people on the list be contacted for acceptance to the Advisory Board, that the list of names be brought back to the Board for its approval. Said motion was seconded by Chief J. D. Rice and unanimously approved by the Board. Chief Rice read the following names for recommendation:

Chief Dennis Rubin, Atlanta Fire Department  
Chief Al Gillespie from Augusta Fire Department  
Mr. Carl Puckett, Insurance Service Organization  
Mr. Lyn Pardue, Status and Training Council  
Chief Matt Wilson, Monroe County Fire Department  
Chief Johnny Crawley, Thompson Fire Department  
Assistant Chief Marvin Riggins, Macon Fire Department  
Mr. Alan McCullough, EMT of Fayette County  
Chief Craig Tulley, Volunteer Chiefs of Colquitt

Director Mann announced that when in-service training starts at the Training Center, fuel cells will not be put in those vehicles. Director Mann directed David Wall to make sure fire coverage is available during driving training, so that when the vehicles run at high speed and if something happens, the Fire Academy will have firefighters standing by to respond. The Training Center changed the rules and have come out with a safer vehicle; the factory tank is safer than the ones were put in there.

### **FISCAL REPORTS**

Mr. Terry Landers, Department of Public Safety, brought before the Board the fiscal report for the past six months. The primary information that Mr. Landers wanted the Board members to look at is the balance on the State Funds, which reflects a little over 51% remaining. There had been a number of expenditures at the beginning of the year. Mr. Landers asked for some Object changes, to insure that the Department is within the Objects the Governor is expected to recommend. Mr. Landers pointed out that the only area that looks strange is Federal Funds, due to the fact that the Department went in and re-rated some charges that should have been against Federal Funds. The monies have come in to cover this, but it just has not gone through budget amendment process and has not been submitted. Also, some items have not been loaded in, such as \$500,000 in G-8 funds and little over \$300,000 from the Governor's Task Force For Drug Eradication. Mr. Landers believes things are going well.

Mr. Ray Higgins, Georgia Bureau of Investigation, presented the 2<sup>nd</sup> Quarter fiscal report. He brought the Board's attention to the figure at the bottom right-hand side, where it reflects a spending of 50% of total State Funds; being right on track. The GBI is eager to learn the official recommendation of the Governor, and at that time will analyze those numbers and consider those figures. Mr. Higgins is confident the Department will be able to finish up the year without any problems. When the funds of \$4.4 million are received for the Crime Lab, Mr. Higgins and staff will be ready.

Mr. Richard Guerreiro, Georgia Public Safety Training Center, reported that the fiscal reports reflect the Training Center is a little over at 51.6%, the Fire Academy is under 46.7%, and the Police Academy is little bit over at 51.8%. Mr. Guerreiro indicated the agency will be addressing some overages in specific line items, with the supplemental request. The Training Center is still running at 10% on vacancies. Those positions are being addressed at an "as-needed" basis. Barring any other unforeseen circumstances such as drastic budget cuts, Mr. Guerreiro believes the Training Center should be able to make it by end of fiscal year.

### **DONATIONS AND RESOLUTIONS**

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

Decatur Genesis II Directional Radar	\$ 1,850.00	Chief Deputy Richard Bush Effingham County Sheriff's Office
Three Decatur Genesis II Radar Units	\$ 4,905.00	John Graham, McDuffie County Commissioners
Four Decatur Genesis II Radar Units	\$ 6,540.00	Charles Newton, Warren County Commissioners
One Decatur Genesis II Radar Unit	\$ 1,635.00	Sheriff Clay Whittle, Sheriff of Columbia County
One Decatur Genesis II Radar Unit	\$ 1,635.00	Judge Pat Hardaway, Probate Judge of Columbia County
Check for Per Diem Lodging	\$15,515.93	Atlanta Motor Speedway
Check for Night Vision Equipment	\$ 3,000.00	Chairman Neal Walden Appalachian Drug Task Force
Check for Camera Imaging	\$ 3,000.00	Colonel Wayne Mock Hall County M.A.N.S.

Phase IV Commercial Vehicle Criminal and Terrorist Interdiction Training	\$ 990.00	Captain J. Garcia Braselton Police Department
Scotsman Icemaker Amana Microwave Oven	\$ 1,824.00	Sheriff Richard Chatman Wilkinson County

Sheriff Cullen Talton motioned approval of the donations, which was seconded by Mr. Dub Harper, and unanimously voted approval by the Board.

There being no Administrative and Emergency Issues, Vice-Chairman Donald asked for New and Old Business. Sheriff Cullen Talton reported that the Training Center committee had met this morning to review the list of names for the Advisory Board. Sheriff Talton commended Mr. David Wall for being named the Director of the Fire Academy.

Mr. Rooney Bowen requested permission from Vice Chairman Donald for the Board members to be allowed to participate in the State Patrol pursuit training. Vice Chairman noted that in the By-Laws it is stated that the Board members observe demonstrations and events as the opportunity presents itself.

Vice Chairman Donald shared with the Board members that the Department of Corrections has scheduled the execution of Timothy Don Carr for January 25<sup>th</sup>. The business of public safety goes to all extremes, the tasks that the agencies take on are important.

Sheriff Bruce Harris said how the new patrol posts, such as Dublin and Cordele and Jasper, are the finest facilities he has seen; the communities are very much behind the State Patrol.

There being no further business, the meeting was adjourned.

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Rooney L. Bowen, III  
Secretary, Board of Public Safety