

BOARD OF PUBLIC SAFETY

January 14, 2010

Department of Corrections Board Room – Atlanta, GA

BOARD MEMBERS PRESENT:

Mr. Bud Black
Mr. Rooney L. Bowen, III
Sheriff Steve Cronic
Retired Sheriff Bruce Harris
Mr. Patrick Head
Fire Chief Jack McElfish
Chief Dwayne Orrick
Commissioner Brian Owens
Sheriff Cullen Talton
Mr. Gerald Willis
Mr. Ellis Wood

BOARD MEMBERS ABSENT:

Mr. Wayne Abernathy
Chief Lou Dekmar
Mr. W. H. Harper

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
Chief Mark McLeod, Department of Public Safety/Motor Carrier Compliance Division
Captain Russell D. Powell, Department of Public Safety/Georgia State Patrol
SFC Pete McCaleb, Department of Public Safety
Sergeant Russell D. Hayes, Department of Public Safety/Georgia State Patrol
Comptroller Joseph W. Hood, Department of Public Safety
Director Vernon M. Keenan, Georgia Bureau of Investigation
Assistant Director Dan Kirk, Georgia Bureau of Investigation
Deputy Director Dr. George Herrin, Georgia Bureau of Investigation
Deputy Director Terry Gibbons, Georgia Bureau of Investigation
Fiscal Officer Lisa Urich, Georgia Bureau of Investigation
Director J. Dale Mann, Georgia Public Safety Training Center
Deputy Director Patrice Kerner, Georgia Public Safety Training Center
Mr. Adam Baswell, Department of Corrections
Colonel Rueben McGhee, Houston County Sheriff's Office
Mr. Tony Turpin

Vice-Chairman Ellis Wood called the January Board of Public Safety meeting to order and thanked everyone for coming. Vice-Chairman Wood stated there would be some new and different challenges this year. Vice-Chairman Wood offered a few comments for the devotional and read from James 1:19-20. Before prayer by Vice-Chairman Wood, he asked those present to pause for a moment of silence

for the Haiti earthquake victims and for our legislators and state leaders returning to the General Assembly this week. Major Mark McDonough led those in attendance in the Pledge of Allegiance.

Vice-Chairman Wood asked each visitor to tell who they are and where they are from.

Vice-Chairman Wood called for approval of the December Board Minutes. Mr. Bud Black made the motion, seconded by Sheriff Cullen Talton and voted approval by the Board members.

DIRECT REPORTS

Colonel Bill Hitchens, Department of Public Safety began by wishing Happy New Year to those present. Colonel Hitchens stated he had a couple of events coming up that he wanted everyone to be aware of. Colonel Hitchens advised Post 23 – Brunswick would have their open house dedication on Monday, February 8th, 2010 at 1100 hours and everyone is invited to attend. Colonel Hitchens also told the Board members that the 87th Trooper School graduation would be on Friday, February 19th, 2010 at 1000 hours at GPSTC and the Governor will be the keynote speaker. Colonel Hitchens stated that trooper manpower had dropped below 800; there are 30 cadets in this class and the Department expects all of them to graduate at this point. Colonel Hitchens told the Board members that on Tuesday, January 19th he will be discussing the DPS budget before the Senate Appropriations Committee.

Colonel Hitchens stated the holiday season was a really busy time for DPS; both Christmas and New Year's Holiday Patrols were each 78 hour holiday periods. Colonel Hitchens stated predictions were 16 fatalities in both holiday periods, but the Department only experienced 11 fatalities, which proved to be very positive, since the Department experienced 28 fatalities during the previous year holiday periods.

Colonel Hitchens then spoke about The Georgia Targeting Aggressive Cars and Trucks (GTACT) program, a federal program that is primarily carried out by the MCCD, with support from the GSP. Colonel Hitchens advised that MCCD was used as a pilot program last year and has operated all over the state and that the statistics coming in now shows that it has been a very beneficial program to our state in regards to lowering truck crashes. Colonel Hitchens went on to state that the MCCD had been in the Savannah-Statesboro area for a five day period just recently.

Director Vernon Keenan, Georgia Bureau of Investigation stated he had two things he wanted to speak about. Director Keenan told the Board members that in January he had the opportunity to speak and when he spoke he did it on behalf of all Georgia law enforcement at the funeral of Judge Arthur Kaplan who died on January 1, 2010. Director Keenan went on to explain to the Board members Judge Kaplan's value to Georgia Law Enforcement and told of how he had worked for 30 years with law enforcement in providing emergency medical services. Director Keenan stated Judge Kaplan was the father of emergency medical technicians in Atlanta; he started working with Grady Hospital when there was no EMT service and no paramedics. Judge Kaplan rode with the Grady ambulance, rode

with police officers and would provide emergency services to the injured. Director Keenan stated Judge Kaplan went with law enforcement when they did high risk operations. Director Keenan related to the Board that when Bob Buffington as an Atlanta Police Officer was shot in the line of duty later credited Judge Kaplan with saving his life as he got to him and stopped the bleeding of the traumatic wound that Bob Buffington had. Director Keenan went on to describe Judge Kaplan's military service which is what led him to service with law enforcement. Director Keenan stated Judge Kaplan is part of the greatest generation who fought and won the Second World War. Judge Kaplan joined the Navy while a teenager, was then recruited to go into the underwater demolition team which is the Frogmen. His job was to swim with swim trunks, goggles, fins and a knife throwing explosives onto the Japanese occupied islands to blow up the beach obstacles so that the US Marines could land. Judge Kaplan went through four campaigns as a frogman. Director Keenan related that Judge Kaplan was on two ships, one that was sunk; the other was severely damaged. On the ship that was sunk he gave up his life preserver to a sailor who could not swim and he treaded water until the rescue vessels arrived. The second ship Judge Kaplan was on was shelled by Japanese Artillery and the only reason that ship was not sank was because the Japanese thought the ship was armored when in fact it was not. The shells penetrated one side of the ship and out the other. The medical staff on the ship was so overwhelmed with the injured that Judge Kaplan joined in and provided emergency first aid to the severely injured and burned. Director Keenan stated all of this led to his calling of giving emergency first aid and service with Grady Hospital and law enforcement. Director Keenan related that this great man trained literally thousands of GA police officers in providing trauma service and thought it was important to speak on his behalf to this Board about his great service as a patriot and great American.

Director Keenan stated normally the Department finds out the Governor's recommendation for the upcoming budget during the state of the state address, but that it would be tomorrow before that information is released. Director Keenan went on to add that while the budget cuts are going on and we are going through the turmoil of economic times; the work of the men and women in law enforcement continues on and they do a great job and all our agencies do, but I wanted to single out an operation that we did on January 12th in conjunction with 24 local law enforcement agencies and four federal agencies.

Director Keenan stated GBI executed simultaneously 89 search warrants across Georgia for child pornography as this was a culmination of a three month investigation that was concluded into a network which exists to trade and distribute child pornography. Director Keenan stated the way this network operates is there is a voluntary network which exists of persons who are connected together through the internet and they trade child pornography. Director Keenan stated there are literally thousands of persons that engage in this network of receiving and then distributing out child pornography. Director Kennan stated that the most graphic depiction that happens with this is that our agents tell me their assessment that the average age of a victim depicted in child pornography is twelve years and younger. Some of the child pornography consists of digital photographs and videos. One of the videos that was outlined in a search warrant was the video of a 4 year old male child being raped by an adult; that is the type of material being distributed out through this network and the technical side is called peer to peer network; which is one person engaging in child pornography communicating with someone else in child pornography. Director Keenan stated forty arrests had been made as of

yesterday afternoon. Director Keenan further stated that the search warrants direct the officers in to seize the computer; when they go to the computer, they are 99% certain the computer has child pornography on it because of the way the investigation operates. What is unknown is who in that location is accessing or using the computer for child pornography; that requires some investigation. The vast majority of the time it is the male occupant of the house that is engaged in this activity. One of the cases that came out of this particular operation involved a case in DeKalb County where the agents went in and seized the computer. The agents then accessed the computer on site to find hundreds of child pornography images in the computer some of which the agents recognized as the daughter of the male suspect. They interviewed her and she told them that her father had been molesting her for the past eight years. We had the photographs of what has been happening, he goes to jail for incest and child pornography. Another case in Murray County involved a registered sex offender who was living in a dilapidated house trailer where the walls were actually held together by the bracing of two by fours, yet he had enough resources to hook up to the internet and had thousands of images of child pornography in his computer and a crop marijuana growing in his back yard. Child pornography is a despicable crime and it is a national problem; Georgia is no worse than any other state, Georgia just takes it very seriously. Director Keenan stated the Internet Crimes against Children Task Force consist of the GBI, plus over 100 local law enforcement agencies that are trained and equipped to do this type of work. Georgia is very aggressive with this. Last year Internet Crimes against Children Task Force was number one in the nation with the amount of arrests made; while there are 80 something task forces in the country, Georgia was number one in arrests. GBI is on track this year to be number one again in the number of arrests but this last peer to peer investigation of eighty nine search warrants done simultaneously is the largest one that has ever been done in the nation. Director Keenan related this was a major undertaking and quite frankly the State of Georgia out stripped its resources to issue this number of search warrants at one time. The United Secret Service sent 30 agents and computer specialists to work with us, because as you go into these cases it is a very involved process; it was a great success story in that there were several children that had been rescued that were in homes with a male guardian who was actively engaged in child pornography. Director Keenan stated that all of us at the agency head level and command staff level get focused in on the economics of running an agency while the men and women are out there doing what they are supposed to be doing, which is protecting the citizens of the state of Georgia and I wanted to share that great success story with you.

Sheriff Steve Cronic stated it was encouraging to know that there were scientists coming on board at the GBI Crime Lab with federal grants. Dr. George Herrin of the Crime Lab stated in the last three months the Crime Lab hired 26 people spread throughout disciplines within the Lab under the Recovery Act Grant. Dr. Herrin stated they were actively trying to fill 1-2 positions in the toxicology discipline. Dr. Herrin advised the Board members that on February 1, 2010 the Crime Lab will be hiring 11 new scientists for DNA and these scientists would be scattered between headquarters and the regional labs. Dr. Herrin noted that these 43-45 new hires will be grant funded for 2-3 years, and then GBI will look and see where we will go once this grant funding runs out. Dr. Herrin further advised that the backlog is stable right now, dipped below 6,000 for the first time in 18 months this last month. Dr. Herrin stated the Lab had completely eliminated the convicted offenders' backlog waiting DNA analysis. Vice-Chairman Wood then asked Dr. Herrin if the 40-45 positions right now are totally

dependent on the Recovery Act Grant. Dr. Herrin stated the Recovery Act or the Federally DNA grant funding that GBI receives every year which is about 2 million dollars a year for DNA analysis purposes; the GBI will receive this grant funding basically every year until the federal government decides they do not want to do that anymore. Vice-Chairman Wood then stated his question was how many are dependent on the Recovery Act and for how long. Dr. Herrin responded there were 26 new hires and hopefully 27 by the end of next month with tenure of 2-3 years. Dr. Herrin went on to state the federal government is supporting the training for all of these people and for some of the needed equipment; so we are leveraging those federal dollars to get the laboratories in a position that we should be able to succeed and maintain productivity in the future if we get to keep these positions.

Mr. Rooney Bowen, III asked if the appetite was still there to charge local governments for autopsies. Director Keenan advised when he went to the Senate Public Safety Appropriations Workshop, the first question asked of him was why did he not shutdown the three crime labs and the second series of questions was why are you not charging for autopsies and crime lab services; that was the tone of the meeting. Director Keenan advised he made his position very clear to the Governor, during the budget meetings with him and before everyone I have ever spoken with in the legislature that I am absolutely opposed to charging local agencies for crime lab services and autopsies. Director Keenan stated the GBI budget is already paid by local tax payers and all this is, is turning around and double taxing. The answer to your question is to where this is headed; I do not know. Director Keenan stated to the Board members that they know the legislature as well as I do, if there is an untapped revenue stream, some people are going to try and pursue it. Director Keenan went on to state that if the GBI is put in the position of having to charge for services it will be because it is in the law that requires me to do that, or the Governor orders it. Sheriff Talton told Director Keenan that he and those in law enforcement appreciate him taking that stand, with Sheriff Cronic agreeing with Sheriff Talton. Director Keenan stated when he spoke at the last Sheriff's Association Conference he had recommended that they might want to attend some of the agency budget hearings and listen to the legislators who promote this and ask them these type of questions and then confront them later in the hall. DA Patrick Head stated if they wanted to raise revenue, the legislatures could pay 50-60 dollars a month to park their vehicles like everyone else has to pay.

Mr. Rooney Bowen, III commended the GCIC program working flawlessly.

Director Dale Mann, Georgia Public Safety Training Center stated he would let the Board report speak for itself. Director Mann stated GPSTC had two ground breakings in December. One for the burn building and at this time has a construction crew on site which has dug the footings and poured the concrete. The projected date for using the burn building is July 15, 2010. Director Mann stated the other ground breaking occurred in Garden City for the Regional Police Academy which will be other than GPSTC, the first regional police academy that has ever been constructed for this purpose. We have taken other buildings and renovated to improved facilities in some places, but this will be the first one purposely built for a police academy and this will be a good step forward for the GPSTC.

Director Mann advised the Board members that DOC Commissioner Owens moved the DOC out of the GPSTC at the end of December and are now over at Tift College. At this time GPSTC is going

through and moving some people around; which will help the State Patrol mostly. Director Mann stated that the State Patrol has been on top of each other for years and has never had enough room. and that this will be a two-three step process. Director Mann noted that MCCD will move down to Fire Station 2 as a temporary home; while we gut the facility and replace the carpet where DOC resided, as the wear and tear on that part of the building is pretty bad. Director Mann advised GPSTC will move the Police Academy from upstairs to downstairs where they used to be when we first opened and then expand the area for the State Patrol and MCCD training units. Director Mann stated it should be in the spring before all is completed.

DONATIONS

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

One Stalker DSR 2X Radar	\$ 2,800.00	Jackson Police Department
Three Stalker DSR 2X Radars	\$ 9,300.00	Braselton Police Department
Office Furnishings, Carpet Building Materials for CIU	\$15,000.00	Troup County Sheriff's Office

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

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

2008 Polaris XP All Terrain Vehicle	\$11,470.00	Lamar County Sheriff's Office
Kaiser RS-1 Photo Copy Stand	\$ 1,200.00	Lamar County Sheriff's Office
Arrow Flow EC36 Drying Cabinet	\$ 6,500.00	Lamar County Sheriff's Office
One scholarship to National Forensic Academy	\$ 7,500.00	The University of Tennessee
Cash Donation	\$10,000.00	GA Motor Trucking Association
Cash Donation	\$ 1,000.00	GA Motor Trucking Association

Chief Dwayne Orrick made this donation approval motion; it was seconded by Chief Jack McElfish and voted approved by the Board members.

OLD/NEW BUSINESS

Vice-Chairman Wood asked Senior Assistant Attorney General Joe Drolet to address the Board members concerning the process and steps that the Georgia Bureau of Investigation was taking to amend the rules and regulations of GBI Chapter 92-3 – Implied Consent rules. Mr. Drolet stated the

amendment was voted on at the October 2009 meeting; then there was a period of public comments on the proposed rules, and after that the proposed rules are brought back before this Board for a second and final vote. Dr. Herrin, Georgia Bureau of Investigation stated the GBI had a public hearing this past Tuesday morning and no one showed up except three of GBI's toxicologists who were curious about the process. Dr. Herrin stated he did not think there was much public interest on this and stated to the Board that the changes in these rules primarily strengthen the educational and the training requirements for blood alcohol and toxicology testing of blood. Dr. Herrin advised the GBI is trying to strengthen these requirements for better compliance with code sections relating to blood testing for drugs and also because several local agencies are starting up their own laboratories and GBI wants to make sure that the quality of the work is consistent across the state.

Mr. Rooney Bowen, III asked Dr. Herrin is this changed the breath analysis and Dr. Herrin confirmed that it does not involve the breath testing at all.

Chief Jack McElfish made the motion to approve the Implied Consent changes, seconded by Chief Dwayne Orrick and voted approved by the Board members.

Director Dale Mann presented a Resolution transferring 19.270 acres from the GPSTC to the Georgia Department of Corrections. Director Mann advised the Department of Corrections would utilize this property for a Vehicle Maintenance Facility which would be located behind the Physical Plant. Director Mann advised during the past two years, GPSTC and the State Properties Commission have gone back and forth to decide what would be best for DOC and GPSTC. Director Mann stated they have worked to avoid any issues that would interrupt our training process.

Chief Jack McElfish made the motion authorizing Director Mann of the Georgia Public Safety Training Center to take all necessary actions, through the State Properties Commission, to request transfer of 19.270 acres to the Georgia Department of Corrections, which was seconded by Mr. Rooney Bowen, III and voted approval by the Board members.

Director Mann as a matter of information informed the Board members that in December, GPSTC had a kerosene spill. Director Mann stated that the inch and half pipe that was feeding from the 30,000 gallon tank to the pit actually had rusted out. When the pipe was first installed in 1986-1987 there was not a requirement that there be a double wall pipe. Director Mann advised he has met with EPD at the site, where GPSTC had containment of the spill; EPD is please with all GPSTC has done. The cost will be from reengineering the entire system because now that we have had the spill, EPD is not willing to say put back an inch and half line. GPSTC is going to redesign the entire thing and be in compliance with the new codes that did not exist 22 year ago. We have worked with OPB and have been given a nod of the head that we can probably take a little bit of money out of the bond package of the burn building and direct it towards the redesigning of this. Director Mann further stated that there was a little bit of contaminated dirt to get rid of, but pretty much all was in good shape.

Concerning old business, Vice-Chairman Wood stated the Board had a concern from its members that we find a proper venue to address the Governor and General Assembly concerning the importance of

funding public safety. Vice-Chairman Wood stated he would get with Chief Lou Dekmar and have some finality on this by the February meeting. Vice-Chairman Wood stated he would be working on committee assignments prior to the February meeting and if anyone has a particular interest, to please let me or Cheryl know.

Vice-Chairman Wood thanked Commissioner Owens for allowing the Board of Public Safety the use of the DOC Board Room and reminded the Board members that the February and March meeting would be held in the DOC Board Room, with the February meeting being held February 11, 2010.

Vice-Chairman Wood stated to the Board that the Vice-Chairman and the Secretary for the Board of Public Safety shall be elected annually at the January meeting and opened up to the Board for the nominations. Sheriff Cronic told Board members that he thinks Mr. Wood has worked tirelessly for this Board; has provided leadership and I would like to in the form of a motion to move that if Mr. Wood is willing that he continue as Vice-Chairman. Mr. Patrick Head stated that since there are two positions, he would like to nominate a slate and nominated Mr. Wood as the Vice-Chairman and Mr. Rooney Bowen, III as the Secretary. Vice-Chairman Wood then asked if there were any other nominations. Mr. Patrick Head asked that the nominations be closed, with a second by Sheriff Cronic.

DOC Commissioner Owens addressed the Board members and advised them that they are no longer at the GPSTC and stated that next Friday, January 22, 2010 from 2:00-4:00 p.m., DOC will have an open house for Georgia's newest post certified academy. Director Owens related that Governor Perdue will give the keynote address at 3:00 p.m. and he welcomed all of his colleagues to join him at Tift College for the open house.

Vice-Chairman Wood stated that while the Board is meeting in Atlanta, he asked DOC Commissioner Owens to make a DOC presentation and asked Director Dale Mann for a bi-annual update on the Basic Mandate Training progress.

Mr. Rooney Bowen, III asked Director Keenan, GBI to please disseminate to Board members any issues concerning autopsy and toxicology expenses. Director Keenan agreed to forward any information he received.

Vice-Chairman Wood thanked the Directors for keeping the communication channels open to the Board members and keeping us informed as much as possible.

Chief McElfish spoke to the Board concerning budget woes for the State of Arizona. Chief McElfish advised Arizona had disbanded the whole Fire Marshall's Office. He further stated that the Arizona Fire Marshall's Office does all the certifications for training, does all their national reporting, so they will not be able to certify any training which will eliminate all their grants. They will not be issuing any training certificates; it will be like closing down all their certifications. Chief McElfish also advised the State of Arizona is talking about police certifications closing down next. Chief McElfish stated at least the State of Georgia is not like the State of Arizona. It just shows other areas are worse than ours.

Vice-Chairman Wood reminded the Board members that the Board will present a Resolution to Yolanda Harrison at the February Board meeting.

Chief Jack McElfish made a motion to adjourn the meeting, which was seconded by Retired Sheriff Bruce Harris and voted approval by the Board members.

There being no further business, the meeting was adjourned.

Rooney L. Bowen, III
Secretary