

BOARD OF PUBLIC SAFETY

January 10, 2013

Department of Corrections Board Room, Atlanta, Georgia

BOARD MEMBERS PRESENT:

Mr. Wayne Abernathy
Chief Danny D. Bowman
Mr. Kacy K. Cronan
Retired Sheriff Steve D. Cronic
Mr. C. Murray Kight
Chief Bill Myers, IV
Commissioner Brian Owens
Mr. Lester L. Rampy, Jr.
Mr. Brian M. Rickman
Mr. Ellison G. Wood

BOARD MEMBERS ABSENT:

Mr. Danny D. Bryant
Sheriff Dane Kirby
Chief Irene Pennington

OTHERS:

Mr. Joe Drolet, Senior Assistant Attorney General
Ms. Mindy Park, Assistant Attorney General
Ms. Denise Letendre, Intern-Attorney General's office
Ms. Cheryl L. Buie, Board Liaison
Lt. Colonel R. D. Powell, Department of Public Safety
Major Eddie Grier, Department of Public Safety/GSP
Capt. Allen Marlowe, Department of Public Safety/GSP
Sgt. Anthony Hughes, Department of Public Safety
Mr. Peter Adams, Comptroller, Department of Public Safety
Mr. Lee O'Brien, Department of Public Safety
Ms. Jacqueline Bunn, Department of Public Safety
Director Vernon Keenan, Georgia Bureau of Investigation
Assistant Director Dan Kirk, Georgia Bureau of Investigation
Mrs. Terry Gibbons, Deputy Director, Georgia Bureau of Investigation
Mrs. Connie Buck, Fiscal Officer, Georgia Bureau of Investigation
Director Tim Bearden, Georgia Public Safety Training Center
Mr. Michael Parkerson, Deputy Director, Georgia Public Safety Training Center
Ms. Tara Hill, Office of Planning and Budget
Mrs. Louise Rampy
Mr. Kenneth Mantle, Department of Corrections
Mr. Dennis Brown, Georgia Soil and Water Conservation Commission
Ms. Lauren Armour, Governor's Office of Executive Appointments
Director Harris Blackwood, Governor's Office of Highway Safety

Vice-Chairman Wood called the January 10th, 2013, Board of Public Safety meeting to order.

Mr. Dan Kirk, Assistant Director, Georgia Bureau of Investigation gave the invocation and led the group in the Pledge of Allegiance.

Vice-Chairman Wood welcomed Ms. Lauren Armour who works with the Governor's Executive Board Appointments and thanked her for supporting the BPS. Vice-Chairman Wood also recognized GOHS Director Harris Blackwood and welcomed him to the BPS meeting.

Vice-Chairman Wood asked those in attendance to stand and introduce their selves.

Vice-Chairman Wood called for approval of the December Board minutes. Mr. C. Murray Kight made the motion to approve the minutes, which was seconded by Mr. Wayne Abernathy and voted approval by the Board members.

DIRECTOR REPORTS

In the absence of Commissioner McDonough, Department of Public Safety, Deputy Commissioner, Lieutenant Colonel Russell D. Powell began his report by advising that DPS has been making a very concentrated effort to increase the number of accidents that the DPS worked during the last year and even before that. Lt. Colonel Powell reported that as of December 31, 2012, the DPS has seen a 30% increase in accident investigation and are very pleased with this.

Lt. Colonel Powell advised that the DPS will be embarking on a night time seatbelt enforcement initiative which is based on National Highway Traffic Safety Administration data that indicates the numbers of people killed in accidents at night are not wearing their seatbelts.

Lt. Colonel Powell shared that the DPS continues to make critical infrastructure visits throughout the state to many buildings, many agencies, and many schools with a particular emphasis on schools in light of recent events. Lt. Colonel Powell stated officers are concentrating on the schools and showing up at times with no schedule, a lot in the morning where the officers are seen and continue to receive really good feedback on this.

Lt. Colonel Powell thanked those that attended the hangar dedication in Gainesville last Friday and added that Governor Deal delivered the message and Mrs. Deal cut the ribbon before a great crowd. Lt. Colonel Powell stated the DPS is very proud of this great facility.

Lt. Colonel Powell shared the DPS has sold two Bell 206 helicopters and has an interested buyer for a third 206 helicopter; moving forward with some changes in Aviation. Lt. Colonel Powell stated after the sale of the two helicopters, the DPS purchased a 2008 Bell 407 helicopter which is an incredible machine that is like new with 1100 hours on it. Lt. Colonel Powell advised there are two other helicopters that the Department is looking at, hoping to buy one other Bell 407 helicopter.

Lt. Colonel Powell stated that the DPS held groundbreaking for two new Post facilities, one in LaGrange and one in Forsyth.

Lt. Colonel Powell advised the driving simulator has come in and are in the process of putting the driving simulator in the field to begin additional driver training with all sworn members that drive patrols cars in emergency situations, with one of the training sessions being due regard training.

Lt. Colonel Powell shared that DPS will appear before the Joint Appropriations Committee on January 23, 2013 at 1130 hours. Also, the DPS is proposing three pieces of legislation with one requiring children between the ages of 8-17 wear seatbelts in a 15 passenger van, another is modifications to the unified carrier regulation funds which is streamlining the process, hopefully to take a middle agency out and to better utilize those funds, and the last piece of legislation is a clean-up bill of some regulatory functions that came to the Department from PSC and some other agencies that now fall under the MCCD.

Sheriff Steve Cronic commented and thanked the DPS for their partnership as the Georgia State Patrol worked at least half of the Hall County accidents and with their call volume, if the Hall County Sheriff's Office had to have caught the crashes too, they would not have had the personnel to respond to emergency calls.

Vice-Chairman Wood commented this partnership is seen more predominantly in the rural counties where more personnel are even limited more and the GSP influence is great. Lt. Colonel Powell commented that the partnership is becoming more common everywhere and even with the City of Atlanta as GSP is working a lot of the accidents, Monday-Friday from 6:00 am to 9:00 pm which frees their officers up to answer more emergency calls. Lt. Colonel Powell shared that GSP Athens is working around 400 accidents a month and if this continues, GSP Athens will knock Villa Rica out of the top spot for the busiest post in the state.

Mr. Lester L. Rampy, Jr. asked Lt. Colonel Powell how was GSP received at the schools and LTC Powell responded the Department has received positive comments from parents and teachers. Lt. Colonel Powell stated the troopers would just get out, go in and walk around and talk to people if the trooper knew someone at the school, sometimes they would just be in the parking lot, sometimes just patrolling in the area, but their presence was noticed and the Department will continue with this.

Mr. Wayne Abernathy asked about the DUI statistics over the holiday period. LTC Powell responded that the DPS had a very good holiday period. Major Grier added that crash numbers picked up 30% and were afraid with so much time dedicated to accident investigation the DUIs would drop off, but actually the DPS saw an increase in the DUIs in all areas of the state.

GOHS Director Harris Blackwood added that Colonel McDonough and he went on a tour around the state two days before Thanksgiving and at that point and time, the state was 8% above last year in terms of fatalities and are now waiting on the reconciliation of those numbers, but believes we may end up lower than last year. Director Harris stated we have brought this number down with the good work of our colleagues and friends. Director Harris advised they have stepped up their advertising on drunk driving, was at every bowl game on ESPN on cable in Georgia and tried to get this message out to

people and we think it worked. LTC Powell added it appeared at the point that the tour took place there was no way to keep the fatality numbers at or under what they were last year, but through a joint effort, it looks that the numbers may be lower and if not, the numbers will be close to last year's numbers, which did not look that way in mid-November. Director Harris added that if the numbers are lower than last year, this will mean seven years of reduction.

Director Vernon Keenan stated he had good news as it relates to BINGO. Director Keenan reminded the BPS members he is the BINGO Czar for the state of Georgia as the GBI has the responsibility for licensing non-profit organizations who want to play BINGO to raise money. Director Keenan noted he received a call last Monday where the governor had approved an option he had proposed which would allow the state to deregulate BINGO. Director Keenan stated the licensing requirement would no longer be and if anyone is playing illegal BINGO this would come under the enforcement of the regular commercial gambling code. Director Keenan advised he had spoken to the governor about two options, one to transfer over to the Dept. of Revenue which he had proposed four years ago and Governor Perdue had authorized the GBI to go forward with moving it over to the Dept. of Revenue. Director Keenan stated the GBI had a one paragraph bill that would shift the responsibility from the GBI over to the Dept. of Revenue as they are in the regulatory business, but at the end of the legislative session, one paragraph came out 30 pages long and legalized all forms of gambling in the state of Georgia, so the governor killed the bill which was understandable. Director Keenan stated he asked Governor Deal to consider giving BINGO to the Dept. of Revenue or to deregulate it and the response that came back to Director Keenan was to go forward with finding a sponsor that would introduce deregulating BINGO, which is positive for the state of Georgia and certainly positive for the GBI. Director Keenan advised last year the GBI issued 142 BINGO licenses to nonprofit organizations such as VFW, AMVET, PTA and other non-profit groups who are charged a \$100.00 license fee. Director Keenan stated the GBI licensed 361 BINGO workers last year who have to undergo a criminal history background check which the worker has to pay. Director Keenan shared the average age of the BINGO worker is 60, while some of the BINGO workers the GBI fingerprints are in their 80s. Director Keenan stated he is hoping there will be traction in the legislature to deregulate BINGO and let GBI concentrate on criminal activity and not fingerprinting little old ladies. Director Keenan declared this joins three other pieces of legislation that has been approved to go forward, with one of which takes the GBI out of the business of handling abandoned water vessels, currently the responsibility of doing stolen checks rests on the GBI and the Department of Natural Resources; both agencies do the same thing, so the Governor has approved the GBI to seek legislation to take GBI out of the mix and let the DNR have the total responsibility.

Director Keenan shared the two other pieces of legislation the GBI is pursuing relates to pornography, as it is against the law to send pornography through the mail unless it is clearly marked as being pornography, but the law when it was passed in 1972, did not contemplate using electronic transmission of pornography. Director Keenan stated there are instances that come up where people are getting pornographic images through the email system, which are unsolicited and many times it is the recipient (victim) that has had their own head superimposed over a nude photograph and none of this is currently against the law. The final piece of legislation relates as it is illegal for someone to believe they are talking with a child over the internet and enticing them for sex, but the law never

contemplated that we had people trying to sell children over the internet and the governor has approved the GBI to go forward with legislation that would address this loop hole in the law. Director Keenan stated there are care givers and other people that talk with an undercover law enforcement officer and it is illegal if they think they are dealing with a child but if they think they are dealing with a caregiver it is not against the law, this will close that loophole. Speaking of child exploitation and sex crimes, Director Keenan stated he recently combined the Internet Crimes Against Children Unit, the child exploitation unit with the Human Trafficking Unit which specializes in working child sex trafficking cases. Director Keenan stressed the FBI has done the same thing and this will help the GBI out with resources as there is much crossover between the child pornography investigations and the trafficking children for sex investigations, with four agents and a supervisor assigned full time working child sex trafficking cases. Director Keenan advised last year the agents had 316 technology assistance cases, cases where the agents work with the National Center for Missing and Exploited Children who sends leads down to the GBI to get to the bottom of child pornography images they are researching. Director Keenan stated these cases are either handled ourselves or we pass these on to the other human trafficking task forces that operate in Georgia. Director Keenan shared the GBI opened 32 child sex trafficking cases, where they have targets and identify victims, and out of the 32 cases, 19 children were recovered that were being sold for sex and 10 arrests were made. Director Keenan acknowledged the unit has done very well and he is very proud of them, as for a small unit these are difficult cases to work, because it is such an underground crime.

Vice-Chairman Wood noted there had been an unusual amount of press in the last 30 days in regards to sex trafficking and asked Director Keenan if anything had prompted this. Director Keenan stated in the investigative report it showed the scope of human trafficking-child sex trafficking in the United States and the state of Georgia. Director Keenan acknowledged the US Department of Justice released a report which identified the metro Atlanta area as being one of the top five areas of child sex trafficking in the US. Director Keenan stated he asked for the research that backed up the findings, which was never produced. The investigative report was asking about the amount of scope in the extent of child sex trafficking, but where is the data that supports all of this. Director Keenan stated he had conversations with the Department of Bureau Justice in Washington about these same issues. Director Keenan stated what they are seeing in this state is not the international rings that are bringing children into the state of Georgia or the US to be trafficked for sex, which was what the belief was at the national level for a good while and still to that extent today. Director Keenan added what is being seen in Georgia in the typical victim we are dealing with is a runaway child who has run away in another state or within Georgia and comes to Atlanta because of the transportation hub. Director Keenan noted a runaway is generally from an abusive home or may have run away from foster care; the runaway thinks there is a better life out on the street and then they get recruited by a sex trafficker where they are sold for sex. Director Keenan stated he believes the concentration of all of the social services in this area needs to be on the runaway children in getting to the core problem. Director Keenan stated one of things they found out when doing sting operations, what occurs you will have internet advertisement sites that sell back pages that advertise over the internet. They will openly advertise young people, boys and girls; we conduct sting operations with these advertisements and set up an undercover location in a seeded motel somewhere and then place an order for the child. What occurs when the victim comes, we do not know if they will actually be a child or an adult? Most of the

time the victim is 18 years of age or older, so this does not come under the child sex trafficking statute, but we find out when we conduct interviews with the girls that respond to the ad, although they may be an adult now, they started out as a child, age 14-15 and they have been in the business for 3-4 years. Director Keenan declared this points back to the need to go after the core problem; what is causing a child to run away from a caregiver and go to the street.

Due to recent shooting events, Mr. Wayne Abernathy asked Director Keenan if the GBI had a stance on the gun laws, background checks or mental health issues. Director Keenan responded that he hopes the decision makers, legislators and congressman, as they go forward with addressing the violence in the schools and violence in general do not do a bunch of knee jerk legislation; they think through this and base whatever steps are taken on research. Director Keenan stated his personal belief that the number one thing that needs to be concentrated on is the mental health issues because he believes this is the core problem with the public violence that we are seeing in the schools and shopping malls. Director Keenan stated he welcomes a debate on this, but there will have to be resources to address the mental health issue as there are inadequate resources for this. In Georgia there are laws in place for someone who is involuntary hospitalized in a psychiatric hospital or facility, the reports come to the GBI and then we are authorized by law to report this up to the FBI, which goes into a data base of disqualifiers so that a person who has been involuntary hospitalized for mental health issues cannot purchase a firearm. Most states do not do this. There is a loop hole in this law as the law does not contemplate someone who by court order is directed for treatment for outpatient capacity, the law says if one is hospitalized, but there are people who are mandated treatment for mental health that are never hospitalized, most of them are not, due to less psychiatric hospitals, so this is not only a loop hole in GA, it is in the US.

Director Tim Bearden, Georgia Public Safety Training Center began his report stating everything is beginning to pick up at GPSTC after the Christmas break, classes starting back up and getting back into full swing. During the break, the food court was painted and the ceiling tiles were replaced. The roof is not leaking, but the job is not complete. Director Bearden advised the pilot program in regards to driver training; getting the new cadets in basic training on the high speed track with increased speeds has been going very well. Director Bearden added at some point this year he hopes he will be able to go to POST and have them implement this into the curriculum for the basic training. Director Bearden stated while out on the track with the cadets, who were going through the serpentine, it is amazing to see what kind of skills the cadets are learning that they have not quite mastered yet. Director Bearden stated a lot of cones have been lost during the training, but would rather lose cones than the officer getting hit on the road or the officer losing control of the car. Director Bearden noted the GPSTC report was significantly smaller, has been streamlined, which has made it easier to read and hopes will be more customer friendly for the BPS members.

Director Bearden stated he needed clarification in regards to possible donations. For the last couple of months, Director Bearden stated the GPSTC had conversations with State Farm and Home Depot. Director Bearden stated that Home Depot asked him what exactly does the GPSTC do and in the conversations, the Mock Village was brought up. Director Bearden stressed the Mock Village is in dire need of repairs and Home Depot has offered to help on the repairs and Home Depot asked for a

list of supplies that GPSTC would need to fix up the Mock Village. Director Bearden stated under state law, if he gives Home Depot the list, he would then be soliciting and cannot solicit, but the state law gives the BPS the ability to solicit. Director Bearden shared that State Farm is very active in the Arson Program, and they would like to see it expand like the GPSTC would like and State Farm wants to donate money to GPSTC, but they want a request on their format and the format of that letter to go back to them is a solicitation.

Board attorney Joe Drolet shared that a state agency is not supposed to directly approach a company and say, give us some money or products. It is not supposed to originate with the agency simply trying to shake someone down, which is what the legislation has always been for. Mr. Drolet suggested if the company ask what they can do or what you need that can be helpful, responding to that is not solicitation, simply responding to their offer for help. Mr. Drolet stated if the company needs the request on a particular form, Mr. Drolet suggested that the correspondence be brought before the BPS, complete the form with approval of the BPS so that all of this is being done by the BPS rather than by Director Bearden soliciting himself.

Lt. Colonel Russell Powell thanked Commissioner Owens and DOC for office space for Post 44-Forsyth personnel due to Post 44 being torn down and a new post being built on site.

DONATIONS

Mr. Peter Adams, Comptroller, Department of Public Safety requested approval of the following donation:

Protective Body Armor	\$ 8,500.00	National Distributing Company
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The motion to accept this donation was made by Sheriff Steve Cronic, seconded by Commissioner Brian Owens and voted approved by the Board members.

Mrs. Connie Buck, Fiscal Officer and Treasurer, Georgia Bureau of Investigation requested approval of the following donations:

2008 Utility Trailer	\$ 8,500.00	Altamaha Drug Task Force
Honda 9.0 Model GX270 Generator	\$ 1,000.00	Altamaha Drug Task Force
Four MSA Air hawk SCBA	\$ 4,800.00	Altamaha Drug Task Force
Two MSA H-45 Air Tanks	\$ 1,300.00	Altamaha Drug Task Force
Two MSA H-60 Air Tanks	\$ 1,600.00	Altamaha Drug Task Force

The motion to accept these donations was made by Chief Danny Bowman, seconded by Mr. Lester L. Rampy, Jr. and voted approved by the Board members.

OLD/NEW BUSINESS

Ms. Jacqueline Bunn, Deputy Director of Legal Services, Department of Public Safety presented proposed revisions for the initial adoption to the Georgia Department of Public Safety Rule 570-9 Off-Duty Police Employment, proposed revisions for the initial adoption to the Georgia Department of Public Safety Rule 570-10 Bicycle Safety, proposed revisions for the initial adoption to the Georgia Department of Public Safety Rule 570-22 Safety Glazing Material and Window Tinting Manufacturer and Installer Requirements.

Chief Danny Bowman made a motion to accept the proposed changes for initial adoption to Department of Public Safety Rule 570-9, Rule 570-10 and Rule 570-22. This was seconded by Mr. Lester L. Rampy, Jr., and voted approved by the Board members.

Director Tim Bearden, Georgia Public Safety Training Center came before the BPS members for approval in regards to Bylaw Changes to the Georgia Public Safety Memorial. Director Bearden advised that the Georgia Public Safety Committee had added to the Bylaws that if the nominee appears on a National Memorial Wall, the nominee shall be included on the Georgia Public Safety Memorial Wall. Director Bearden also presented additions to the Governor's Public Safety Awards Program Selection which will allow DOT Hero personnel to be included for the awards.

Mr. Lester L. Rampy, Jr., made the motion to approve the Bylaw Changes to the Georgia Public Safety Memorial and the selection addition to the Governor's Public Safety Awards. This was seconded by Mr. Kacy K. Cronan and voted approved by the Board members.

Mr. Lee O'Brien, Deputy Director of Legal Services, Department of Public Safety came before the BPS members with a resolution regarding the hangar at the Thomson McDuffie Airport which would declare as surplus and request transfer of custody by Executive Order to the Technical College System of Georgia that certain real property located at 541 John T. Lane Rd NW, Thomson, Georgia containing a hangar formerly used by the Georgia State Patrol Aviation Division. Mr. O'Brien reminded the BPS members a previous resolution was acted upon in December declaring this property as surplus and at that time DPS did not have any idea who might be interested in the property and subsequent to the transmittal of the previously passed resolution over to the State Properties Commission, DPS received a request asking that the resolution be redone to specify certain issues as a result of a request by the Technical College System of Georgia to acquire the hangar. The State Properties Commission had an interested private party in the hangar and under the rules and regulations if Georgia has a piece of property that belongs to the state and it is declared surplus by one agency, the property has to be offered to other state agencies for their use. Mr. O'Brien emphasized that normally this information is received in advance and address these issues at the time that we prepare the resolution. Mr. O'Brien confirmed The Technical College System of Georgia did make the request to the State Properties Commission for the use of the hangar and they are basically obligated to honor this request. Mr. O'Brien advised the State Properties Commissioner asked the DPS to revise and present and pass a new resolution which specifically indicates that the Technical College System of Georgia be allowed to acquire the property through executive order from the governor and that is what the purpose of the resolution is today and this will supplant the previous resolution.

Mr. Kacy K. Cronan made a motion that the members of the Georgia Board of Public Safety declare said property surplus and of no useful value to the Department of Public Safety for any authorized purpose and do authorize the Commissioner of Public Safety to take such action, including the execution of any documents for and on behalf of the Board of Public Safety, as may be necessary to remove said property from the inventory of the Department of Public Safety and to seek to effect such transfer of custody by Executive Order to the Technical College System of Georgia, as may be authorized by the State of Georgia. This motion was seconded by Sheriff Steve D. Cronic and voted approved by the Board members.

Board Attorney Joe Drolet reminded the BPS members one of their duties is appointing members to the Georgia Coroner's Association Training Council. Mr. Drolet added that the Georgia Coroner's Association submits five names to the BPS and the BPS shall select three of those people to serve on the Georgia Coroner's Association Training Council.

Mr. Wayne Abernathy nominated Mr. Ralph Wilson, Mr. Richard Stanley and Mr. Edgar Perry to the Georgia Coroner's Association Training Council. This motion was seconded by Sheriff Steve Cronic and voted approved by the BPS members.

Vice-Chairman Wood reminded the BPS members the BPS would need to elect a Vice-Chairman and Secretary and appointed a nominating committee to bring nominations back before the BPS at the February meeting. Vice-Chairman Wood asked Mr. Wayne Abernathy to chair the nominating committee and Mr. Kacy K. Cronan, Mr. Danny Bryant and Mr. Lester Rampy, Jr. to serve on the nominating committee.

Vice-Chairman Wood thanked Commissioner Owens for the use of the DOC Board room and for his support and team at the new LaGrange GSP post.

Vice-Chairman Wood advised the February 14th, 2013, BPS meeting would be in the DOC Board room.

Vice-Chairman shared some food for thought by sharing the philosophy of George Shultz, the creator of the Peanuts comic strip.

There being no further business, the meeting was adjourned.

Brian M. Rickman
Secretary