

BOARD OF PUBLIC SAFETY

Minutes of Meeting Held July 14, 2004

MEMBERS PRESENT:

Mr. Wayne Abernathy
Mr. Hal Averitt
Mr. Charles D. "Bud" Black
Mr. Rooney Bowen, III
Commissioner James Donald
Mr. Patrick Head
Chief Hubert Smith
Ms. Lisa Godbey Wood

MEMBERS ABSENT:

Mr. W. H. "Dub" Harper
Sheriff Bruce Harris
Governor Sonny Perdue
Chief J.D. Rice
Sheriff Jamil Saba
Sheriff Cullen Talton

OTHERS PRESENT:

Ms. Kay Baker, Department of Law
Ms. Laura Jones, Board Liaison
Colonel George Ellis, Georgia State Patrol
Lieutenant Colonel K.W. Hancock, Georgia State Patrol
Mr. Terry Landers, Georgia State Patrol
Mr. Wayne Yancey, Georgia State Patrol
Director Vernon Keenan, Georgia Bureau of Investigation
Assistant Director Chris Ash, Georgia Bureau of Investigation
Mr. Ray Higgins, Georgia Bureau of Investigation
Special Agent In Charge John Cagle, Georgia Bureau of Investigation
Deputy Director Dan Kirk, Georgia Bureau of Investigation
Special Agent In Charge Mike Fordham, 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
Ms. Patrice Kerner, Office of Planning and Budget
Senator Carol Jackson
Chief John Foster, Cleveland Police Department
Sheriff Neal Walden, White County Sheriff's Office

Vice-Chairman James Donald called the meeting to order, welcoming everyone. He first thanked Board Member Bud Black for hosting dinner the evening before, noting Mr. Black is proud of his community. Vice-Chairman Donald thanked Senator Carol Jackson for attending and supporting the agencies; also thanking Sheriff Neal Walden of White County, Chief of Police John Foster of Cleveland, and Ms. Kay Baker for representing the Attorney General's office.

Vice-Chairman Donald called for a motion to approve the Minutes of the May Board meeting. Chief Lou Dekmar made the motion, Mr. Rooney L. Bowen, III made the second motion, and the Board members unanimously voted approval.

DIRECTORS' REPORTS

Georgia State Patrol

Colonel George Ellis started with also thanking Mr. Bud Black for the accommodations for Tuesday night.

Colonel Ellis reported that with the G-8 Summit, one lasting benefit for State Patrol is the use of the Mobile Field Forces concept; he plans to set up one in each troop. Vice-Chairman Donald complimented Colonel Ellis, describing how the mobile field forces worked as a deterrent at G-8.

The IACP Chief Challenge National Winner for 2004 is Georgia State Patrol. First place was awarded in the State Police category, which is a traffic safety award that focuses on speed, DUI, and seatbelt enforcement. Colonel Ellis pointed out that the seatbelt compliance rate in Georgia is 84.5%. State Patrol will be given the trophy or plaque at the IACP conference later this year.

State Patrol is putting together an agency album. The Board members are invited to stop by headquarters to have a picture made, and, to place an order to buy a copy of the album.

Colonel Ellis reported on military activations, GSP still has 17 on active duty status.

The Governor's Office of Highway Safety has awarded a Nighthawk grant for DUI enforcement in the metro Atlanta area. The \$693,000 grant will pay for ten troopers, training, new vehicles, and equipment, such as radars and computers. Colonel Ellis reported State Patrol is currently advertising for NCO's to supervise this unit, and once chosen, Colonel Ellis will begin to work the unit.

State Patrol is in good shape after completing FY 04 budget. The agency now begins FY 05, with concerns about the guidelines. Colonel Ellis indicated that Mr. Terry Landers is studying the issues of trooper positions, salaries, and raises.

Colonel Ellis had a couple of personnel items to be brought before the Board, therefore, he requested the issues be presented in Executive Session.

The National Law Enforcement Explorers Conference, which is a group of over 2,000 teenagers interested in a law enforcement career, will be held next week. The conference will include State Patrol presenting scenarios of accident investigations, along with other agencies presenting crime scene investigations.

The Department of Revenue sent a letter to State Patrol, as with all state agencies, concerning state employees delinquent on filing taxes. Colonel Ellis is in the process of preparing a letter to his employees concerning this issue, noting that his agency has a code of conduct policy.

Colonel Ellis reported on the employee count: there are 819 out of 953 authorized trooper positions; there are 194 radio operators, and 252 other civilians, bringing the total to 1,265 positions.

State Patrol has taken on the Georgia Building Authority security detail, and it involves 47 private security positions and 78 Building Authority secured positions. This detail started July 1st, with funding of \$4 million transferred from the Building Authority. This detail works security for the buildings surrounding State Capitol, along with state buildings in downtown Atlanta. One way Colonel Ellis would like to fill positions on this detail would be to hire additional cadets, at the time of the upcoming trooper school, to work on this security detail temporarily, until the next trooper school.

The selection process for the new trooper school has started; testing was on July 9th, which had over 200 applicants, and testing again set for July 26th. This trooper school will also have radio operators.

Colonel Ellis will be meeting with the command staff to revise radio operator count, to find ways to keep posts open. There are too many troopers working radio positions. Colonel Ellis is working to move forward with manning the 24-hour stations.

Colonel Ellis reported that 800 MHz was activated in Troop C as of July 1st. This is off the Atlanta Police Department system, with radios bought through G-8. Colonel Ellis offered to bring Major Corky Jewell to a future meeting to present an update and timeline of where State Patrol is on the 800 MHz. There are a number of counties around the state that already have the system, allowing State Patrol to use the radio system.

State Patrol is working with the Georgia Department of Corrections in the transfer of a helicopter and hangar from Corrections to State Patrol.

On the subject of tasers, Colonel Ellis believes it is a good program to help the troopers, while working a dangerous situation. Colonel Ellis pointed out that statistics show a reduction in use of lethal force as a result of using tasers; also a reduction in injuries to law enforcement people and to violators. Board member Lou Dekmar pointed out that

the Georgia Bureau of Investigation Medical Examiner is involved in taser cases, requesting that the GBI provide a periodic report just on those deaths when a taser was used, prior to that death. Director Keenan stated GBI uses them also, and there has been no death as a result of a taser. Chief Dekmar then requested a brief scenario for each death proceeded by a taser use, even though the death was not related to taser.

Vice-Chairman Donald stated it is worth noting in the Minutes that discussion took place on tasers. Colonel Ellis has shared the value in being able to do his job, and, the issue has been brought to the attention of the Board members, not requiring Board vote. The Board will wait to see what happens as part of the adjudication of the use of tasers and strive on with what the agencies have been doing.

Colonel Ellis reported that his agency received a letter from Department of Audits on a follow-up audit of asset forfeiture funds. The Legal Services Office is preparing a response to the issues raised in the letter, which were already addressed at the time of the audit; that State Patrol is in compliance with the regulations as set by this Board. It was pointed out that several years ago, the Board of Public Safety set out guidelines for asset forfeiture money. Colonel Ellis will bring back to the Board a copy of the guidelines that had previously been developed. In response to a question, Colonel Ellis responded that at the time of audit, the funds were at \$4.5 million; but right now it stands at \$1.4 million. State Patrol uses the money for training, for body armor, equipment, for things to help the troopers.

Under In-Service training, firearms training will be extended to two times a year, in the spring and in the fall. Also, next year there will be two days of driver training, which will include high speed and pit maneuver refresher.

Colonel Ellis took a moment to recognize Director Vernon Keenan by making him an Honorary Trooper. Last year, Director Keenan came to the rescue of a trooper, who was having a tough time making an arrest by the road; Director Keenan helped subdue the violator.

While both gentlemen were standing before the Board, Vice-Chairman Donald stated that the agencies, GBI, State Patrol, Corrections, Sheriffs departments, the law enforcement agencies were the winners at G-8. As with the Olympics, a working relationship was established that will continue to serve the State of Georgia. He noted there are people who know each other by name now; they have confidence in each other's roles in a crisis situation.

Georgia Bureau of Investigation

Director Vernon Keenan stated that G-8 was a true example of what happens with cooperation among local, state, and federal law enforcement agencies.

Director Keenan started out with welcoming everyone to the Northeast Georgia Crime Laboratory and the Investigative Division office. As background on this new building, four years ago Senator Carol Jackson met with former Director Buddy Nix and Vernon Keenan about having a crime laboratory set up in northeast Georgia. With Senator Jackson's tenacity, a \$5 million bond package was placed in the GBI budget to build the crime laboratory, to buy the scientific equipment to go into the lab, and to build the regional office complex. Then when revenues dropped, there were no budgeted monies to staff the crime lab. Then again, Senator Jackson assisted with getting the funds to staff the crime laboratory. Director Keenan announced that he had received this morning a telephone call from staff in Governor Perdue's office indicating that the Governor wanted the GBI to go forward with staffing the laboratory and wanted to participate in the opening ceremony. The Board members stood and applauded Senator Carol Jackson for her special efforts in obtaining this goal for GBI.

Director Keenan reported that the GBI is going forward with hiring scientists and support positions for this facility. The initial staff will be a lab manager and six staff members. It is a lengthy process to become a fully functional crime laboratory; it takes around a year to train a scientist.

The Board members were provided with a briefing paper, outlining an overview of the GBI Crime Lab report system. The paper outlines the history of the system, outlines what the problem is, defines the backlog, and shows the solution to take to solve the laboratory problems. As Director Keenan has explained to Governor Perdue and the General Assembly, the crime laboratory is the key to administration of justice in State of Georgia. The Crime Laboratory handles every piece of forensic evidence for every law enforcement officer and every prosecutor in the state. A chart on the paper reflects the reduction in the staff along with corresponding increase in backlog of cases. By opening the Northeast Georgia Crime Lab, it will be a step toward solving the problem.

Another document, Comparative Salaries, points to one problem. The GBI operates a statewide medical examiner system; one of the largest medical examiner operations in the nation. This document lists the salary of the medical examiners working for the GBI, along with a list of salary information on doctors who have pathologist background out of Medical College of Georgia. In the near future, Director Keenan will raise the salaries of the medical examiners.

Director Keenan provided two Operations Bulletins, one titled "Prioritizing Chemistry Services." Effective July 1st, because of the backlog in drug identification, marijuana analyses will be placed behind controlled substance. The backlog for doing marijuana cases is twenty months. There is a program to train local law enforcement officers to do marijuana identification for their agencies, which is being run through Public Safety Training Center. Mr. Pat Head recommended that Director Keenan approach the legislature about having all forty-nine judicial circuits conduct its own marijuana testing. Board member Bud Black asked the opinion of Sheriff Neal Walden; Sheriff Walden replying that he has an officer already trained, but that it would require a fulltime officer to work all the cases for his jurisdiction.

Vice-Chairman Donald recommended that the Georgia Bureau of Investigation Committee look at the issue of relieving the responsibility of the Crime Lab by allowing local law enforcement agencies handle marijuana testing. Ms. Lisa Godbey Wood seconded said motion and the Board members voted approval. The Vice-Chairman took the suggestion that small law enforcement agencies sit in on the committee meeting.

Director Keenan gave each Board member a draft memorandum relating to High Intensity Drug Trafficking Area (HIDTA) task force. This is a draft document showing federal, state, and local law enforcement agencies working to develop procedures of what will happen when there is a deadly police force incident involving multi-agencies. The next step in this is to meet with the district attorneys in Cobb, Fulton, and DeKalb counties and get their direction on how they want this handled. The handout is background to give the Board members an idea of state, federal, and local agencies working together on what to do when someone dies in police custody.

Director Keenan passed out copies of the 2003 Bingo Annual Report to let the Board members know the GBI has its hand is in many things.

As Director Keenan completed his report, Chief Hubert Smith recognized Director Keenan, his investigative unit, and the crime lab personnel for assisting the police department with a shooting in Rome. Every time Chief Smith has had to contact Director Keenan or Assistant Director Chris Ash, they have not hesitated to step in and help.

At this time, Senator Jackson excused herself from the meeting; thanking everyone for visiting White County, the home of Bud Black; also thanking Director Keenan for everything the GBI has done for the state and this community.

Georgia Public Safety Training Center

Director Dale Mann, Georgia Public Safety Training Center, pointed out that the Board report reflects the Northwest Georgia Police Academy has moved to Coosa Valley

Technical College in Calhoun. The move went smoothly; all the logistical support has been done so that it can be as transparent a move as possible. There is a tentative agreement to move the burn building facility to an area across from Coosa Valley Tech. This fits in with the mission of Coosa Valley Tech because it fits in with a fire service training program.

In addition to the regular programs handled for the G-8 Summit, over 10,000 officers were trained in G-8 related things. Training expenditures totaled about \$163,000. The reason it came in as low as it did, was because Mr. Bob Buffington searched out federal fund sources. The two weekend training exercises held at the Training Center were paid by ODP money. Director Mann stated he was fortunate to have folks work long, hard hours to look for funding sources.

The Training Center deployed 26 employees to work G-8, working those seven days at either Savannah or Brunswick. Director Mann proudly stated that his people were able to operate as sworn officers, whether it is has been for G-8 or for the 1996 Olympics.

For FY 06 budget, Director Mann plans to put in a bond package for \$10 million for the Training Center to build regional academies. Director Mann explained that for thirty years, the Training Center has rented space. Director Mann would like to build seven stand-alone buildings. Plans have been drawn for the buildings to have two large classrooms, two small classrooms, an area for physical training, and an area for office space and files. With the cost of approximately \$1.4 million, a stand-alone academy could be built with a firing range next to it. Director Mann projects that these can be built in remote areas of the state.

As for the budget, Director Mann reported there is no money for what is called basic subsistence. When an officer would be sent to a regional police academy, 100% was reimbursed; then as the budget dwindled, reimbursement was 60%; then down to 30%. However, now this is one cut the General Assembly took; there is no funding for basic subsistence.

Vice-Chairman Donald thanked Director Mann for the hard work and support in the G-8 Summit by the Training Center.

COMMITTEE REPORTS

Mr. Rooney Bowen, III, chair of Department of Public Safety/State Patrol Committee, deferred to Colonel Ellis and the report he gave earlier. One item, Mr. Bowen made the motion to present Mr. Jimmy Crump a Resolution for his 40 years of service with State Patrol. Mr. Hal Averitt seconded said motion and the Board members voted approval.

Chief Lou Dekmar, chair of Georgia Bureau of Investigation Committee, reported that the committee discussion emphasized on the crime lab and the significant backlog. Mr. Dekmar made a motion that Vice-Chairman appoint an ad hoc committee for members of this Board to meet with legislators when House and Senate Public Safety committees convene for purposes of GBI budget and give their support during legislative session. Vice-Chairman Donald suggested that the motion include all the agencies. Chief Dekmar amended his motion requesting Vice-Chairman appoint an ad hoc committee, once review of each agency's budget is completed establishing an agreement with this Board on funding priorities; and, that the ad hoc committee be available to provide testimony to legislature on specific agency needs. Chief Hubert Smith seconded said motion and the Board voted approval.

Chief Hubert Smith, chair of Georgia Public Safety Training Center Committee, stated that Director Dale Mann covered all the issues discussed at the committee meeting. Chief Smith recommended that the 60-mile radius policy remain the same, Chief Lou Dekmar seconded said motion and the Board members voted approval.

RULE

Mr. Wayne Yancey presented amended Rule 570-19-.01, which governs the Uniform Traffic Citation. Several police departments are going to on-board computers in their vehicles and the computers will generate citations that do not meet the size specified; this amendment adds language, "except that the length and series requirements shall not apply to computer generated or electronically submitted citations..." Chief Lou Dekmar motioned for initial adoption, Mr. Rooney L. Bowen, III seconded said motion, and the Board members unanimously voted approval.

DONATIONS AND RESOLUTION

Mr. Richard Guerreiro, Public Safety Training Center, requested approval of the following donation:

Great Dane Tank Trailer	\$15,000	Mr. Maylon Clinkscales
120 Gallon Steel Service Station Kerosene Tank	\$ 250	

Mr. Wayne Abernathy moved to accept said donation, Mr. Hal Averitt seconded said motion, and the Board members unanimously voted approval.

Mr. Ray Higgins, Georgia Bureau of Investigation, presented one donation for approval:

Three Body Transmitters and One Programmable Receiver	\$7,688.00	Sheriff Freddie Tompkins Worth County
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Mr. Wayne Abernathy motioned to accept the donation, Mr. Bud Black seconded said motion, and the Board members voted approval.

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

Stalker Dual SL Radar	\$1,900	Piedmont MANS Unit
Stalker Dual Radar	\$1,912	Mr. Martin Shingler Donalsonville City Manager
Two Stalker Dual Antenna Radar Units	\$3,794	Mr. George McLendon Treutlen County Commissioner
Compaq Laptop Computer	\$ 400	Assistant Chief Robert Gable Braselton Police Department
13 – 800 mhz Radios	\$1,300	Doraville Police Department
Genesis-II Select Radar	\$1,515	Mr. Garner Mercer Twiggs County Commissioners
Lodging During FTAA May, 2004		Atlanta Hotel Security Directors Association
Exercise Weightlifting Equipment	\$10,730	AT&T Corp.

Mr. Hal Averitt made a motion to approve these donations, which was seconded by Mr. Wayne Abernathy and unanimously voted approval by the Board.

As New/Old Business, the Board members had previously discussed the idea of presenting recognition certificates to staff from the three agencies. Mr. Bowen

announced that after discussion, it was agreed that the agency heads would come up with the criteria in presenting the certificates and this subject would be discussed again at a later board meeting.

Chief Lou Dekmar made a motion to go into Executive Session, Chief Hubert Smith seconded said motion, and all members present affirmatively voted to go into Executive Session.

Upon reconvening into regular session, the Board members were reminded of the training session, which will be August 11th at Kennesaw State University. Mr. Rooney Bowen, III suggested that a short Board meeting be held after the training session.

Mr. Pat Head requested that paperwork for each board meeting be provided prior to the meeting. Vice-Chairman Donald recommended to the agency heads that they decide what materials would be sent to the board members.

Mr. Bowen commended Colonel Ellis for forwarding the “unusual occurrences” out of State Patrol reports. These reports help the board members understand what goes on around the state.

Thanks were again given to Mr. Bud Black for his hospitality.

There being no further business, the meeting was adjourned.

Rooney L. Bowen, III
Secretary