

# **BOARD OF PUBLIC SAFETY**

Minutes of Meeting Held July 13, 2005  
Atlanta, Georgia

## **MEMBERS PRESENT:**

Mr. Hal Averitt  
Mr. Wayne Abernathy  
Mr. Bud Black  
Mr. Rooney L. Bowen, III  
Chief Lou Dekmar  
Commissioner James Donald  
Sheriff Bruce Harris  
Mr. Pat Head  
Chief Dwayne Orrick  
Chief J. D. Rice  
Sheriff Jamil Saba  
Sheriff Cullen Talton

## **MEMBERS ABSENT:**

Governor Sonny Perdue  
Mr. Dub Harper

## **OTHERS PRESENT:**

Mr. Chris Brasher, Senior Assistant Attorney General  
Ms. Laura Jones, Board Liaison  
Colonel Bill Hitchens, Department of Public Safety/Georgia State Patrol  
Lieutenant Colonel Arthur White, Georgia State Patrol  
Major Corky Jewell, Georgia State Patrol  
Major Don Chastain, Georgia State Patrol  
Major Keith Sorrells, Georgia State Patrol  
Sergeant Mark McDonough, Georgia State Patrol  
Chief Mark McLeod, Motor Carrier Compliance Division, Department of Public Safety  
Ms. Melissa Rodgers, Department of Public Safety  
Mr. Terry Landers, Department of Public Safety  
Director Vernon Keenan, Georgia Bureau of Investigations  
Assistant Director Chris Ash, Georgia Bureau of Investigations  
Deputy Director Paul Heppner, Georgia Bureau of Investigations  
Mr. Ray Higgins, Georgia Bureau of Investigations  
Director Dale Mann, Georgia Public Safety Training Center  
Mr. Richard Guerreiro, Georgia Public Safety Training Center  
Mr. Willie McGee, Houston County Sheriff's Office

Vice-Chairman James Donald called the meeting to order welcoming everyone to the July Board meeting. He called on everyone to be introduced, asking each person to state his/her name and agency.

Vice-Chairman Donald called for approval of the June Minutes, which was motioned by Mr. Wayne Abernathy, seconded by Sheriff Cullen Talton, and voted approval by the Board members.

## **DIRECTORS REPORTS**

Colonel Bill Hitchens, Department of Public Safety/Georgia State Patrol, began his report with a powerpoint presentation. He started off with reporting on the staffing numbers. With 28 graduates from the Trooper School, there are 787 filled positions; out of the 953 authorized positions, there are 166 vacancies. The Motor Carrier Compliance Division is authorized with 341 positions, of which 278 are filled, leaving 63 positions that are vacant. Out of the Capitol Police section, there are 36 positions, with 18 filled; also, there is an excess of 100 contract employees, who provide security through all the buildings on Capitol Hill. Colonel Hitchens, upon a question of how the transition had been with taking on Capitol Police, responded that the few problems had been dealt with in a fair manner. In response to a question concerning agency vacancies, Colonel Hitchens responded that the positions were authorized at one time, but through budget reductions, the vacant positions are unfunded.

Colonel Hitchens went on to state that with the Trooper Schools, the agency has to have special funding. Last year, the General Assembly approved two Trooper Schools in the forthcoming year; allocating about \$3 million for the schools. With the upcoming school beginning in August, over 100 people applied. About 30% did not pass in physical fitness, and, lost about 30% during psychological evaluations. This time it is has been unsuccessful in coming up with 50 candidates who meet all the criteria. Also, when comparing what local agencies are paying and the benefits they offer, State Patrol cannot compete, particularly with agencies in the metro area. As an example, a State Patrol employee, with 14 years of service, left to work for a metro agency. Upon beginning with the metro agency, the employee got a \$5,000 pay raise; in eighteen months, he will get an additional \$5,000 pay raise. The employee will be able to retire one year sooner under the metro agency with making 80% of his salary; compared to staying with State Patrol, working one extra year before retiring with 68%.

With discussing salaries, Colonel Hitchens responded to a question concerning compression of salary; that troopers with nine/ten years experience are paid just a little bit more than a TFC. In response, Colonel Hitchens stated the agency is looking at four options, those options being discussed with Governor Perdue. Colonel Hitchens further stated that a study had been done, and, he pointed out that the agency's entry salary was very competitive with other states. But at the 5-year, 10-year, or 20-year service levels, Georgia's State Patrol falls way behind other states, because there are no pay raises on those levels. By way of describing, when Zell Miller was Governor, he implemented a

system of simply rewarding people for doing a good job. Under “exceeds,” the employee received a certain amount; under “met”, the employee got a certain amount; and if the employee did not meet the criteria, there was no pay raise. Because of budget constraints, that system was tabeled. Now, upon someone entering the State Patrol, the starting salary pretty much stays the same. The troopers, who will graduate this week, will make about \$1,000 to \$2,000 less than someone who has been working six or seven years with State Patrol.

Colonel Hitchens addressed a question of whether there was support of 75/25. In response, Colonel stated that a study has been done concerning retirement of law enforcement groups; one group would involve the State Patrol, GBI, and DNR employees. The study is that after 25 years of state service, the retiree could draw 75% retirement salary. However, the remaining state employees have to work 34 years to get 68%. Colonel Hitchens stated it is something the House Retirement Committee is looking at.

In continuing on with the numbers, Colonel Hitchens pointed out that the agency is authorized with 247 Administrative positions, with 268 filled positions; utilizing 21 more than authorized. The funding for those 21 positions came from the money for vacant trooper positions and vacant radio operator positions. Colonel Hitchens indicated the agency will fill in some of the post secretary positions around the state; also putting secretaries for administrative help in the SCRT program. Overall, the department is authorized with a count of 1,830; 1,532 filled positions with right at 300 vacant positions.

In continuing with his report, Colonel Hitchens presented the next powerpoint slide reflecting creation of the Motor Carrier Compliance Division. O.C.G.A. § 35-2-100 describes the creation and establishment of a division to be known as the Motor Carrier Compliance Division, the members of which shall be known and designated as law enforcement officers. The MCCD was established on July 1<sup>st</sup> and currently consists of 278 Compliance Officers and 36 Administrative Employees. This represents 314 filled positions, with an additional 64 authorized positions but unfilled. Each sworn Compliance Officer is not issued a vehicle; in some cases, vehicles are provided at locations, such as Weigh Stations, to be used as necessary by assigned personnel. 187 vehicles were provided in the budget transfer from Department of Motor Vehicle Safety. Sixty-six of these vehicles will reach 135,000 miles around fiscal year 2006. Funding is currently available to replace only nine of these vehicles. In order to achieve a 5-year replacement cycle, 37 MCC vehicles need to be placed each year. For FY 2006, this will require an additional appropriation of \$586,955. Additional funding needed for fleet replacement for department motor vehicles includes \$2.4 million for Field Operations; \$586,955 for Motor Carrier Compliance; and \$42,000 for Capitol Police. To achieve that, if keeping Fleet as is, and with the current numbers, and with a 5-year replacement system, the cost would be \$5.7 million per year. There are just enough vehicles for the Trooper School that is graduating this week. State Patrol is repairing vehicles as fast as they can; trying to make ends meet; there are a lot of vehicles reaching the 135,000 mile limit.

Colonel Hitchens showed a slide reflecting recurring annual funding based on replacing 270 vehicles. The proposed budget transfer from DMVS to Public Safety for FY 2006 is a \$16 million budget. \$6.3 million is appropriated and \$6.3 million is anticipated. Permits, for overweight vehicles, are appropriated \$7.1 million and \$5.8 million anticipated. According to gathered information, DMVS has never been able to collect the \$7.1 million. At best, it is anticipated that it would be a collection of \$5.8 million. Office of Planning and Budget has given as much as \$1 million to cover this shortfall. Under Federal Grant Funds, \$6.2 million is appropriated and \$4.8 million is anticipated. The \$4.8 million represents the maximum amount of available grant funds. Staff members are working diligently to do everything to maximize what can be obtained under federal grants. With another slide, a chart showed a comparison of appropriated versus anticipated State Funds, Permits/Others, and Federal Funds. Critical Factors to pay attention to are Permits/Other funding as projected, which may vary; second, the agency is striving to obtain maximum funding from federal grants, and if not obtained, a shortfall in the Motor Carrier budget will occur.

In response to a question of where are the Motor Carrier Compliance collections of violations placed, Chief Mark McLeod responded that monies collected for the overweight assessment go to the General Funds; other monies from uniform citations, such as oversize, overlength, and overwidth, go to the county or the city or the local jurisdiction. Also, Chief McLeod explained Motor Carrier Compliance officers have full arrest powers, however, they assume the commercial motor vehicle safety violations. One question raised was if the Motor Carrier Compliance Division would integrate with State Patrol. Colonel Hitchens responded that in situations that would require significant manpower, he would use both MCC personnel and State Patrol personnel in those areas needed to allow normal operations to continue without interruption.

Colonel Hitchens brought to the attention of the Board members that the Eleventh Circuit Court of Appeals rendered a decision involving P.I.T. maneuver. Because Colonel Hitchens is working on being in compliance with the court decision, he requested a State Patrol subcommittee meeting be held to discuss the revised policy.

Director Vernon Keenan, Georgia Bureau of Investigation, prefaced his report with stating that outsourcing is working successfully for the State Crime Laboratory. He then stated that he mainly wanted to report on the Georgia Crime Information Center. GCIC is the sole source provider of criminal history record information to every law enforcement agency in the state. Director Keenan called on Deputy Director Paul Heppner to make a short presentation to the Board about initiatives that GCIC are taking to improve the quality of delivery of service to law enforcement community.

Deputy Director Heppner stood before the Board to give an overview of three key pieces to the future of criminal justice information system networking. First of all, GCIC is converting the network in to the modern age. Looking at one customer group, that being the Sheriffs, there are 97 offices converted, with 23 scheduled for conversion and 24 to be contacted about scheduling conversion. Second, the new message switch project is

making good progress. A contract has been signed with UNISYS, which will put in an excellent message switch for GCIC. This switch will go in the spring of 2006. The final prong, the Request for Proposal has been completed for bids to replace the antiquated criminal history system. Deputy Director Heppner stated the RFP has been announced and the bid process will begin.

At this time, Director Keenan stood to brag on Deputy Director Heppner, stating that he and his staff are experts in developing contracts; the way proposals for bids are done and the way they issue their contracts are iron clad. There are no surprises; and GCIC and GBI have not been caught on the short end of any bid processes.

Deputy Director Heppner responded to a question of the message switch, that being hardware and software that allows messages be sent back and forth, and allows sending images to be sent back and forth, as well as communicating with other states and with the FBI. Updating the message switch may take place in spring of 2006. As for replacing the criminal history system, Deputy Director Heppner stated that may be operational in first part of 2007. The design of the future criminal history check will integrate every possible link to other agencies, in order to be able to do one-stop shopping.

Dale Mann, Director of Georgia Public Safety Training Center, stood before the Board saying he only had three things. First, Director Mann reported that Mr. Bob Buffington is taking a medical retirement. By way of description, Mr. Buffington served in Vietnam, coming back in good physical shape, and then starting as a police officer with City of Atlanta. While in the line of duty, Mr. Buffington was shot in the stomach, wherein a inferior vena cava was severed. Since that time, he has had to wear medical hose to keep blood from pooling to his lower extremities. However, now the doctors have insisted that Mr. Buffington retire. As a result of that, Director Mann has decided to put Mr. Butch Beach in the position of Director of Police Academy. In turn, Mr. Bob Wilson will replace Mr. Beach. Chief Lou Dekmar made the motion that a Resolution be prepared to recognize the service of Mr. Bob Buffington; Mr. Wayne Abernathy seconded said motion and the Board members unanimously voted approval.

Second, Director Mann brought to the Board a request to approve for the Training Center join the Georgia Mutual Aid Resource Pact. Director Mann stated that it is important to join as an official member; that it requires an official Resolution from the Board of Public Safety to join the group. By way of explanation, Chief Rice stated that this is a group of fire departments around the state; upon joining, information on members is placed in a database. Chief Rice explained that if there are ever situations in a jurisdiction that overwhelms a particular fire department, whatever the disaster may be, resources are pooled around the state and response is immediate. Mr. Hal Averitt made a motion to approve the Resolution, which was seconded by Chief J.D. Rice, and unanimously approved by the Board.

Third, Director Mann brought to the Board the issue of the process of the Governor's Public Safety Awards. By way of explanation, the idea was suggested in 1998 and then

Governor Zell Miller was the first Governor to implement the idea. Nominations would be made for men and women who have gone above and beyond the call of duty to protect lives and property of citizens of Georgia, and, those who have made significant contributions to their profession. During the years, the process got to the point where nominations were ones who just basically came to work. Therefore, Director Mann revised the criteria for the selection process, a copy of which was given to each Board member. Director Mann noted on page 1, the last sentence now describes the categories are not intended to recognize employees for merely doing a good job, but to recognize employees who go beyond the ordinary. On page 2, the wording has been changed to read "recipients may be selected ...," indicating not every group will have a recipient. After showing the revised criteria, Director Mann also explained that the cost of the awards ceremony has been paid through the Memorial fund, under the Training Center. Director Mann is looking at ways to trim the expense. After roundtable discussion, Chief Dwayne Orrick made a motion to approve the change of language of the criteria for the Public Safety Awards; said motion seconded by Mr. Rooney L. Bowen, III, and unanimously approved by the Board members.

**DONATIONS/RESOLUTIONS:**

Mr. Terry Landers, Department of Public Safety, brought the following donations for approval:

One Decatur Genesis II Radar	\$2,115.00	Sheriff John Bowens Terrell County
One Stalker DSX 2x Radar	\$ 910.00	Pike County Sheriff

Mr. Wayne Abernathy motioned approval to accept the donations, Mr. Rooney L. Bowen, III seconded said motion and the Board members unanimously voted approval.

**ADMINISTRATIVE/EMERGENCY ISSUES:**

Mr. Rooney L. Bowen, III brought to the Board the issue of a wireless carrier not recognizing emergency phone numbers; that a person had come upon an accident and attempted to report it by contacting \*GSP for assistance. Mr. Bowen asked Major Corky Jewell to give a brief synopsis of what State Patrol is trying to do to get this changed. Major Jewell explained that the State Patrol is in the process of notifying all the major wireless and wire line carriers of the updated telephone numbers of patrol posts. Some of the carriers have changed the way they do business because of mergers within the wireless industry. The way the process used to be handled, State Patrol would notify the wire line carrier, Cingular which used to be Bell South Mobility. They were the B grade carrier and they had the wire lines of all the other carriers. They utilized the information State Patrol gave to make sure the dial numbers, \*477, went through their switch to the correct location. With all the mergers that are taking place and the

divestitures, Cingular is no longer involved. So, State Patrol is having to notify each carrier individually; everything should be back up by next month.

**OLD/NEW BUSINESS:**

Vice-Chairman Donald commended Director Keenan and the GBI for the dedication of the new building at Cleveland; thanked the Board members for attending and for supporting that ceremony. This is going to be a big step forward in processing crime activity in the state. Director Keenan added that Governor Perdue and GBI staff were pleased in the district attorneys, chiefs, sheriffs, and board members, and agency heads attending. Governor Perdue got to see first hand the value of the Crime Lab to local law enforcement.

Vice Chairman Donald went on to say he wanted to inform the Board members of what is going on with the Department of Corrections involving the Rogers State Prison situation and the GBI investigation. While the investigation has not been completed, Department of Corrections terminated seven employees based on the GBI investigation. Vice-Chairman/Commissioner Donald stated he does not tolerate inmate abuse inside the prisons. There are under 10,000 correctional officers in the Department of Corrections; there is a lot of pressure on men and women, day-in and day-out of going into situations where they are in harm's way. There are a lot of people on a daily basis who are unsung heroes who are doing great things to enhance public safety. In making changes, Vice-Chairman Donald has hired Mr. Terry Mulkey to be the Director of Internal Investigations. Mr. Mulkey comes highly recommended by Director Keenan. Vice-Chairman Donald is excited about Mr. Mulkey bringing in not only his experience, but his training of internal investigators in the field. Director Keenan added that from the perspective of the GBI, the agency routinely does use-of-force investigations for local and state law enforcement agencies. With the investigation at Rogers State Prison, the GBI had excellent cooperation from Commissioner Donald and staff. The investigation has concluded and the case file has been presented to the local district attorney.

There being no further business, the meeting was adjourned.

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Rooney L. Bowen, III  
Secretary