

BOARD OF PUBLIC SAFETY

Minutes of Meeting Held June 4, 2003
Atlanta, Georgia

MEMBERS PRESENT:

Mr. Wayne Abernathy
Mr. Charles D. "Bud" Black
Mr. Rooney L. Bowen, III
Sheriff Greg Coursey
Mr. W. H. "Dub" Harper
Sheriff Bruce Harris
Sheriff Jamil Saba
Chief Hubert Smith

MEMBERS ABSENT:

Governor Sonny Perdue
Sheriff Jackie Barrett
Ms. Lydia Sartain

OTHERS PRESENT:

Mr. Chris Brasher, Georgia Department of Law
Miss Laura Jones, Board Liaison
Colonel George Ellis, Department of Public Safety
Mr. Terry Landers, Department of Public Safety
Mr. Scott Cown, Department of Public Safety
Major Tommy Tomlinson, Department of Public Safety
Major Kenny Hancock, Department of Public Safety
Major Corky Jewell, Department of Public Safety
Major Arthur White, Department of Public Safety
Captain Richard Ashmore, Department of Public Safety
Captain Curtis L. Daniel, Department of Public Safety
Mr. Wayne Yancey, Department of Public Safety
Ms. Chris Ash, Georgia Bureau of Investigation
Mr. Ray Higgins, Georgia Bureau of Investigation
Mr. Bill Holland, Georgia Bureau of Investigation
Mr. Gib Heuett, Georgia Bureau of Investigation
Mr. Kent Wilson, Georgia Bureau of Investigation
Mr. David Saye, retired, Georgia Public Safety Training Center
Acting Director Jimmy Dean, Georgia Public Safety Training Center
Mr. Kevin Rexroat, Georgia Public Safety Training Center
Mr. Richard Guerreiro, Georgia Public Safety Training Center
Mr. Bob Gaylor, Georgia Public Safety Training Center
Mr. R. H. Buffington, Georgia Public Safety Training Center
Mr. J. Dale Mann, Georgia Public Safety Training Center
Mr. David Pritchett, Georgia Public Safety Training Center
Mr. John Garner, Georgia Public Safety Training Center
Ms. Patrice Kerner, Office of Planning and Budget

Chief Hubert Smith welcomed everyone to the June meeting of the Board of Public Safety. The first order of business, Chief Smith requested approval of the Minutes of the previous Board meeting. Mr. Wayne Abernathy made the motion, Sheriff Greg Coursey seconded, and the Board members unanimously approved the Minutes of May, 2003.

Chief Smith requested Mr. Chris Brasher, Board Attorney, address the issue of requiring confirmation by the State Senate of the Board members. The Georgia Attorney General has done an official opinion to Governor Sonny Perdue regarding board appointments and terms of board members. More specifically, four members of the Board of Public Safety require not only nomination by the Governor, but also confirmation by the Senate. The four members are representatives of the Chiefs of Police, Sheriffs Association, District Attorneys Association, and Firefighters Association. Chief Hubert Smith, representative of the Chiefs of Police, was confirmed by the Senate during the regular session of 2002. Chief Rebecca Denlinger, Sheriff Donnie Haralson, and Mr. Robert Keller were not reappointed, and, therefore not confirmed by the Senate. O.C.G.A. § 45-2-4 states if the position requires confirmation, that position does not hold over until a successor is appointed and qualified. However, several positions with the Board do not require Senate confirmation. As an example, Mr. Brasher pointed out that Ms. Lydia Sartain is still a member of the Board of Public Safety, because her position does not require confirmation and a successor has not been named.

Chief Smith called on Mr. Rooney L. Bowen, III to present a Resolution to Mr. David Saye. Mr. Saye is retiring from the position of Director of Georgia Public Safety Training Center. Mr. Saye is someone who had the opportunity to birth an agency, then take it from its initial concept, mastermind it, develop it, and oversee it. Mr. Bowen described Mr. Saye as the epitome of an administrator, a friend, and someone loyal to this Board, to his employees, to everyone.

Mr. Saye expressed his appreciation for the loyalty, support, and friendship from the Board members; considering it a honor, privilege, and great opportunity to serve 22 years with the Board. Mr. Saye also thanked Public Safety, GBI, and other agencies for their support.

Chief Smith called on Mr. Chris Brasher to read the Resolution appointing Mr. James R. Dean as Acting Training Center Director. Mr. Rooney L. Bowen, III made the motion to approve the Resolution, along with requesting that Mr. Dean's salary be commensurate with the present salary of the Director of Training Center. Sheriff Bruce Harris made the second to said motion, and the Board members unanimously voted approval.

Mr. Dean thanked the Board members for their support and confidence in allowing him to serve as Acting Director of Training Center. Mr. Dean expressed how fortunate that he had a good training officer for the last 30 years. Mr. Dean pointed out people like

Kevin Rexroat, John Garner, Bob Gaylor, Dave Mann, Bob Buffington, Dave Pritchett, and Richard Guerreiro, those present today, that they are the Training Center.

DIRECTORS' REPORTS:

Department of Public Safety/State Patrol

Colonel George Ellis began by wishing Mr. Saye the very best on retirement, thanking him for his support and friendship. Colonel Ellis pledged the continuing support of Department of Public Safety with the Training Center, and, looking forward to working with Mr. Jimmy Dean. First, Colonel Ellis re-introduced Mr. Wayne Yancey, who is returning to the Department as Director of Legal Affairs. Mr. Yancey stated that he is happy to be back with Department of Public Safety; one of his pleasures being the opportunity to work with the Board of Public Safety.

Colonel Ellis announced that Captain Larry Smith is now Director of Aviation Services; Lieutenant Eddie Williams is the assistant at Aviation; Captain Richard Ashmore is now the Executive Officer for the Department.

There are 15 troopers and radio operators on active duty in the military. Regarding the budget, the Georgia Building Authority is sending to the Department the \$3.1 million, as explained in a previous board meeting. The Department of Public Safety has a meeting scheduled with Office of Planning and Budget concerning the property of Tift College.

On the issue of personnel, there are 876 troopers on the road, with the Department authorized for 953 trooper positions. Hopefully, out of the next General Assembly session, there will be funds to hold a trooper school in March of 2004. There are currently 15 radio operator vacancies. With that, Colonel Ellis answered a couple of questions and concluded his report.

Georgia Bureau of Investigation

Ms. Chris Ash, Deputy Director, stood in for Director Vernon Keenan, who is on vacation. Ms. Ash started her report with an operational issue, that being a Levi's Call activation. In this particular incident, the child had been picked up at day care but was not taken home. After being notified, Levi's Call was activated; a citizen spotted the subject, called 911, assisted law enforcement officers with the location, and the child was rescued. Ms. Ash proudly reported this alert system went smoothly.

On the continuing budget issue, Ms. Ash indicated that Director Keenan had previously mentioned the GBI getting out of rental space. Ms. Ash reported that the GBI is moving

forward with that decision. One example being that the old lab space is being renovated, so Financial Investigations Unit, Special Operations Unit, and Crime Analysis Unit are being brought in to be housed there. By doing this, it will save \$100,000 a year in rental expense.

In response to a question concerning the completion date of the Cleveland lab, Ms. Ash explained this is a complex, with two separate buildings, one being the lab and one being the regional office. The regional office out of Gainesville will move there by either August or September. As far as the lab is concerned, the GBI is looking at all resources on staffing the new crime lab. Ms. Ash responded to a question concerning the Augusta lab; now that the pathologist assistant position is filled, the GBI has staffed the new lab and it is open and running.

Ms. Ash stated that the report to the Board of Public Safety has been revised, to focus more on the vacancies and the backlog, giving the Board members a better picture of what is going on in the agency. The vacancy list shows that there are 48 agent vacancies right now; there will not be a special agent school to fill any of those vacancies.

Ms. Ash addressed questions concerning the issue of body transport services. Throughout the state, there are people sending out solicitations for transporting bodies to the lab; the question being, could these people go through procedures to be approved by the GBI to be in the transport service business. Ms. Ash agreed to present the issue to Director Keenan for his review.

Mr. Rooney L. Bowen, III requested Ms. Ash write a letter, on behalf of the Board members, to those citizens who became involved in the recent Levi's Call, thanking them for going above and beyond their civic duty. As another point of the program, Mr. Bowen queried how those traveling through Georgia be made aware of what is "Levi's Call". Nationwide, it is known as Amber Alert. Ms. Ash will check into what is the actual message on DOT electronic road signs and report back to the Board.

Ms. Ash and Mr. Kent Wilson addressed several questions concerning budget cuts, backlog of crime lab, and personnel issues.

Georgia Public Safety Training Center

Acting Director Jimmy Dean brought to the Board's attention a few matters, one being the police academy is starting a new class on June 22nd, which is headed up by Mr. Bob Gaylor. The second item, Mr. Bob Buffington, Mr. David Pritchett, and Mr. Richard Guerreiro are working with Mr. Bill Hitchens regarding homeland security training issues.

Another item, the Training Center has been in several discussions with Office of Planning and Budget regarding the use of Tift College. In explanation, the Training Center became involved when OPB asked for assistance to secure Tift College and to maintain the college grounds. Mr. Dean indicated that they are utilizing inmate labor and the Training Center's equipment and staff to maintain the area. Discussions have been held as to the possible usage of Tift College for the Training Center and State Patrol.

Mr. Rooney L. Bowen, III requested Mr. Jimmy Dean to stay on top of the Tift College project. With many state and local agencies requiring training, there is a need for additional space for dormitories. Mr. Bowen requested Mr. Dean provide a monthly report to the Board on the project.

DONATIONS AND RESOLUTIONS:

Department of Public Safety

Mr. Scott Cown presented the following donation to the Board members:

Funds	\$13,810.50	City of Conyers
For Gates and Fencing For Post 46		

Mr. Wayne Abernathy made the motion to approve the donation, Mr. Greg Coursey made the second, and the Board members unanimously voted approval.

Mr. Cown then presented a resolution for approval to the Board members:

That the Board of Public Safety for the State of Georgia, authorizes the Commissioner of the Department of Public Safety to proceed through the State Properties Commission to take necessary actions to transfer the property of 200 Carl Vinson Road, Baldwin County, Milledgeville, Georgia, to the Department of Motor Vehicle Safety.

Mr. Dub Harper made the motion to approve the resolution, Mr. Wayne Abernathy made the second, and the Board members unanimously voted approval.

OLD BUSINESS:

Mr. Rooney L. Bowen, III handed out copies of the By-Laws to the Board members for their review. Mr. Chris Brasher, Board Attorney, pointed out the following changes: Article II-Members: previously listed the members, but, changed to reflect O.C.G.A.

§35-2-1; Article III-Section 1: it was added that the Board shall meet once annually for strategic planning purposes; Article IV-Section 5 and Section 6: language regarding the ability of the Vice-Chairman to act as Chairman, in the absence of the Chairman; this language replicated in Section 6 dealing with Secretary. In Article V-Section 1: the necessity of a fourth standing committee regarding the Georgia State Patrol has been removed. Therefore, there are only three standing committees, i.e., Department of Public Safety, Georgia Bureau of Investigation, and Public Safety Training Center. Those are the principle changes that have been made at the suggestion of the committee. Mr. Rooney L. Bowen, III noted that another change should be added to the By-Laws, that in the absence of the Secretary, the most senior member of the Board would act as chairman.

NEW BUSINESS:

Chief Hubert Smith asked for any new business. Mr. Rooney L. Bowen, III asked Georgia Crime Information Center to make a presentation concerning complaints from the Georgia Sheriffs Association and the Georgia Chiefs of Police Association on the issue of local departments not being able to run drivers history on their law enforcement employees through GCIC terminals in their offices. Even though this is a government issue that is getting statewide implications, the Board members have been approached with this issue.

Ms. Chris Ash said Mr. Gib Heuett, Assistant Deputy Director of GCIC, is well prepared to respond. Mr. Heuett handed out copies of GCIC Operations Bulletin 2002-06, which clarifies the law. To summarize, the law specifies that Department of Motor Vehicle Safety provides drivers history for employment purposes and GCIC provides drivers history for investigative and prosecutorial purposes.

Mr. Chris Brasher added that the reason why the law exists the way it does is because a federal statute, the Driver Information Protection Act. That statute requires states to enact statutes that protect driver information. Mr. Brasher offered to talk to the Board of Motor Vehicle Safety and its Board attorney to discuss the issue. Mr. Bowen requested that Mr. Brasher report his findings back to the Board at the next meeting.

Chief Hubert Smith indicated that it has been suggested that the July Board meeting be held at the Training Center and that the date be changed. After discussion, the Board members agreed to hold the next meeting on July 9th at Public Safety Training Center.

Mr. Rooney L. Bowen, III suggested that the Board of Public Safety write a letter to Governor Sonny Perdue supporting the confirmation of Mr. Jimmy Dean as Acting Director of Georgia Public Safety Training Center. Mr. Bowen also suggested that the department heads be sworn in as agency heads.

Minutes of Board of Public Safety

June 4, 2003

Page 7

There being no further business, Mr. Bud Black made a motion to adjourn, seconded by Mr. Dub Harper, and the meeting was adjourned.

Chief Hubert Smith
Secretary