

# **BOARD OF PUBLIC SAFETY**

**Minutes of Meeting Held June 8, 2005**

**Atlanta, Georgia**

## **MEMBERS PRESENT:**

Mr. Hal Averitt  
Mr. Wayne Abernathy  
Mr. Bud Black  
Chief Lou Dekmar  
Commissioner James Donald  
Sheriff Bruce Harris  
Mr. Pat Head  
Chief Dwayne Orrick  
Sheriff Jamil Saba  
Sheriff Cullen Talton

## **MEMBERS ABSENT:**

Governor Sonny Perdue  
Mr. Dub Harper  
Chief J. D. Rice

## **OTHERS PRESENT:**

Ms. Katherine Diamandi, Assistant Attorney General  
Ms. Laura Jones, Board Liaison  
Lieutenant Colonel Arthur White, Georgia State Patrol  
Major Corky Jewell, Georgia State Patrol  
Major Don Chastain, Georgia State Patrol  
Tpr. Kevin Rexroat, Georgia State Patrol  
Sgt. Mark McDonough, Georgia State Patrol  
Mr. Terry Landers, Georgia State Patrol  
Ms. Melissa Rodgers, Georgia State Patrol  
Director Vernon Keenan, Georgia Bureau of Investigation  
Ms. Chris Ash, Georgia Bureau of Investigation  
Mr. Paul Heppner, Georgia Bureau of Investigation  
Director Dale Mann, Georgia Public Safety Training Center  
Mr. Richard Guerreiro, Georgia Public Safety Training Center  
Ms. Lloyd Strickland, Georgia Public Safety Training Center  
Ms. Diane Johnson, Georgia Public Safety Training Center  
Mr. Jimmy Dean, Georgia Public Safety Training Center  
Mrs. Marie Dean, wife of Jimmy Dean  
Chief Hubert Smith, former Board member  
Mr. Frank Rotondo, Executive Director of Georgia Police Chiefs  
Mr. David Saye, retired Director from GPSTC  
Mr. William T. Dean, retired from GPSTC  
Mr. John Garner, retired from GPSTC  
Ms. Sue Adams, retired from GPSTC  
Chief Mark McLeod, Department of Motor Vehicle Services  
Major Billy Boulware, Department of Motor Vehicle Services

Vice-Chairman Donald called the meeting to order welcoming everyone to the June Board meeting, asking if any Board member wanted to acknowledge a guest. Mr. Wayne Abernathy pointed out former Board member Chief Hubert Smith as visiting the meeting. Vice-Chairman Donald then asked everybody to introduce themselves.

Vice-Chairman Donald requested Mr. Jimmy Dean stand for presentation of a Resolution from the Board of Public Safety. After the reading of the Resolution, several Board members stood to give their accolades to Mr. Dean, who is retiring from the Georgia Public Safety Training Center. The Board members noted how Mr. Dean started the Training Center in October, 1981, with Mr. David Saye, retired Director of the Training Center. Mr. Dean was instrumental in going through the legislature to get funding to build the Training Center. Director Keenan and Director Mann added their compliments to Jimmy Dean for his excellent work. Then Mr. David Saye stood to thank Jimmy Dean; giving credit to him in having the training center built, for Mr. Dean's partnership, for his friendship, and presenting him with a special gift. Mr. Dean expressed his sincere thanks to everyone, acknowledging thanks to Mr. David Saye for the opportunity to participate in the training center project. More notably, Mr. Dean thanked his wife, Marie, for her support during these years.

Mr. Rooney Bowen, III made a motion to accept the presentation of the Resolution to Mr. Jimmy Dean; said motion seconded by Mr. Hal Averitt and unanimously voted approval by the Board.

Vice-Chairman Donald requested a motion to approve the April Minutes, which was given by Mr. Rooney Bowen, III, seconded by Mr. Wayne Abernathy, and unanimously voted approval by the Board.

Vice-Chairman requested a motion to approve the May Board Minutes, which was given by Chief Dwayne Orrick and seconded by Sheriff Cullen Talton. Said motion was unanimously voted approval by the Board members.

Vice-Chairman Donald stated there would be an Executive Session to discuss a personnel issue, which will be the last order of business.

### **DIRECTORS' REPORTS**

Vice-Chairman Donald first recognized Lieutenant Colonel Arthur White, Georgia State Patrol. Lieutenant Colonel White, standing in for Colonel Bill Hitchens, reported on the personnel count. There are currently 765 sworn members and 184 communication equipment operators.

In briefly reporting on the transition of the unit from the Department of Motor Vehicle Safety, Lieutenant Colonel White first pointed out that Colonel McCloud and Major Bull, members with DMVS unit, were attending this meeting. The Department of Public Safety is right on schedule to bring the unit in; everything is going well and the operation is ready to start on July 1<sup>st</sup>. Mr. Terry Landers responded to a question regarding funding, that with 300 employees being transferred, the budget for the unit is a little over \$13 million; \$2 million of which is to handle basic operations. It appears it will be a little tight, but in dealing with the federal coordinators, the agency may possibly gain more funding. There are 178 vehicles with that unit. Another question was if the agency's organizational chart would change; the response that Colonel Hitchens will bring a new org chart to the next Board meeting.

Director Vernon Keenan, Georgia Bureau of Investigation, first stated that he had given the Board members a new GBI patch, a state-of-the-art latex design.

Director Keenan began his report with saying the majority of complaints he receives concern No. 1: Crime Lab, and, No. 2: applicant fingerprint cards. The GBI services not only the criminal justice system in doing fingerprint based background checks, but also public safety personnel that are being hired or persons arrested or convicted. Also, background services are provided for non-criminal justice agencies that require applicants go through fingerprint base background checks. For example, anyone hired as a school teacher must be fingerprinted; anyone hired as a DFACS worker must be fingerprinted; anyone licensed by the Private Detective Board, anyone licensed by the Real Estate Examiners Board; those professions require fingerprint base background check. Over the years in the criminal justice system, the GBI has received an influx of grant monies, allowing to put live scan fingerprint devices in sheriffs departments and prison diagnostic facilities, to the extent that in Georgia today, when persons are arrested, their fingerprints are submitted to the state electronically. The fingerprints come to GBI, where they are processed for state records, and automatically forwarded on to FBI for the national search. It then comes back within twenty minutes with a response, informing if there is a match of the fingerprints to the name applied; also sending that person's criminal history record. The problem comes from with those agencies that do not have the live scan devices. Doing those fingerprint checks manually usually takes two to six months for a background check. Whether it is a request on a DFACS worker being hired, or the checking of a foster parent, or someone applying for a state license, the application and fingerprints are mailed in. The delay comes in doing this processing, manually, through state records; and, then mailing to FBI for processing through national records. Director Keenan has discussed this issue with those agency heads who are impacted by this process, hence, he proposes two options. One option is that the agencies could purchase a live scan device. As an example, the Department of Human Resources has purchased two devices and is handling processes of applicants for foster parents or workers in state mental health facilities or employees, and, the devices are used to send the prints electronically to GBI and to FBI. As a result of this process, the response is returned

within twenty minutes as opposed to the two-to-six month delay. Another example, the Georgia Department of Education has purchased live scan devices and they are processing applicants for teachers to avoid the delay in hiring. Director Keenan proposed another option in that agencies could contract with a private vendor, who could set up the live scan devices strategically through the state. This cost could be paid by having a user fee attached to the applicant process. Director Keenan noted here that the FBI charges for a fingerprint background check. Director estimated that the private vendor would charge an additional charge of \$10 to \$20 per applicant. The result would be that instead of a delay of waiting two-to-six months, an agency would have its response back within twenty minutes.

Director Keenan will be discussing this with Governor Perdue, who has stated his interest is in customer service for citizens of Georgia. Vice-Chairman Donald added that Governor Perdue is trying to bring the importance of a customer service attitude to state government. Director Keenan responded to several questions, making one particular point: when fingerprints are done manually, it is estimated that 75% of the ink print applicant cards are rejected because they are either rolled improperly, or, they are smudged, unacceptable for identification process. The advantage of using a live scan is that if an error is made, notice is made immediately, therefore, while the applicant is there, the error can be corrected immediately.

Director Dale Mann, Georgia Public Safety Training Center, reported on two things. First, Director Mann has been in touch with the folks at FLETC about a possible date for the Board to visit the center in Brunswick; they indicated they would be back in touch to make the plans for September or October.

Director Mann reported that the Training Center was able to get the property from Commissioner Albert Murray and Department of Juvenile Justice. The State Properties Commission has recommended transfer of the old youth development center in Athens. Governor Perdue signed an Executive Order approving the transfer of the property to Department of Public Safety, which assisted with going to an A Budget. A structural engineer has looked at the building and there are improvements that will have to be made. Director Mann hopes to be able to build a pistol range next to the new property, which is located on Beaver Dam Road in Athens. Director Mann has been working with Mr. Ron Bolden, of State Properties Commission, who indicated there are other pieces of property for other regional academy locations. In response to a question, Director Mann confirmed that the property in Athens will be the first regional academy that will be owned by the Training Center. Director Mann noted to the Board that the regional academy in Macon is on a \$1.00 per year lease for ten years. Director Mann plans to request State Properties Commission to transfer that property to the Training Center. At the request of a Board member, Director Mann responded that he will provide a report of the properties identified to be regional academies, along with a proposal of what he is looking at so the Board members can help Director Mann with his plans.

### **FISCAL REPORTS**

Mr. Terry Landers, Department of Public Safety/Georgia State Patrol, gave a handout identifying the budget and expenses through March 31<sup>st</sup>. It is A Budget; next year the process will change as there will no longer be an A and a B Budget. At three-quarters of the fiscal year, the Personal Services is little bit low at 22.9%. There is still the supplemental budget that has now been approved but not loaded yet in the budget, which will transfer funds from Motor Vehicles purchases and cover Personal Services; it should wipe out the Motor Vehicle purchases. Motor Vehicles is an area to be tight on for the future, so the agency will make sure to utilize every dollar in that respect. Under Total State Funds, there is 27% remaining; still an adequate amount of State Funds. The Federal Funds are low; most of federal funds come from grants. The Other Funds, a large part of that is Capitol Police. Mr. Landers thinks the agency is in good shape for this year; the agency will make it through this budget year without a problem. Mr. Landers stated they are trying to make sure to expend funds appropriately for this year and provide some coverage for next year where possible. Mr. Landers responded to a question of the \$1 million appropriated for additional patrol cars, as to when will that get factored into the budget. He stated the funds will be in the budget on July 1<sup>st</sup> and could probably place orders on cars in the month of two after that. Mr. Landers then completed his report.

Mr. Ray Higgins, Georgia Bureau of Investigation, providing a copy of the standard financial report for the third quarter, reported that the agency has spent approximately 75% of State Funds, which would indicate the agency is right on track for that time of the year. Mr. Higgins reported the agency is currently on track in preparing and planning to finish the close-out of this fiscal year. He added that this report does not include additional funding from the supplemental budget. If one were to view this report as of today, it would be encouraged by roughly \$3,031,000, of which the \$31,000 would go to fund Additional Unemployment Insurance; funding common to most state agencies this year. The \$3 million would be for outsourcing the Crime Lab cases. Mr. Higgins completed his report.

Mr. Richard Guerreiro, Georgia Public Safety Training Center, reported on the Training Center, the Police Academy and the Fire Academy. As has been stated, the amended appropriations are not reported in the handouts given to the Board members. The bottom line is the Georgia Public Safety Training Center is at 74% State Funds, as of the end of March 31<sup>st</sup>; the Police Academy is at 78.6%, which is a little bit over; and the Fire Academy is a bit over at 75.7%. Altogether, the agencies are in the aggregate; to look at the agencies today, they are well within needed to be at State Funds. Through 93% of the year, which is where the agencies are now, they are at 97% expended, as far as Training Center is concerned. Mr. Guerreiro completed his report.

Vice-Chairman Donald added that Governor Perdue had reported good news in that there has been a 7.9% rate of growth for last month.

**DONATIONS:**

Mr. Terry Landers, Department of Public Safety/State Patrol, asked for approval of the following donations:

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| Cash Donation  | \$ 500.00   | BioLab  |
| Decatur Radar  | \$ 3,100.00 | Stewart County Commissioners                          |
| Stalker Lidar Speed<br>Measuring Device                        | \$ 2,910.00 | City of Perry   |
| Cash Donation  | \$ 7,085.00 | Green County Sheriff's Office                         |
| Genesis Radar  | \$ 3,000.00 | Braselton Police Department                           |
| Stalker Dual Radar<br>With 2 KA Band Antennas                  | \$ 1,912.00 | Mitchell County Sheriff's Office                      |
| Cash Donation<br>For Expense at Speedway Detail in March, 2005 | \$15,609.79 | John Myers<br>Atlanta Motor Speedway                  |
| Stalker Dual XL Radar  | \$ 1,961.00 | Bleckley County Probate<br>Court and Sheriff's Office |

Mr. Wayne Abernathy motioned acceptance of the donations, which was seconded by Sheriff Cullen Talton. Discussion ensued.

A question was raised as to the expense of gasoline; Mr. Landers responding that fuel charges fall in the category of Regular Operating Expenses in the budget. Regular operating expenses encumbers a group of expenses within an agency, covering supplies, materials, small maintenance, repairs, small equipment. A cost measure made last year was that officers have been mandated to go to using regular gasoline, saving 20 cents a gallon.

A question was raised as to donation of radar equipment made by a local court, questioning if it caused conflict. Mr. Landers responded that a donation made by a local government is given to a sheriff's office for approval before it is presented to State Patrol. He pointed out that several years ago there was a question whether State Patrol could even accept donations of radar equipment. Mr. Wayne Abernathy added that he assisted in that particular issue, with the Georgia Attorney General staff, in drawing up a guideline. He stated that it was decided when donations were made by county commissioners, approval of the donations had to be made by all local areas before acceptance by a state agency. Roundtable discussion was held on this issue, raising questions and concerns. After discussion, the motion was revised, in that Chief Lou Dekmar motioned to approve all donations, except to defer the donation from Bleckley County Probate Court. This would give State Patrol time to get with the Sheriff of Bleckley County about the donation. Said motion was seconded by Chief Dwayne Orrick. Board Attorney Katherine Diamandi advised that as far as the Bleckley County donation is concerned, it is a legal donation; however, it could be deferred to another Board meeting. A vote was taken on Chief Dekmar's motion, and the vote was split, four votes of yes and six votes of no. The motion defeated, Vice-Chairman Donald asked for a motion to approve all donations. Mr. Rooney Bowen made the motion to approve all donations, which was seconded by Mr. Wayne Abernathy. With a show of hands, the vote was six for yes and four votes of no. This motion was carried. Vice-Chairman stated this vote did not preclude the Board from re-visiting the issue.

#### **ADMINISTRATIVE/EMERGENCY ISSUES:**

Director Vernon Keenan invited all the Board members to the Open House at the Cleveland Crime Lab. Governor Perdue will be keynote speaker at the June 28<sup>th</sup> ceremony.

#### **OLD/NEW BUSINESS:**

Vice-Chairman Donald gave each Board member a t-shirt from last year's Macon Run and Athletic Competition events, which were held during the Department of Corrections Conference. This year's upcoming conference will be held in October; Vice-Chairman Donald will keep all Board members informed.

Chief Lou Dekmar acknowledged and thanked Director Dale Mann and Director Vernon Keenan for their involvement in assisting the Chiefs Association of a taser study. This is the first study made with a statewide approach. With Dr. Sperry and Ms. Dawn Deitrich, along with Director Mann and Mr. Butch Beach playing major roles, the study will bode well for the law enforcement community. Director Keenan offered to bring Ms. Deitrich to a Board meeting and present the study.

Mr. Hal Averitt made a motion to go into Executive Session. Said motion was seconded by Mr. Pat Head, and, all members present affirmatively voted to go into Executive Session.

Upon reconvening into Regular Session, the motion was made by Chief Lou Dekmar that a merit increase of 10% be given to Director Vernon Keenan's salary, with an effective backdate of April 1, 2005; said motion being seconded by Sheriff Cullen Talton. Said motion was approved with a vote of 8 for yes and with 1 vote against. This motion was carried.

Mr. Bud Black read the Resolution for Judge John Girardeau for the record. Said Board Resolution had been presented last month to Judge Girardeau by Mr. Black at a retirement ceremony.

There being no further business, the meeting was adjourned.

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Rooney L. Bowen, III  
Secretary