

BOARD OF PUBLIC SAFETY

March 8, 2007

Atlanta, Georgia

BOARD MEMBERS PRESENT:

Vice-Chairman James E. Donald
Mr. Rooney L. Bowen, III
Chief Lou Dekmar
Sheriff Bruce Harris
Mr. Patrick Head
Chief Dwayne Orrick
Mr. Gene Stuckey
Mr. Ellis Wood

BOARD MEMBERS ABSENT:

Mr. Wayne Abernathy
Mr. Bud Black
Mr. Dub Harper
Chief J. D. Rice
Sheriff Jamil Saba
Sheriff Cullen Talton

OTHERS PRESENT:

Mr. Joseph Drolet, Board Attorney
Ms. Laura Jones, Board Liaison
Colonel Bill Hitchens, Department of Public Safety/Georgia State Patrol
Lieutenant Colonel Don Chastain, Department of Public Safety/Georgia State Patrol
Mr. Joe Hood, Department of Public Safety/State Patrol
Mr. Robert Orange, Department of Public Safety/Georgia State Patrol
Sergeant Mark McDonough, Department of Public Safety/State Patrol
Ms. Melissa Rodgers, Department of Public Safety/Georgia State Patrol
Ms. Jacqueline Bunn, Department of Public Safety/Georgia State Patrol
Mr. Lee O'Brien, Department of Public Safety/State Patrol
Major Christopher Long, Motor Carrier Compliance Division, State Patrol
Director Vernon Keenan, Georgia Bureau of Investigation
Ms. Chris Ash, Georgia Bureau of Investigation
Mr. Bill Maleug, Georgia Bureau of Investigation
Ms. Lisa Urich, Georgia Bureau of Investigation
Director Dale Mann, Georgia Public Safety Training Center
Mr. Richard Guerreiro, Georgia Public Safety Training Center
Mr. Wiley Gammon, Georgia Tech Police Department
Mr. Ken Nash, Office of Planning and Budget
Ms. Wendy Angelety, Office of Planning and Budget

Vice-Chairman James Donald called the March meeting to order, welcoming everyone to the Board of Public Safety.

Vice-Chairman Donald introduced the newest Board member, Mr. Ellis Wood. Vice-Chairman stated Mr. Wood is a very special individual, who hails from Statesboro. Mr. Wood is a businessman and a great philanthropist. Indicative of that is what he gives back to his community, not only in his work performance but what he does for people who are in distress. Mr. Wood is blessed with resources; he will be moving a 40-vehicle convoy and his employees to Americus to help with recovering from tornado destruction. Vice-Chairman Donald stated that everyone knew and loved Mr. Hal Averitt, who passed away; that Mr. Wood and Mr. Averitt were very dear friends. This Board still suffers from the loss. Mr. Wood stood before the Board members to state that it is an honor to be on the Board. He stated that he has always said for many years that construction has paid the bills but law enforcement has always had a strong place in his heart. Mr. Wood thanked Vice-Chairman for his kind comments, and, stating he appreciates the Governor's confidence in allowing Mr. Wood to serve on the Board.

Vice-Chairman Donald announced more good news that Chief Dwayne Orrick, Sheriff Cullen Talton, and Mr. Rooney Bowen, III are re-appointed to the Board.

Vice-Chairman Donald welcomed all visitors to the meeting; asking each visitor to stand and state his/her name. Vice-Chairman Donald announced that today's meeting was being held in the West Tower, because of an electrical accident in the East Tower resulting in the air conditioning being brought down. Georgia Technology Authority was kind to offer their conference room for this Board meeting.

Vice-Chairman Donald asked for approval of the Minutes from the February meeting. Mr. Rooney L. Bowen, III made the motion, which was seconded by Chief Dwayne Orrick, and voted approval by the Board members.

DIRECT REPORTS

Colonel Bill Hitchens, Georgia Department of Public Safety/State Patrol, began with stating that he has known Mr. Ellis Wood forever. One thing is that in the past when there were prison breaks, Mr. Wood would utilize his helicopter to assist in search. The Sheriff of Bulloch County has made Mr. Wood the official pilot for Bulloch County Sheriff's Department. Mr. Wood is a great guy and comes to the aid of people; he is quick to take his equipment and personnel and travel all over the state to assist people.

Colonel Hitchens reported that State Patrol became involved in the Bluffton Bus accident on the interstate at Northside Drive. State Patrol assisted with traffic direction; the Motor Carrier Compliance staff went to the accident site immediately. MCCD did an extensive review of the bus for mechanical deficiencies administrative requirements and found them all to be in

compliance. MCCD worked another day with National Traffic Safety Board in getting everything together.

Another involvement was the tornado detail in southwest Georgia. One good thing is that the Weather Service did a good job of predicting what was going to occur. Most people knew two days out that all the elements for a tornado would take place, and that gave opportunity for preparation. State Patrol had people in place to respond when it occurred; sixteen people, who were adjacent to Americus, moved in for search and rescue. State Patrol added about 36 more that night, and moved mobile command center and the interoperable communications platform to Americus. State Patrol had moved in 153 people, who were involved in all kinds of activities, whether it was search and rescue or security and safety. There was very low looting. The Georgia Guard came in Saturday and Sunday. Colonel Hitchens visited the area with Governor Perdue and President Bush during that weekend. Colonel Hitchens has seen a lot of damage from tornados across the state, but when Colonel first flew over the area on Friday morning, he was stunned at the amount of damage. If it had not been for prior warning, there would have been more loss of lives. GEMA is still going through the process of recovery; there are several sites for people to come in and fill out requests for reimbursement of federal and state monies. State Patrol has provided security at those sites.

Colonel Hitchens reported that he has talked about Dodges for years. He is proud to report that five days ago, the first Dodge came in. The contract was finally let and protested and the award came out about February 10th. The first cars came in around the 20th and they are being issued now.

Colonel Hitchens reported that on March 19th, State Patrol will be the 70th anniversary of the founding of Georgia Department of Public Safety. The Legislature in 1937 created the Department and on March 19, 1937, the Governor signed the law. On Monday, 19th at 10:00 a.m., a ceremony will be held in State Capitol. Governor Perdue, Lieutenant Governor Cagle, and Speaker of House Richardson will participate. The twenty-seven people who lost their lives in the line of duty will be honored. Also, there will be antique cars, equipment, and helicopter displayed in front of the Capitol. A handbook of the basic data will be given at the ceremony.

Vice-Chairman Donald and Mr. Rooney L. Bowen, III toured the disaster area that weekend. Vice-Chairman thanked Colonel Hitchens for the great job State Patrol did for the Americus community. Mr. Bowen added that everything was under control and running smooth under State Patrol. Colonel Hitchens stated eight helicopters and nine pilots were in place to fly dignitaries around; or to film for historical purposes and for insurance purposes to document damage for people who applied for assistance; or, to help people get around because access by roads was cut off. Vice-Chairman added that in the middle of the destruction it was good to see the guys in blue and gray uniforms there to help.

Director Vernon Keenan, Georgia Bureau of Investigation, took the opportunity to add to Colonel Hitchens' history lesson of State Patrol. Director Keenan, being a former history teacher, had studied how the Georgia State Patrol and the GBI came into existence during 1936-1937. When the Department of Public Safety was created, the GBI was a division of DPS. That is why in the Georgia Code section, the GBI Director's title is referred to as Director of Investigations. What occurred in this country during the period of 1936-1937 was that President Franklin was proceeding with new deals and there was funding being made available to states, such as to create a health department, to further education, to set up a mechanism to address safety issues on the highways. So, Georgia, as did other states, set up a mechanism to receive the federal funding, and the Georgia State Patrol came into existence. Some of the other states created their state police based upon the Labor strike going on in the country. In order to break up the strikes, several states set up a state police organization; such as Michigan State Police and Pennsylvania State Police. Georgia's State Patrol and GBI came into creation for economic reasons and public safety.

Director Keenan reported on an event that occurred last week. A Fulton County Grand Jury requested Director Keenan to meet with them. The Grand Jury was laying out a formal presentation addressing the GBI's DNA program. There were two issues being presented; first, the Grand Jury's concern about the delays in processing DNA evidence. The second issue related to encouraging Governor Perdue and General Assembly to expand the DNA program to require that DNA samples be taken from those persons convicted of certain felonies but not incarcerated. At a previous Board meeting, Director Keenan had addressed the issue that state law requires that when a person is convicted of a felony and then incarcerated, they are required to give a DNA sample. The GBI receives about 15,000 new samples each year from persons entering into the prison system. Through that offender data base, over 600 cold cases were solved. Director Keenan related to the Grand Jury that a bill has been introduced into the Georgia Legislature. If enacted, this would require persons who are convicted of felonies and given a probated sentence that the offender is required to give a DNA sample. The proposed legislation affects certain felonies. Hopefully, this will be passed by the General Assembly, and, hopefully funded to allow analyzing DNA from offenders who are convicted of a felon and given a probation sentence. In response to a question of the process, Director Keenan explained that several states require DNA samples from everyone convicted of a felony. Some states have moved toward taking DNA from everyone arrested of a felony. In November of 2006, the federal government enacted a law which requires everyone arrested by federal government give a DNA sample. In response to a question of the database, Director Keenan stated everything that goes into the Georgia database is connected to the national database. Director Keenan described the cost of running DNA and the length of time it takes to run a sample. Board Attorney Drolet added that currently there is a constitutional challenge to the system of taking DNA samples from people who are incarcerated. Part of the challenge is they are complaining that it is taken only from prisoners in Department of Corrections and not all felons. Director Keenan further stated that Governor Perdue is interested in pursuing those felons who have committed a crime relating to sexual offenses; such as those crimes of burglary, drugs, felony obstruction of police officer, things of that nature.

Director Keenan continued with stating there is a backlog in the Crime Lab; there is a backlog in the DNA section, but remarkable improvements have been made. For example, in FY 05 there were 9,000 cases in the DNA Section and Serology Section. Currently, there are 1,100 backlog cases. In FY 05 the average turnaround for a Serology case was 152 days; now at 75 days. DNA in FY 05 was 116 days; now is at 65 days. As he has addressed to Governor's staff and Office of Planning and Budget staff, there will always be some level of backlog in State Crime Laboratory from the sheer nature of business; the Crime Lab handles 90,000+ cases per year, many of which are DNA. Currently, there are five scientists who are in the process of completing their DNA training, and this will help ease the backlog issue. Director Keenan stated that the Grand Jury believed that when testing DNA, it was a matter of putting a blood or semen sample in the computer and quickly getting a complete analysis. What the Grand Jury stated is that juries are demanding this type of scientific evidence. Director Keenan pointed out to the Grand Jury that he has been working with Governor Perdue for the last three years, and, the Governor has recommended and the General Assembly has funded new scientists positions for the GBI. Director Keenan stated that he told the Grand Jury what they are seeing is cases coming before them that are six to eight years old and are just now being solved.

Director Keenan stated he told Grand Jury that he would provide a copy of their Grand Jury Presentment to the Board of Public Safety; therefore, a copy being given to each Board member.

Director Keenan added that the GBI did a cost analysis of the proposed legislation and it is noted that doing felony probationers for certain felonies will require taking on additional 15,000 cases. There is federal funding available to defray most of this cost for the next two years. The problem in obtaining federal funding is there has to be a substantial backlog, which is no longer under Crime Lab. The state cost would be around \$250,000 for the first year. The second year would cost around \$175,000. That cost is to hire DNA scientists and two technicians to review the work. Three years from now, if the federal funding is not available, the Crime Lab will need \$500,000 to continue with the program as it exists today. If the law changes, the Crime Lab will need close to \$1 million.

Director Dale Mann, Georgia Public Safety Training Center, brought the Board's attention to Point 11 in the Board Report, reflecting a dramatic increase in the number of folks who are using on-line registration. For the month of February, GPSTC processed almost 3,200 applications; half of which came in on-line. GPSTC started this option several years ago, and, seeing now that folks, who want to be in a class, are actually going on line.

Director Mann stated Point 9 reflects Burruss prison has increased to 513 inmates. When GPSTC opened, there were about 440 inmates there. In the past year there have been sewage problems, kitchen problems, and other issues. With the help of the Department of Corrections, the prison is now hooked up to city sewage. Also, the Training Center has upgraded the kitchen;

putting in new cookers, new kettles, adding a new freezer. In February, 2007, almost 90,000 meals had been prepared; with half of those going to the prison and about 14% to the Monroe County Jail; so, about 36% go to student, staff, and visitors at the Training Center.

Director Mann stated that since the February Board meeting of discussing maintaining basic training, the Chiefs of Police issued a resolution supporting the concept. Director Mann read one part of the resolution, "The Georgia Association of Chiefs of Police strongly recommends that the Public Safety Training Center be granted responsibility for providing on-site basic law enforcement curriculum to Georgia law enforcement officers." Director Mann stated that he understood that some Board members have received contacts from folks who do not like the idea. Chief Dekmar stated the contacts he had received were those misunderstanding what the pilot program is; he requested that Director Mann put together specific talking points about what was presented last month. Director Mann explained that the Board resolved to encourage the Public Safety Training Center to conduct the basic mandate training utilizing a hybrid approach. With using a hybrid approach, the Training Center becomes a reliever site by bringing in excess students and promoting more pre-service basic training at the Training Center. The final goal will be to bring all basic law enforcement mandates to Training Center within three years while pushing most of the cognitive advanced specialized training to the field. Director Mann believes the misunderstanding is that some people think it will happen immediately; however, he stated there would not be enough room until Department of Corrections moves to its new location. Director Mann explained there is a pilot program starting in April, bringing in a class that is already organized out of Tifton, to do basic training at the Training Center. Vice-Chairman Donald stated that the Public Safety Training Committee previously met to discuss this issue; the rationale that came out of that committee meeting was the idea of working toward the hybrid concept. The Board members read over the Board Resolution; roundtable discussion ensued. Vice-Chairman Donald suggested that the Public Safety Committee review this matter again. Mr. Rooney L. Bowen, III requested if the Committee Of The Whole could meet and discuss, since this is an important matter. It is noted that Sheriffs and Chiefs of Police be notified that the matter is being re-visited and request their input at the Committee meeting. Therefore, Mr. Rooney L. Bowen, III made a motion that the Board Resolution be reviewed by the Committee of the Whole for discussion; which was seconded by Mr. Pat Head, and voted approval by the Board members.

DONATIONS AND RESOLUTIONS

Mr. Joe Hood, Georgia Department of Public Safety/Georgia State Patrol, requested approval of the following donations:

Ten Garmin StreetPilot C330 GPS	\$4,600.00	Lee County Board of Commissioners
Two Kodak Digital Cameras	\$ 500.00	Mr. Glenn Elliott Rincon Wal-Mart

K-9 Narcotics Detection Dog	\$5,000.00	W.K. McGlamery
Kodak EasyShare C433 Digital Camera, Lexar SD Card 256 MB, Samsonite Camera Case	\$ 124.52	Sheriff Jeff Watson Taylor County Sheriff
Two Decatur Genesis II Select Radars	\$3,300.00	Lamar County Board of Commissioners
Two Decatur Genesis II	\$3,300.00	Oconee Drug Task Force

Chief Lou Dekmar made a motion to approve the donations, seconded by Sheriff Bruce Harris, and voted approval by the Board members.

Ms. Lisa Urich, Georgia Bureau of Investigation, requested approval of the following donations:

2007 Dodge Durango, SLT	\$23,500.00	Chief George Potter
2007 Ford F150, XLT	\$23,300.00	Chief George Potter
		Perry Police Department

Chief Lou Dekmar made a motion to approve the donations, which was seconded by Sheriff Bruce Harris, and approved by the Board members.

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

School Bus	\$5,000.00	Troup County Board of Education
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Chief Lou Dekmar made a motion to approve the donation, which was seconded by Chief Dwayne Orrick, and voted approval by the Board members.

RULES

Ms. Jacquelyn Bunn, Department of Public Safety, requested approval of the following Rules. Ms. Bunn requested final adoption of Rule 570-9-.03, which was a revision of a rule in which

officers can do off-duty employment. The language changed in this rule is to allow those employed by State Patrol, after six months of employment with Department of Public Safety, to be approved for off-duty employment. After initial approval, a public hearing was held on February 6, 2007 at which there was no public comment. Mr. Rooney L. Bowen, III made a motion to approve final adoption of Rule 570-9-.03, which was seconded by Chief Lou Dekmar, and approved by the Board members.

Ms. Bunn requested approval of a new Chapter. The new chapter, 570-33 refers to the Department of Public Safety Motorcycle Enforcement Unit; stems from House Bill 1209. The Chapter basically describes the administrative procedures for collecting fines. The Chapter provides definition and explanation of what Enhancement and Maintenance would be. Finally, it sets up procedures for payment of fines. Following adoption, a public hearing will be held on April 27, 2007. Chief Lou Dekmar made a motion to approve initial adoption, which was seconded by Chief Dwayne Orrick, and voted approval by the Board members.

Mr. Rooney L. Bowen, III thanked Colonel Hitchens for giving the recap on Motorcycle Enforcement Unit. It reflects how the unit is working extremely hard.

RESOLUTION

Mr. Lee O'Brien, Department of Public Safety, requested approval of a property resolution. This resolution is for Colquitt, Georgia wanting to build new Post 14 in Miller County. The post is presently in Seminole County. This will require a move from Donalsonville to Colquitt. The city proposes to construct a new post on property that the city owns. After being built, the property will be transferred to State of Georgia at no cost to the state. Responding to questions, Colonel Hitchens stated the post building in Seminole County is one of the oldest and most decrepit post in the state. In Seminole County, the local sheriff and county commissioners realize they will not have funds to build a new one; and Colquitt is in close proximity. Mr. Rooney L. Bowen, III made the motion to approve the Resolution, which was seconded by Mr. Gene Stuckey, and voted approval by the Board members.

OLD/NEW BUSINESS

There being no administrative/emergency issues, Vice Chairman Donald asked for Old or New Business. Mr. Rooney Bowen, III stated he saw where a bill has been introduced that any state agency could surplus its own out-dated equipment. Colonel Hitchens stated that the bill was not State Patrol's legislation. Colonel Hitchens was questioned extensively by Joint Appropriations Committee about how other states handle this, and Colonel brought up two examples, those

being Kansas and North Carolina. Colonel Hitchens does not believe it is constitutional; whether agencies could be allowed to retain that money.

This particular bill passed the House. Upon being questioned extensively by Joint Appropriations Committee about how the agency was doing, Colonel Hitchens brought up two examples being out of Kansas and North Carolina. The question is whether the agency can be allowed to retain the money from surplus.

Vice-Chairman Donald again thanked the members of the Department of Public Safety for their great work of supporting those in Americus. It is good to help sustain the folks and help them get back on their feet.

As an update, Vice-Chairman stated at this point there is a break during the General Assembly Session. The state is waiting to hear on a decision for Peach Care. One of the recent announcements from the Session is analyzing the cost of the impact on Americus.

The April Board meeting will be held in Cleveland, hosted by Bud Black, on April 26th at White County High School.

There being no further business, the meeting was adjourned.

Rooney L. Bowen, III
Secretary