

BOARD OF PUBLIC SAFETY

Minutes of Meeting Held October 8, 2003
Forsyth, Georgia

MEMBERS PRESENT:

Mr. Wayne Abernathy
Sheriff Jackie Barrett
Mr. Charles D. "Bud" Black
Mr. Rooney L. Bowen, III
Chief Louis Dekmar
Mr. W. H. "Dub" Harper
Sheriff Bruce Harris
Sheriff Jamil Saba
Chief Hubert Smith
Sheriff Cullen Talton

MEMBERS ABSENT:

Governor Sonny Perdue
Ms. Lydia Sartain
Mr. Joe Ferrero

OTHERS PRESENT:

Mr. Chris Brasher, Georgia Department of Law
Ms. Laura Jones, Board Liaison
Colonel George Ellis, Georgia State Patrol
Lieutenant Colonel Arthur White, Georgia State Patrol
Major Don Chastain, Georgia State Patrol
Major K. E. Sorrells, Georgia State Patrol
Mr. Scott Cown, Georgia State Patrol
Mr. Terry Landers, Georgia State Patrol
Ms. Terry Long, Georgia State Patrol
Captain George Whittake, Georgia State Patrol
Major Freddie Taylor, Georgia State Patrol
Mr. Gordy Wright, Georgia State Patrol
Director Vernon Keenan, Georgia Bureau of Investigation
Ms. Chris Ash, Georgia Bureau of Investigation
Ms. Monica Mahone, Georgia Bureau of Investigation
Mr. Mike Fordham, Georgia Bureau of Investigation
Ms. Angie Holt, Georgia Bureau of Investigation
Mr. Chuck Severs, Georgia Bureau of Investigation
Mr. Paul Heppner, Georgia Crime Information Center, Georgia Bureau of Investigation
Director J. Dale Mann, Georgia Public Safety Training Center
Mr. Richard Guerreiro, retired from Georgia Public Safety Training Center
Mr. Bob Sanderson, Georgia Public Safety Training Center
Ms. Cheryl Greathouse, Georgia Public Safety Training Center
Mr. Johnny Wilson, Georgia Firefighters Standards and Training

Chief Dwayne Orrick, Chief of Police of Cordele
Mr. Terry Norris, Georgia Sheriffs' Association
Mr. Frank Rotondo, Georgia Association of Chiefs of Police
Mr. Ryan Powell, Georgia P.O.S.T. Council

Chief Hubert Smith greeted everyone and called the October meeting of the Board of Public Safety to order. After requesting introduction of guests, Mr. Rooney L. Bowen, III introduced Chief Dwayne Orrick of the Cordele Police Department. Chief Smith introduced his wife, Mary Smith.

Chief Hubert Smith welcomed the addition of two Board members, Chief Louis Dekmar and Sheriff Cullen Talton. Chief Lou Dekmar, Police Chief of LaGrange, stated he has been a police chief with LaGrange for nine years. Prior to that, he worked for ten years in law enforcement in Wyoming; for the police force in Perry and Macon; and, was police chief in Morrow.

Sheriff Cullen Talton, Sheriff of Houston County, announced he has been a sheriff for thirty years, and, that he is from Bonaire. Sheriff Talton indicated he is looking forward to serving with the Board of Public Safety.

Chief Hubert Smith requested approval of the Minutes of the September Board meeting. The motion was made by Mr. Wayne Abernathy, seconded by Sheriff Jamil Saba, and unanimously voted approval by Board members.

DIRECTORS' REPORTS

Department of Public Safety/State Patrol

Before Colonel George Ellis made his presentation, Chief Hubert Smith presented Colonel Ellis with his 30-year Faithful Service Award with the State of Georgia.

Colonel Ellis gave each Board member a document reflecting what was submitted to Governor's Office of Planning and Budget. The paper reflects the programs and sub-programs that were prioritized, as requested by OPB. Colonel Ellis expressed that, in essence, the top priority is Field Operations; State Patrol is all about providing field services and public safety. Colonel Ellis paused to respond to questions from Board members. In response to some of the questions, Colonel Ellis explained that in FY 04, the department can meet the cuts through the hiring freeze and attrition. There will not be a trooper school for this year. The proposal for FY 05 is that the department may look at doing away with the midnight shift at a post or two. A post in that Troop will be open, and, all calls at night will be directed to that open post. Colonel Ellis responded to questions concerning eliminating radio operator positions through attrition. Sheriff

Jackie Barrett commented that she co-chairs the Law Enforcement Explorer Program, and, offered the possibility the Explorers could assist on a volunteer basis.

In an update on the G-8 Summit, Colonel Ellis stated that the biggest concern will be civil disorder. State Patrol is working closely with Georgia Bureau of Investigation in looking at new concepts of civil disorder units. Colonel Ellis' troopers will be involved in a two-week period for a three-day summit.

Further, Colonel Ellis reported that he will prepare a wrecker list for review at the next Board meeting. There are changes in the policy, which streamline the process of appeals and can readily take action against the wrecker driver, rather than appeal to the administrative hearing process.

Upon request by a Board member, Colonel Ellis explained a current court decision concerning implied consent. The change in the law is that probable cause is necessary in order to do a blood test on drivers of vehicles involved in a serious accident. Colonel Ellis and the Board members discussed the implications of this ruling.

In response to a previous question concerning eliminating radio operator positions, Mr. Terry Landers stated that State Patrol would save approximately \$6 million. Colonel Ellis addressed questions of a centralized communication system, and, indicated that Major Corky Jewell is researching the technology and the need for a new radio system.

Georgia Bureau of Investigation

Director Vernon Keenan stated that the Georgia Bureau of Investigation is a strong supporter of the Law Enforcement Explorer Program, and, that the Bureau looks forward to participating in that program.

In preparation for the G-8 Summit, Director Keenan mentioned that Governor Perdue appointed Director Bill Hitchens of the Office of Homeland Security as the official responsible for planning and organizing the state's role with the Summit. Director Keenan, along with Colonel Ellis, have both assigned personnel to a planning group which has been organized under Office of Homeland Security to put together the state's plan. At a future date, Director Keenan would like to bring to the Board members the plans of the GBI and State Patrol for the G-8 Summit. At that time, the plans will reflect the number of personnel committed, scope of operations, and how to handle the state's business in the Summit. G-8 Summit will require a tremendous amount of officers, state assets, and costs. The Governor's office is working with the Georgia congressional delegation for the funding.

Director Keenan provided to the Board members a document, which outlines programs and sub-programs, along with priorities, submitted to the Governor's Office of Planning and Budget. On

page two, the outline reflects the three core business areas of GBI. The State Crime Laboratory, the Georgia Crime Information Center, and the Investigative Division, represent the core business areas. Under those three core business areas are the basic programs that make up how the GBI functions; with the sub-programs listed under the programs.

Director Keenan pointed out that this fiscal year, the GBI, along with all other state agencies, are cutting 2.5% on budgets. Within the GBI, that equates to \$1.5 million, which will be absorbed through the hiring freeze for the last eighteen months. Operations has been cut back significantly, with areas of out-of-state travel, overtime, to make up the \$1.5 million.

If the GBI is required to go forward with an additional 5% budget cut for next fiscal year, then that equates to \$3 million. That will involve cutting back, terminating programs, terminating personnel. In looking at the priority listing, the bottom of the list, starting with No. 40 and going up through No. 32, indicate what programs that will be eliminated if the GBI is required to take a full 5% budget cut. That equates to forty employees and the operating costs associated with those programs.

Director Keenan addressed questions concerning the priority list, stating what the core mission of the agency is, what is absolutely critical to the agency, noting that the top priority is the Crime Lab. If the cuts are required, the majority of the budget cuts will be out of the investigative division and those programs that are not absolutely critical to the core mission.

Director Keenan said if the GBI maintained the budget as it exists, without taking budget cuts, that will not in any way address the problems of the crime lab. To help address the issues, Chief Lou Dekmar, representing the Chiefs Association; Sheriff Tuggle, representing the Sheriffs Association; and Mr. Tommy Floyd, with District Attorneys Association, researched into the issues and prepared a briefing paper, which is being submitted to Governor Perdue. The paper outlines the crime lab problem, what the future of the crime lab is, and the solution for the issues.

Director Keenan mentioned one quick thing, the GBI on behalf of State of Georgia is involved in a project called Multi-state Anti-Terrorism Information Exchange (MATRIX). The concept is very simple: it calls for taking public source information and combining with restricted governing information to a mammoth database and authorizing law enforcement to have access. Director Keenan reported there is a committee comprised of the Sheriffs Association and Chiefs Association to work with the GBI and develop a state policy on how MATRIX will be used by local law enforcement and state law enforcement.

Georgia Public Safety Training Center

From the Training Center's Report, Director Dale Mann brought to the Board's attention the Administrative Issues. Director Mann requested a Board vote on two policies, one being Policy GO-0055. Director Mann requested changing the language in the policy to restrict law

enforcement agencies from attending basic training at an academy outside of the local agency's training area and then requesting reimbursement from the Training Center. Director Mann is requesting that law enforcement agencies send their trainees to an academy within the 45-mile-radius of the local agency. After discussion, the Board members requested that a Chief or Sheriff be allowed an appeal process. Chief Lou Dekmar made a motion that policy change be approved, with an addition to the policy that an agency head be allowed to appeal the Training Director's decision to the Board of Public Safety. Sheriff Jackie Barrett seconded the motion and the Board members unanimously approved the policy change.

Director Mann introduced his second request, Policy GO-0037. He requested an addition of language to the policy, which would allow the Director of Training Center to approve a non-public safety related activity. This will allow Director Mann to invite national training groups to hold training sessions at the Center. Sheriff Jackie Barrett made a motion that the policy change, and Director Mann agreed, be rewritten in a positive format. Mr. Bud Black seconded said motion and the Board members voted approval.

Director Mann continued his report of Administrative Issues stating that General Motors has requested training through the Fire Academy, for an industrial firefighter program. The policy is \$12 per instructional hour, but because of the large volume of people that GM may have, Director Mann is recommending the following: 1 to 100 employees would be charged \$12 per hour; for 100 to 500, it would be \$10; for 500 to 1,000 attendees, it would be \$8 per hour. Director Mann requested he be allowed to waive the \$12; and on a sliding scale go down, based on the number of attendees. Mr. Bowen made a motion to give Director Mann broader authorization to negotiate contracts with different vendors, to include negotiations as to the number of the vendor's personnel and as to the price paid by the vendor, consistent with the mission and needs of the training center. Chief Lou Dekmar seconded said motion and the Board members voted approval.

Director Mann received a letter from Colonel George Ellis concerning a safety issue on factory fuel tanks. The requirement is that gas tanks are removed from automobiles used on the high speed track on the road response course, and, replaced with fuel cells; this being a requirement by the insurance carrier. There is some argument that factory gas tanks are safer than fuel cells. Director Mann asked Mr. Bob Sanderson for his input. Mr. Sanderson reported that they had been in contact with other training facilities and the other facilities use the gas tanks that come with the car. In fact, car manufacturers have improved fuel tanks over the years. An additional note, Director Mann said that replacing fuel cells costs \$400 each. Mr. Rooney Bowen, III made a motion that the Training Center be directed to use factory gas tanks on the cars used on the high speed track. Said motion was seconded and carried.

Another issue brought to the Board is reorganization. At the time Director Mann was appointed over the Training Center, there were two Deputy Directors, one vacant Assistant Director position, ten divisions, ten division directors, and a Chief of Police. In going through the budget and looking at the core mission, Director Mann reassigned the duties. The ten divisions have

been reduced to six divisions; the deputy director positions have been abolished; and the General Instruction Division has been abolished. A Basic Training Division has been created and Driver Training, Physical Training, Regional Police Academies, Basic General Course, and Basic Communication fall under Basic Training. Director Mann will prepare the organizational chart and present it to the Board at a later Board meeting.

Mr. Rooney L. Bowen, III brought up the subject of the Training Center's proposed budget cuts. Last month, Director Mann presented his budget proposal and the subsidies affecting Chiefs of Police and Sheriffs Association. Mr. Bowen requested both organizations be given an opportunity to sit with the Board and voice their concerns.

Mr. Frank Rotondo, representing Georgia Association of Chiefs of Police, thanked the Board for the opportunity to speak. The Chiefs Association's concerns include the policy of not being able to go outside the 45-mile-radius. Mr. Rotondo requested that the policy be changed to a 60-mile-radius, which would help subsidies. Mr. Terry Norris, representing the Georgia Sheriffs Association, similarly addressed the issue of money for local training. Both gentlemen expressed the interest in sitting down and talking with the Board and Mr. Mann concerning the issue that locals do not get the training dollars they deserve.

SPECIAL RESOLUTION: Director Dale Mann presented a Resolution to Mr. Richard Guerreiro, who retired with thirty-two years of state service. Mr. Guerreiro thanked the Board members; saying he had enjoyed working with them.

Mr. Rooney L. Bowen, III made a motion to accept the Resolution as presented, seconded by Mr. Wayne Abernathy, and unanimously approved by all Board members.

GEORGIA CRIME INFORMATION COUNCIL: Mr. Wayne Abernathy made a motion that the Board of Public Safety go under Georgia Crime Information Council. Said motion was seconded by Mr. Bud Black and approved by the Board members.

Mr. Paul Heppner, Deputy Director, GCIC, came before the Board with the Request To Approve Actions To Resolve Problems for 2003. As an update, Mr. Heppner reported the FBI came in earlier this year to audit GCIC, the GBI, and ten local criminal justice agencies. The audit encompasses things that deal directly with some of the problems that occurred, and, to determine how well business is run in Georgia in criminal justice information. GCIC was found, for the first time, compliant in 42 out of 42 categories. When looking at the hot file records that are entered by local law enforcement agencies, the FBI determined the error rate to be at 1.57%, which is one-half of the national average of over 3%. Mr. Heppner moved on to recommend approval of the actions that had been handled appropriately. Sheriff Bruce Harris made the motion to approve the actions, was seconded by Mr. Dub Harper, and the motion was carried.

Chief Lou Dekmar complimented the staff of GCIC, noting their positive attitude and the low error rate.

Mr. Rooney L. Bowen pointed out to Chief Dwayne Orrick that the Board is still waiting for Department of Motor Vehicle Safety's decision on the issue of running driver's history on employees.

Mr. Wayne Abernathy made a motion to return under the Board of Public Safety. Mr. Rooney L. Bowen, III seconded said motion and the meeting returned to Board of Public Safety.

RULES: Chief Hubert Smith called on Ms. Terry Long, Georgia State Patrol, who requested final adoption of Rule 570-7-.08. Previously, on August 6, 2003, the Board of Public Safety initially adopted the rule, which provides certification for those technicians that are certifying speed detection devices. Notices were mailed and a public hearing was held. Sheriff Jamil Saba moved for final adoption of Rule 570-7-.08, was seconded by Sheriff Bruce Harris, and unanimously approved by the Board.

Ms. Long requested initial adoption of Rule 570-23-.04, describing changes to streamline the existing regulation to permit Department of Public Safety to use a computerized data system for recording records of completion of Georgia's alcohol and drug driver safety program. The Alcohol Drug Awareness Program Workbook was given to each Board member. Chief Lou Dekmar made a motion to initially adopt the rule, seconded by Mr. Wayne Abernathy, and voted approval by the Board.

DONATIONS: Chief Smith requested donations be presented at this time.

Mr. Terry Landers, Georgia State Patrol, presented the following donations for the Board's approval:

Form "Intent to Donate"	\$87,000.00	Mr. Michael Nabors Morgan County Board of Commissioners
Two Stalker Radar Units	\$ 6,000.00	Mr. Wade Coleman Chattahoochee County Commissioners
12 Taser X236e Black Model 2600 (2) Cases of Air Cartridge #28 each for Criminal Interdiction	\$10,716.72	Sheriff Donny Turner Troup County Sheriff
Stalker Dual RADAR Unit	\$ 3,000.00	Mr. Cory Thomas City Manager, Colquitt City Council
Stalker Dual Speed DSR	\$ 3,010.00	Major Craig Peavy

Dooly Sheriff Department

Kustom Pro Laser III

\$ 3,680.00

Sheriff Vann Peavy
Dooly County Sheriff

Sheriff Cullen Talton motioned for approval of the donations, Sheriff Jamil Saba seconded said motion, and the Board members unanimously voted approval.

OLD/NEW BUSINESS:

Mr. Rooney L. Bowen requested Chief Dwayne Orrick to address the Board concerning an issue. Last month, Chief Orrick spoke to the Chiefs of Police Association concerning situations of tracking sex offenders. Each month, his staff pulls off the web site, offenders listed on the Sex Offender Registry, to enable his office to compare with a management system. Chief Orrick pointed out that a detective, upon inspecting the management system, found that an officer, on a suspicious person call, unknowingly came upon a sex offender. The detective went to the officer and inquired what happened to the call; the officer stated he had run a 10-27 to check the license number, however, nothing came up on the sex offender registry. At the Chiefs Association, in several discussions as to what can be done differently and how to help the situation in the future, one officer suggested some kind of designation on the driver's license to note that the person is a sex offender, and other suggested as to whether possibly color coding the driver's license or Georgia identification cards.

To the Board of Public Safety, Chief Orrick requested that possibly all registered sex offenders have a driver's license or a Georgia ID; secondly, that they have to retain their driver's license or ID and present it to a police officer when asked for ID; and third, that it be color coded in some way, so that the officer sees this person is an offender. Many of these people are not on probation or parole, so there is no supervision other than having to check in with local sheriffs once a year. The Chiefs Association asked Chief Orrick to talk to a local legislator, and, to ask the Board to introduce this as possible legislation next year.

Mr. Rooney L. Bowen, III recommended that this request be sent to Board of Motor Vehicle Safety for the feasibility of specifically noting the driver's license. This is something that the two Boards, in conjunction with each other, could look into and continue on to the General Assembly.

Mr. Bud Black made a motion that Resolutions be drawn for the service of former Board members, Sheriff Greg Coursey, Sheriff Donnie Haralson, Chief Rebecca Denlinger, and District Attorney Robert E. Keller. Sheriff Jamil Saba seconded said motion and the Board members voted approval.

Chief Lou Dekmar requested that he be supplied by each agency with a three-year litigation history, which would include nature of the lawsuits, disposition of litigation, settlements, name of defendants, and anti-litem notice.

It is duly noted that the Board meeting dates for 2004 will be the second Wednesday of each month.

Chief Smith requested that the next Board meeting be held at the Georgia Bureau of Investigation. So, November 12, 2003 meeting will be hosted by the GBI.

Mr. Rooney L. Bowen, III announced that a committee meeting will be held for representatives of the Chiefs of Police, representatives of the Sheriffs Association, Director Dale Mann, with the members of the Board of Public Safety. Sheriff Bruce Harris will chair the committee meeting.

Sheriff Jackie Barrett made a motion for the Board to go into Executive Session. Said motion was seconded by Mr. Dub Harper. All members present affirmatively voted to go into Executive Session.

After Executive Session, the Board reconvened into regular session, Mr. Rooney L. Bowen III made a motion to adjourn, seconded by Sheriff Bruce Harris, and the meeting was adjourned.

Chief Hubert Smith
Acting Vice-Chairman/Secretary