

BOARD OF PUBLIC SAFETY

September 13, 2007

Atlanta, Georgia

BOARD MEMBERS PRESENT:

Vice-Chairman James E. Donald
Mr. Wayne Abernathy
Mr. Bud Black
Mr. Rooney L. Bowen, III
Sheriff Steve Cronic
Chief Lou Dekmar
Mr. Dub Harper
Sheriff Bruce Harris
Chief Dwayne Orrick
Chief J. D. Rice
Sheriff Cullen Talton
Mr. Ellis Wood

BOARD MEMBERS ABSENT:

Mr. Pat Head
Mr. Gene Stuckey

OTHERS PRESENT:

Ms. Mary Beth Westmoreland, Board Attorney
Ms. Laura Jones, Board Liaison
Colonel Bill Hitchens, Department of Public Safety/Georgia State Patrol
Mr. Mark McDonough, Department of Public Safety/Georgia State Patrol
Major Stewart Hicks, Department of Public Safety/Georgia State Patrol
Major Don Chastain, Department of Public Safety/Georgia State Patrol
Mr. Dan Brown, Department of Public Safety/Georgia State Patrol
Mr. Joe Hood, Department of Public Safety/Georgia State Patrol
Mr. Lee O'Brien, Department of Public Safety/Georgia State Patrol
Chief Mark McLeod, Motor Carrier Compliance Division
Ms. Melissa Rodgers, Department of Public Safety/Georgia State Patrol
Director Vernon Keenan, Georgia Bureau of Investigation
Mr. Bill Maleug, Georgia Bureau of Investigation
Mr. Dan Kirk, Georgia Bureau of Investigation
Mr. Neil Gerstenberger, Georgia Bureau of Investigation
Ms. Dawn Diedrich, Georgia Bureau of Investigation
Ms. Lisa Urich, Georgia Bureau of Investigation
Ms. Shirley Andrews, Georgia Bureau of Investigation
Ms. Terry Gibbons, Georgia Bureau of Investigation
Ms. Cortne Brent, Georgia Bureau of Investigation
Director Butch Beach, Georgia Public Safety Training Center
Mr. Richard Guerreiro, Georgia Public Safety Training Center
Mr. Geronald Bell, Office of Planning and Budget
Ms. Wendy Angelety, Office of Planning and Budget

Officer Wiley Gammon, Georgia Tech Police Department
Ms. Irene Munn, Office of Lieutenant Governor
Captain Reuben McGee, Office of Houston County Sheriff
Ms. Holly LaBerge, House Budget Office

Vice-Chairman James E. Donald called the September Board meeting to order. Vice-Chairman Donald welcomed Ms. Irene Munn. Ms. Munn, who works for Lieutenant Governor Casey Cagle, introduced herself as one who started with the Georgia Sheriffs' Association. Lieutenant Governor Cagle appreciates law enforcement, and recently held an event to honor law enforcement officers.

Vice-Chairman Donald introduced Senior Assistant Attorney General Mary Beth Westmoreland, who is attending for Mr. Joe Drolet. Vice-Chairman Donald stated Ms. Mary Beth Westmoreland has spent the last month mentoring him through the process of depositions in the lethal injection protocol for Georgia. Ms. Westmoreland explained that a civil rights lawsuit was filed, naming Commissioner Donald and the Warden at Jackson, challenging the lethal injection protocol. Electrocutation was thrown out as unconstitutional few years ago and lethal injection is now the means of execution. The lawsuit was filed in Northern District court, and, now discovery is rapidly going through. The lawsuit is filed on behalf of Inmate Jack Alderman, who has been sentenced to death and who is seeking other avenues for appeal. The issues deal with, not whether to use lethal injection, but, whether necessary precautions are taken to insure that it is not cruel and unusual punishment.

Vice-Chairman Donald called for approval of the Minutes of the August Board meeting. Chief Dwayne Orrick motioned approval, which was seconded by Sheriff Steve Cronic, and voted approval by the Board members.

DIRECT REPORTS

Colonel Hitchens, Department of Public Safety/Georgia State Patrol, began with thanking the Board members and those who attended the Trooper School Graduation last month. There were 38 graduates with standing room only for visitors; maybe next year's graduation ceremony will be held in the bay.

Colonel Hitchens stated there is funding to run about 90 people through the next class. Staying attuned to the way things have been in the past, possibly there will be about 60 graduating from the next class.

The agency has gotten into full-time recruitment business and a person is in that position whose only job is to recruit personnel for the agency. To date, the agency tested 691 people for the upcoming trooper school. On September 15 at the Public Safety Training Center, there is another opportunity for people who would like to be troopers; all that is needed is to take a test and complete a Merit System application and be ready to take the examination. Colonel Hitchens reported that the count of

176 radio operators in August of 2006 has gone up to 210 in August of 2007. With the increase in troopers, there are 12 troopers and four radio operators starting back to working 24 hours a day.

Colonel Hitchens reminded the Board members that last month Mr. Wayne Abernathy posed a question about Prepass. Colonel Hitchens asked Chief Mark McLeod to come to today's Board meeting to explain the program.

Chief Mark McLeod, Motor Carrier Compliance Division, stood before the Board members and began with explaining PrePass Operation at weigh stations. To explain, there are 19 permanent weigh stations located throughout the state. Each weigh station is equipped with state-of-the-art weight and motion technology, which means that as a truck comes up the ramp into a weigh station, it is automatically weighed and measured. It is compared against federal statute, which is the statute that is utilized on the interstate for weight violations and weight determinations. As the vehicles weigh, the computer determines whether that vehicle is overweight or close to being overweight. The computer will give a red arrow to go around to the back, where it is weighed on static scales, or, green arrow to go to the front and just continue on their way. Over the years, traffic at weigh stations continued to increase. While law enforcement officers like to put hands on every truck, it has come to the point where it can no longer be done. Complaints continued coming in about congestion around the weigh stations and traffic backing up. Currently, about 12 million vehicles are screened annually at the weigh stations. And some sites are getting as many as 500 trucks an hour through the stations. The weigh stations are weighing them as fast as they can and moving them through as fast as they can. It just takes one driver to stop just for a second to decide where he needs to go, or, to pull off to the side and check his log book, and those cause traffic problems.

About ten years ago, a program came out called Commercial Vehicle Identification System Network (CVISN). This went to all the states to see about combining all states in registration, fuel registration, tag registration, and any other document the vehicle may need. They wanted all states to combine their legacy systems together so that when a company needs to log in and register in Georgia, it could be done from Indiana. That has not come to pass; because that is dealing with lot of legacy systems, lot of state time to come on board. The Department of Transportation got a grant to go into CVISN system, so DOT started on Advantage I-75, which was a precursor to NORPASS, which was a precursor to PrePass. The idea behind the I-75 System was that a company with a good safety rating could join the PrePass system and receive a transponder. There are transponder readers at the weigh stations, so that if the driver had a good safety rating while driving down the interstate, that driver did not have to come into the weigh station. One benefit is time. When going through weigh stations, the time may not be but 30-45 seconds, if getting the green light to come through. But with 100,000 trucks going through the weigh stations, time adds up. Another benefit is fuel savings cost, because as a truck comes up the ramp, it switches gear; and the truck has to accelerate when it leaves the other end of the ramp, burning more fuel. Other issues involve air quality, which is a bi-product of changing gears; either gearing it down to come in or gearing it back up to get back on interstate. One issue involves traffic congestion around weigh stations. It is getting to the point where some stations, out on the I-75 corridor, are hitting close to 5,000 trucks every eight hours. Curbing these issues can add up to a cost savings to the industry. The Department of Transportation came up with this program, which allows carriers with good safety ratings to register into the Advantage I-75 and NORPASS System to be able to bypass the

weigh stations. The drivers are issued a transponder, and when approaching the weigh station, there is a transponder reader which reads the transponder in the truck. That transponder in the truck is unique to that truck and unique to that carrier, and, the transponder will give either a red signal to pull in or a green signal to pass by. Also, built into the system is settings for certain pull-in rates. If the safety rating begins to fall, MCC can increase their pull-in rates. It is set at 5% random for all carriers; however, if the safety rate starts to slip, MCC can bump it up to 10%, 50%, or 100%; or, simply bring them all in if necessary.

The PrePass System is a private company. This company developed a similar system to NORPASS, which is run out of Kentucky Transportation Academy, University of Kentucky. The idea was that all states as part of the I-75 project would pick up the costs to run the NORPASS program; however, the states were not willing to put the money into NORPASS. PrePass charges x-number of dollars for number of vehicles per month going through the weigh stations. Currently, there are 28 states participating in PrePass, with close to half million people enrolled. With a handout showing the PrePass System, Chief McLeod described at the bottom of the first page reflects the savings and costs to the customers, which are basically the companies. It is estimated today that the company has saved over \$1 billion. The next page of the handout shows the states which are members of the PrePass System.

The Georgia Department of Transportation owns all the weigh stations, property, and equipment; and, Motor Carrier Compliance operates them for DOT. DOT was the one that signed the PrePass Agreement, because this is their interstate and their equipment. DOT wanted to expand from the Advantage I-75 System, which was already in place but was very limited. DOT has now partnered with PrePass, which upgraded all stations and provided new equipment at no cost to the State of Georgia. Chief McLeod reiterated that as long as a carrier keeps a good safety rating, the carrier will be able to continue operating in the system at a 5% pull-in rate. Chief McLeod reported that DOT will be upgrading weigh stations even more starting in January of 2008, which will help screen more trucks. DOT will be putting mainline weigh-in motion systems, which means trucks will not have to come into weigh stations to be weighed; trucks will be weighed on interstate at highway speed. By pre-screening weight on interstate, it will help clear congestion on interstate and save the companies more time and fuel cost. Chief McLeod invited anyone passing a weigh station to stop and visit. The latest state-of-the art technology is located at one weigh station on I-85 in Franklin County and one on I-20 in Columbia County. Mr. Wayne stated when he visited, two operators were very nice in explaining the system to him. Chief McLeod responded to several questions. He then mentioned North American Free Trade Agreement (NAFTA) which went into effect last week. There had been litigation with the American Trucking Association, the Teamsters, several companies and individuals in United States that were concerned about the unsafe equipment and drivers from Mexico coming into United States. The American CSA developed a program with Mexico, with training Mexican inspectors to do commercial vehicle safety inspections under the North American Standard. Any vehicle prior to crossing the border is required to have a CSAD decal, meaning it has been inspected and found to be free of defects. Inspection has to be on a quarterly basis and has to have a valid CSAD decal to operate in United States. The drivers have to have a current Mexican CDL, which includes a requirement of being able to speak fluent English. Prior to the NAFTA agreement taking effect, the Mexican carriers were crossing the border on a regular basis but limited to a 25-mile commercial zone.

The carriers would cross the border, drop their trailer, the U.S. carrier picked the trailer up, and then goods delivered. A limitation on the companies is they can only deliver in United States and pick up in United States and deliver back to Mexico. The carriers cannot come into United States and drop a load in Texas and pick up a load in Texas and bring it to Atlanta and drop a load in Atlanta and pick up a load in Atlanta and drive it back to Texas. It has to originate in Mexico and deliver in United States or originate in United States and deliver to Mexico. At the border of Mexico, there is one of the most intensive cargo inspections there; there is a x-ray machine to scan the entire truck and canines to check closely when going across the border. Because these carriers are inspected prior to crossing the border, these are probably the safest vehicles on the road. Chief McLeod concluded his report and answered questions.

Chief Dwayne Orrick, on behalf of Chiefs Association, stated the Chiefs Association is working on a study committee to come up with a strategic plan on traffic enforcement. Colonel Hitchens has assigned Mark McDonough to represent State Patrol. Local law enforcement agencies are pushing for electronic citations in the vehicles that will electronically transmit activity through GPS for reporting. Chief Orrick requested if Colonel Hitchens could come up with a feasibility to incorporate that in with Chiefs' Study. Chief Orrick stated they would like to have cities and counties and state agencies to work together to do traffic enforcement in a more comprehensive approach, with this data reporting activities in GPS in the vehicles. Colonel Hitchens responded they have been working on this through Major Hicks and Mr. Dan Brown, the communications director. When previously heading up Homeland Security, he had hired Mr. Dan Brown to work with him. Mr. Brown was able to successfully get funding for interoperable communications capability and to do a pilot study. The number one problem in law enforcement and Homeland Security is interoperable communication. There are so many different communication systems and everybody operates differently. Colonel Hitchens would like to join the Chiefs and Sheriffs with getting a solution to make everybody interoperable, and, in essence, make the state a safer place. Colonel Hitchens stated the State of Florida has a great system: all citations, all accident reports, everything is sent on computers, checked on computers, and go into files directly from the vehicle. Colonel Hitchens called on Mr. Dan Brown to explain further.

Mr. Dan Brown, Department of Public Safety/Georgia State Patrol, brought a powerpoint slide. The slide gives a map that quantifies the matrix of interoperability in Georgia. Mr. Brown stated he has had the opportunity to work with many agencies on interoperable communications; and, there are prevailing circumstances that prevent from having a statewide system, part of which is the financing. This is a \$300 million infrastructure investment. What happened with the Homeland Security money is that 20%-80% pass through to local governments, and with that there has been a significant investment to local government infrastructure. There are two primary rails. Imagine it this way: a railroad track, wherein the left rail represents the 800 MHz, and, there is the right rail which represents those jurisdictions continuing to use VHF. They both cannot go away; they are both unique frequencies. There are not enough frequencies for either 800, VHF, or the new 700, for every person, i.e., state, local, and federal to operate off one system. To do that, there has to be a common platform in order to use both rails. The key there is the railroad trestle, which is the foundation that the track is laid on. That is interoperability. Currently, at the end of December, a device has been created that will

allow taking the systems, either VHF, UHF, or 800, and be able to connect them together in a product called motor bridge. Basically, it is an IP backbone solution as part of state infrastructure. There is a \$1.248 million investment that pays for the infrastructure for local government, as well as state government, to be able to connect and talk. Mr. Brown pointed out the left side of the powerpoint slide, the first phase is a 43-county investment from Homeland Security dollars; and all of these dollars represent an investment that is federal with the exception of network costs. The right side of the slide reflects additional blue counties in Phase II which are 36 sites and they will be installed for a total of 104 local sites and about 17 state sites that currently exist. State Patrol has been on time and on budget and on target; 87.7% of population will be covered with the interoperable solution in and between multiple agencies. This system has been used with an opportunity for success in the Americus tornadoes; in the wildland fires; in using it with DNR Law Reinforcement endeavor with Forsyth and Lake Lanier, and using posts to consolidate dispatch, when and if the opportunity that there is no radio operator in the post. This is where the State Patrol currently is in the law enforcement terrorism project. State Patrol is trying to acquire a grant. There is a Public Safety Interoperable Communications grant available. This is a one-time funding and State of Georgia is receiving \$27 million; of which \$1.96 million is reserved for strategic reserves for communication assets. Currently, the all-hazards region is working through Homeland Security and through Georgia Emergency Management Agency to consolidate use of this money. Applications are due on October 12 for final submission to Department of Homeland Security on November 1, with money to start flowing in March of 2008. There are great opportunities and look forward to continue working with what they do. Vice-Chairman Donald thanked Mr. Brown for his presentation; saying the Board would welcome future briefings. Colonel Hitchens and Mr. Brown addressed questions and completed the report.

Director Vernon Keenan, Georgia Bureau of Investigation, began with reporting the GBI had 29 special agents starting GBI Basic Agent class on September 1st. This class will graduate on December 20th; and, these agents are the ones who will be assigned to Meth Force, plus backfill agents who have been assigned to Secure Georgia ID and the agents going to Internet Crimes Against Children Unit. This is a large class for GBI.

Director Keenan asked GCIC to do a presentation as a major part of Director's Report. This is a briefing on status of Criminal History Record modernization project. This was a four-year project, which has now come to a successful conclusion this month. Director Keenan introduced Ms. Cortne Brent on the CCH Modernization Project to bring the presentation.

Ms. Brent, an auditor with GCIC, stood before the Board members stating it is an honor to speak before the members. With the first powerpoint slide, Ms. Brent stated she envisions the old 1970 database system as an old Mustang. What it has cost to upgrade this Mustang was funding of approximately \$12 million, which has been sliced into three different pies. CCH Replacement was funded \$8 million; little over \$2.2 million to go to local agencies to buy live scan machines, mug shot machines, upgrade their systems to come into compliance with computerized Criminal Justice Information System; also, \$1.8 million to go to Message Switch to make this whole modernization process work together smoothly. Ms. Brent reported that the great news is that GCIC did not spend all

that money. GCIC added another \$2 million to send back to local agencies for them to purchase more equipment and more information to hook up with GCIC across the State of Georgia. In that process, while saving money and opening up funds, there was \$2.5 million given to Special Projects, which has allowed to invest interest in image archiving. This will improve that system as far as retrieving actual fingerprints and actual mugshot pictures from the system for every offender arrested. With the Image Archive System, GCIC created a new automated validation system which will take away the snail-mail process of getting information out to law enforcement and getting information to validate the process of information that is on the criminal history system. That process will be a quicker process because it is automated; something that can be viewed, printed, and updated straight through the internet.

With that, GCIC is unrolled the new 2007 Shelby Mustang, when the system went live on August 13, 2007. When getting a new Mustang, a person has to learn about various parts and how it is connected. This Mustang is connected to about fifty different states through National Law Enforcement Telecommunications System, also to the FBI, plus links to local law enforcement and criminal justice agencies. GCIC does a lot of driving through the State in the Mustang. The CCH database is linked to Warrants system, to Uniform Crime Reporting system, to Automated Fingerprint Identification System, to Sex Offender Registry, and to Protection Orders registry. The purpose of this modernization is to make it more flexible so everything can tap into internet; so, simply by internet access, a person will be able to get into the system. Today, Ms. Brent is going to take a drive through the system to show how easy it is to access. When getting a Mustang, a person wants to make sure everything on the car is in tip-top condition. So, there are major points in the Mustang to browse over, to show what are the major components of this car. At the front, there is a Charge Tracking Level which is a new component; that means that everything within the system is tracked by each individual charge a person gets arrested for. When looking at a rap sheet or criminal history, a person will be able to tell everything that occurred in the process until the person is released from Corrections or Pardons & Paroles. As far as Arresting Agencies, they are considered to be the intake of the Mustang because that is what makes the car continue to run; so sheriff's office, police department, and magistrate courts are a part of Arresting Agencies. Prosecutors are seen as gear shift of the car, so they determine the speed of the process and determine if the charges are upgraded or downgraded. In this Shelby Mustang, the most important part is the steering wheel; that is determined by the different entities considered to be Courts in this system. Then, of course, Corrections is the final touch on the car; a Mustang with nice rims. The Rap Sheet is considered to be the nice, fancy interior; there are various forms of the Rap Sheet. Ms. Brent then demonstrated how to obtain a criminal history record through the website. Ms. Brent responded to questions and concluded her presentation.

Director Butch Beach stood in for Director Dale Mann, Georgia Public Safety Training Center. Mr. Beach stated there are only two things today. In the Board report, the numbers are in the report and there are no surprises. The second thing that Director Mann wanted Mr. Beach to report on is that Training Center just completed a self-assessment that was mandated by P.O.S.T. This will be available for viewing; it is over 1,000 pages with an Executive Summary. There were not any surprises, but there are inadequacies in certain areas which have previously been brought to the attention of the Board members. A copy of the report will be available upon request.

DONATIONS

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

One Stalker DSR Radar Unit	\$ 2,710.00	Climax City Council
Five Stalker Dual Radar Units	\$ 9,500.00	Sheriff of Banks County
Garmin GPS 496	\$ 2,395.00	Albany-Dougherty County Drug Unit

Mr. Rooney L. Bowen, III made the motion to approve the donations, seconded by Mr. Bud Black, and voted approval by the Board members.

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

Two TTI Tactical Technologies, Inc. Digital Recorders/Transmitters	\$ 7,440.00	Sheriff of Tift County
Devin Document and Scanner And Copier	\$ 6,700.00	Gilmer County District Attorney

Chief Lou Dekmar made a motion to approve the donations, which was seconded by Mr. Rooney L. Bowen, III, and voted approval by the Board members.

GEORGIA CRIME INFORMATION COUNCIL

Chief Dwayne Orrick made a motion for the Board to move to Georgia Crime Information Council, which was seconded by Mr. Rooney L. Bowen, III and voted approval by the Board.

Mr. Neil Gerstenberger, Chief of Staff for GCIC, stood in for Deputy Director Paul Heppner. Mr. Gerstenberger stated that at a previous Board meeting, Director Heppner presented the proposed changes to the GCIC's Council rules. A public hearing was held and did not have any comments that were received from that. The purpose of this morning is to ask for final approval for adoption of those rule changes. Mr. Wayne Abernathy made the motion to adopt GCIC Chapter 140, which was seconded by Mr. Rooney L. Bowen, III, and voted approval by the Board members.

Mr. Rooney L. Bowen, III made a motion to move back into Board of Public Safety, which was seconded by Sheriff Cullen Talton, and voted approval by the Board members.

There being no Emergency/Administrative Issues, Vice-Chairman Donald called for Old or New Business.

OLD/NEW BUSINESS

Mr. Ellis Wood reported that the first meeting of the Ad Hoc Committee was held on August 23rd at the Training Center. The meeting was graciously hosted by Director Mann and his staff. The Minutes of the Committee meeting were prepared and provided to all Board members. Mr. Wood requested the Committee Minutes be incorporated into these Board Minutes. The Committee meeting was a discussion time. Sheriff Cronin had suggested to be extra diligent in conveying all information due to the interest of agencies and groups; the Committee minutes is the first attempt to maintain that information dialogue. Mr. Wood encouraged the Board members to continue to try to seek further information from those interested agencies. The Committee is looking to listen to all concerns and then disseminate the best challenge for our State as far as use of resources. Mr. Wood will be leaving this afternoon with Director Mann to visit Florida and meet with Mr. Mike Cruze, who is charge of the Florida Training and Certification Division. The next Committee meeting will be Wednesday, September 19th at 12:00 at the Training Center. Mr. Wood encouraged all Board members to come to the Committee meeting. The Committee is basically in an information seeking period and will continue to be that way for a while. Vice-Chairman Donald looked quickly at the Committee Minutes, requesting a motion to incorporate those into today's Minutes. Mr. Dub Harper made a motion to approve, which was seconded by Chief Dwayne Orrick, and voted approval by the Board members. Mr. Rooney L. Bowen, III complimented Mr. Wood for doing an outstanding job; being a good moderator, bringing out discussions to the table, and being very attentive. Vice-Chairman Donald stated this is probably one of the most important thing to decide this fiscal year; he thanked Mr. Wood for the work he is doing. Roundtable discussion and questions followed on the issue of basic training.

The October Board meeting will be held in Statesboro at Georgia Southern University. The meeting will be the afternoon of October 11 and the Board members will then attend the Firefighter Appreciation Event that evening.

Vice-Chairman Donald stated the Department of Corrections and other state agencies will be holding a Georgia On The Move session in Columbus in November. Mayor Jim Wetherington, former Vice-Chair of this Board, invited the Board to hold its November meeting in Columbus. This is in following Governor Perdue's vision of having customer service provided to various communities in Georgia. After discussion, Mr. Rooney L. Bowen, III made a motion for the Board to meet in Columbus on November 7th, seconded by Chief Lou Dekmar, and voted approval by the Board members.

Mr. Bud Black questioned the status on the patrol post in Gainesville. Colonel Hitchens responded there is ongoing dialogue on a legal issue; he will let the Board members know the status.

Mr. Black stated that last week was a Meth Task Force meeting in White County. Vice-Chairman Donald added the Task Force has so much passion about redeeming sons and daughters and keeping them out of prisons. The community is looking how to deal with meth problem. Vice-Chairman Donald stated the prison system is taking in 250/300 meth offenders per month.

There being no further business, the meeting was adjourned.

Rooney L. Bowen, III
Secretary