

## **BOARD OF PUBLIC SAFETY**

December 10, 2015

Georgia Department of Public Safety – Atlanta, GA

### **BOARD MEMBERS PRESENT:**

Mr. Wayne Abernathy  
Chief Danny Bowman  
Commissioner Homer Bryson  
Retired Sheriff Steve Cronic  
Sheriff Dane Kirby  
Mr. Lester L. Rampy, Jr.  
Chief Mark Revenew  
Mr. Brian Rickman  
Mr. Charles D. Sikes  
Sheriff Joey Terrell  
Mr. Ellison G. Wood

### **BOARD MEMBERS ABSENT:**

Mr. Danny Bryant  
Mr. Kacy K. Cronan  
Chief Craig Tully

### **OTHERS:**

Mr. Joe Drolet, Senior Assistant Attorney General  
Ms. Cheryl L. Buie, Board Liaison  
Commissioner Mark W. McDonough, Department of Public Safety  
Lt. Colonel Russell D. Powell, Department of Public Safety  
Major Hank Fielding, Department of Public Safety/GSP  
Major Jason Johnson, Department of Public Safety/GSP  
Captain Mark Lambert, Department of Public Safety/GSP  
Captain Jeremy Vickery, Department of Public Safety/MCCD  
Captain Mark Perry, Department of Public Safety/GSP  
Captain Chad Riner, Department of Public Safety/GSP  
Lt. Jerry Jude, Department of Public Safety/MCCD  
Lt. Jeff Royals, Department of Public Safety/MCCD  
Capt. James A. Byrd, Department of Public Safety/MCCD  
Capt. Wayne Mobley, Department of Public Safety/MCCD  
Capt. Sherri Butler, Department of Public Safety/MCCD  
Capt. Gwendolyn Fulton, Department of Public Safety/MCCD  
Capt. Les Wilburn, Department of Public Safety/GSP  
Sergeant Anthony Hughes, Department of Public Safety  
Chief Dispatcher Gary Sosebee, Department of Public Safety  
Mrs. Amy Stancil, Department of Public Safety  
Mrs. Melissa Rodgers, Department of Public Safety  
Director Vernon M. Keenan, Georgia Bureau of Investigation  
Mr. Dan Kirk, Assistant Director, Georgia Bureau of Investigation  
Mrs. Terri Fisher, Deputy Director, Georgia Bureau of Investigation  
Director Chris Wigginton, Georgia Public Safety Training Center  
Mr. Tony Hightower, Deputy Director, Georgia Public Safety Training Center

Ms. Cindy Franklin, Georgia Public Safety Training Center

Mr. John Fleisch, Office of Planning and Budget

Mr. William Ruffin, Office of Planning and Budget

Mr. Joe Hood, Office of Planning and Budget

Vice-Chairman Ellis Wood called the December 10<sup>th</sup>, 2015, Board of Public Safety meeting to order.

Sergeant Anthony Hughes, DPS gave the invocation and led the group in the Pledge of Allegiance.

Vice-Chairman Wood asked everyone to stand and introduce their self.

Vice-Chairman Wood called for approval of the November 19<sup>th</sup>, 2015 minutes. Chief Mark Revenew made the motion to approve the minutes, which was seconded by retired Sheriff Steve Cronin and voted approved by the BPS members.

### **DIRECTOR REPORTS**

Commissioner Mark W. McDonough, Department of Public Safety stated every agency should have a priority to be engaged in ALERRT training and this priority continues for the DPS; the training group has done a refresher this fall and a lot of times a refresher will show you need more training.

Commissioner McDonough added the commitment to not only train the DPS personnel but other agencies will be trained when they request the training; DPS will provide the training. Commissioner McDonough applauded GPSTC Director Wigginton and his staff for their commitment at the GPSTC with their facilities and manpower to do the very same thing and will work closely with Director Wigginton and will not be in competition with each other, but will make sure the services are provided in the consistent ALERRT format, whether DPS assist another agency or if that agency goes to the GPSTC.

Concerning driver training, Commissioner McDonough advised vehicles are changing, in particularly those vehicles that are now equipped with all-wheel drive and when something new comes out, one has to force their self to say, do we have to change what we are doing or do we have to take a look at what the new thing provides. Commissioner McDonough stated Lt. Jerome Bowman was asked to take the new all-wheel drive Dodge Charger and the new Ford pursuit rated SUV and put them through their paces and did so over a month ago and found no additional training is probably going to be required for the Dodge Charger but there is some issues that will need to be address with the Ford, just how it kicks in with its all-wheel drive and how it pulls. Commissioner McDonough noted the department's commitment to the safety of the DPS officers that use these vehicles will continue to that end and any additional training that is required will be provided.

Concerning asset forfeiture, Commissioner McDonough reminded the BPS members for the past year, the Department has been engaged with the federal government in a full review audit and vetting in the DPS asset forfeiture and as of December 7, 2015, the DPS is a complete compliant agency with the federal asset forfeiture program. Commissioner McDonough noted with what the DPS has gone through and what has been learned, the DPS would offer this service to any other agency to show them

where we were, what we needed to do and what we needed to do to come out on the other side and the caution that he has for anybody is if you think you are held up as an example, you better take a good look in the mirror. Commissioner McDonough stated the DPS has taken specific steps over the past year and will share this with any agency that would like to see where they are and where the federal government expects them to be and the nice thing is to get a letter to show that DPS is compliant.

Commissioner McDonough advised the Aviation Authority in Georgia is comprised of certain commissioners, the Board position as chairman or chairperson rotates every two years, and the person who serves as the chairperson can hold the position no longer than two consecutive terms.

Commissioner McDonough advised the Aviation Authority Board met this week and he was honored to be voted the chairperson of the Aviation Authority Board and wanted to let the BPS know that he has a small collateral duty and will not take up a significant time, but just like any other entity there is a financial responsibility, interaction with OPB.

Commissioner McDonough thanked the BPS members for their support this past year and wished them and their families Merry Christmas.

Mr. Wayne Abernathy commented there was a bus wreck in Hall County that involved a fatality and a lady sent word to him last night that the two troopers that aided her during this period of time was a godsend as she was so nervous, had no idea if she was going to live to see the end of the day. She said the troopers comforted her. Commissioner McDonough added the two troopers involved were Corporal Allen and Corporal Smith.

Director Vernon Keenan, Georgia Bureau of Investigation followed up on comments Commissioner McDonough noted earlier concerning asset forfeiture. Director Keenan stated this group is fortunate that we have Joe Hood over at OPB, who used to work at the DPS and understands the asset forfeiture requirements and restrictions as they are very detailed. Director Keenan noted three years ago, the GBI was randomly selected by the Department of Justice for an asset forfeiture audit and five auditors out of Washington spent a week at the GBI going through all the expenditures the GBI had for three years and if the GBI purchased body armor, the auditors wanted to see the body armor, if the GBI bought vehicles, the auditors wanted to see the VIN receipts. Director Keenan added if the GBI spent asset forfeiture money on training, the auditors wanted to see the list of attendees and the curriculum for the training; the auditors are very detailed and they are not down to help, they are down to find a problem and cut your head off if there is a problem. Director Keenan stated when the GBI goes before the legislature, they want to get into what we have in our asset forfeiture accounts in state agencies. Director Keenan stated the Department of Justice is constantly looking to see if the state budgets are being supplanted with asset forfeiture, which is a violation, it is a very rigorous process and it is not fun. Director Keenan stated he would encourage any law enforcement agency to take up Commissioner McDonough's offer to help out with preparing for an audit, as it is serious business.

Director Keenan stated last night he attended a town hall meeting handled by TV46 and GPB and noted when they first came to him three weeks ago, it was to appear on a panel to discuss violent crime in Georgia. Director Keenan advised the day before the town hall meeting, he found out the meeting

was about gun control and was already hooked in. Director Keenan stated he has not remained Director of the GBI for 12 years by getting involved in controversial issues like gun control. Director Keenan expressed he was very guarded about anything he said at the town hall meeting and noted the meeting will be broadcast primetime sometime in January. Director Keenan stated they had the two sides, the pro-gun side and the anti-gun side and were going at it and Director Keenan stated he sat there and kept his mouth shut. In preparation to have something to say, Director Keenan stated he did some research of the GCIC records as it relates to gun crimes. Director Keenan shared that in 2014, there were 579 murders in the state of Georgia; do not know how many are firearm related and consistently in the state, on average there are 550-600 murders each year. Director Keenan stated he looked at firearms arrests across the state, the total number of arrests made for crimes related to firearms, everything from pointing a pistol at someone, to discharging a firearm on the road or possession of a firearm by a convicted felon and in the last seven years, Georgia law enforcement have made over 89,000 firearms arrests, the law is being enforced as it relates to firearms crimes. Director Keenan stated last year, GA law enforcement arrested 4,600 felons for possession of a firearm and has been pretty consistent for the last ten years and in a seven year period, GA law enforcement arrested 28,500 felons for possession of a firearm. Director Keenan expressed law enforcement are in fact enforcing the laws and is proud of GA law enforcement for what they are doing. Director Keenan advised another statistic in the mental health records, GA law specifies that if someone is involuntarily hospitalized in a mental institution, the records are uploaded by the probate court to the GBI and then the GBI uploads this to the FBI so that if a person who has been involuntarily committed cannot buy a firearm, and the records remain in effect for five years and after five years they come back to the GBI and they come off the system by state law. Director Keenan stated in the system today, there are 8,718 persons who have been involuntarily committed into a mental institution and they are prohibited by law from purchasing a firearm. Director Keenan stated Georgia submits records, while some states do not.

Director Keenan stated when someone goes to get a firearms carry permit, they are required by law to have a fingerprint based background check at the state and national level. Director Keenan noted the individual can go to a law enforcement agency, but most everyone now goes to the applicant fingerprint system that is in place with a private vendor. Director Keenan stated the individual is fingerprinted, the records go to the GBI, upload them to the FBI and the results come back down within a matter of a few hours. Director Keenan advised since 2010, the GBI GCIC has processed 754,119 firearms permits; there are a lot of folks carrying firearms in the state of Georgia.

Director Keenan stated he and Mr. Brian Rickman were at the final meeting of the medical cannabis commission, four meetings throughout the year and the charge of the commission was to come up with recommendations for the governor and the legislature over giving access to medical cannabis oil in the state, looking at all the issues. Director Keenan noted with the commission at its final meeting yesterday, voted out their basic positions and what is important to the BPS is that Mr. Rickman and himself joined the majority and voted against allowing the cultivation of marijuana in the state of Georgia. Director Keenan added the group also recommended the Congressional delegation get active in straightening out the federal laws as they relate to marijuana across the board. Director Keenan declared there is a lot of confusion and conflicts across the board with what states are wanting to do

and what the federal government will allow. Director Keenan stated the consensus of law enforcement as far as the cultivation issue, was we as law enforcement officers and as prosecutors cannot go against the federal law, no matter what we think about it personally about the need to do this, have medical cannabis, we cannot go against the federal law. Mr. Brian Rickman commended Director Keenan as it was a strange room to be in, there were a lot of really good people with children with medical disorders who have an interest in this issue and Mr. Rickman stated what he wanted everyone to know, is no law enforcement from the GBI to the State Patrol, to the sheriffs and prosecutors, have an issue with these people getting the help they need for their children, we were pushing for it to be like any other medicine and to be regulated. Mr. Rickman noted the crowd aside from those people was very pro marijuana, there was one protestor who had to be taken out, commended the troopers as they had to come and stand guard, but was very proud of what Director Keenan said. Mr. Rickman stated it is easy to espouse your beliefs but when in an environment with a lot of people who in that particular environment aren't supportive, Director Keenan said something that was very important and bears repeating. Mr. Rickman shared Director Keenan stated he is a law man and as a law man he cannot vote to simply say that we are going to ignore federal law, that is not how the system works, and to put it that simple and that poignantly and to make that point, federal law bans the cultivation of marijuana and the chairman very much wanted their to be cultivation of marijuana and were somewhat not made to feel great about espousing our position, but you would be proud how Director Keenan represented himself. Mr. Rickman stated it was a little bit of a media circus, which was not realized, but when you hear the government does not want families to have access to the cannabis, it had nothing to do with that, we made clear to the families with children who have serious medical disorders should be allowed to get the medicine they need and coincidentally federal law prohibits this also, the federal government has not fixed this. Mr. Rickman stated what they saw were people in the marijuana industry who want to come to GA and make millions of dollars and you do not do that by servicing 300-400 children with medical disorders, you do that by legalizing marijuana just as beer and alcohol and fortunately Governor Deal has taken the position that he does not support legalizing marijuana. Mr. Rickman stated everyone should be proud of Director Keenan and his stance, as people were pointing at us and telling us that we were wrong.

Director Keenan stated the first of this week, he was requested to attend a Senate committee meeting concerning sexual assaults on college/university campuses. Director Keenan stated he went prepared to speak about where the GBI is at on the rape kits. Director Keenan stated there was a dialogue going on about what is the GBI's role when there is a sexual assault on a college or university campus. Director Keenan made his position known and wanted to make sure the BPS was aware of what he told the committee was that when there is a sexual assault on a college or university campus, the investigating responsibility rests with the college or university police. Director Keenan acknowledged if they want assistance from local law enforcement, they can ask for that, if they want assistance from the GBI, the GBI will respond and will become a priority case for the GBI, but the decision on how the case is handled rests with the college/university. Director Keenan stated he recommended for the proper course of action to be when there is a sexual assault on a college or university, the university police department notify the law enforcement agency where that college is at, as to what is going on so that local law enforcement agency understands there has been a crime on the campus and this can

allow them to share information and prevent conflict. Director Keenan stated there is a lot of interests on this issue and also told the committee that when the GBI receives evidence from the college or university police department in a sexual assault, when we get that rape kit, we make it a priority, put it ahead of the line because of the sensitivity when you have these type cases on the campus. Director Keenan stated in the crime lab today, there are 36 rape kits that have come from colleges or universities and are being prioritized, but overall with the rape kits, the GBI is doing very well. Director Keenan noted currently in the lab, there are 2,298 rape kits which are in the process of being handled and 1,395 of those are rape kits which came from evidence rooms of law enforcement agencies, many from Grady Hospital where they have been stored and stockpiled. Director Keenan expressed the GBI received a grant from CJCC, two million dollars to outsource the rape kits in order to process them. Director Keenan stated the committee was presented with the crime lab bulletins, we have been sending out to law enforcement reminding them that if they have rape kits in their evidence rooms to submit to the crime lab so they can be processed. Director Keenan advised it was a good committee meeting, a lot of interest in crimes that occur on a university or college campus.

Mr. Wayne Abernathy told Director Keenan and Mr. Rickman he appreciated their stance on the marijuana laws.

Mr. Wayne Abernathy shared he had attended a Bar-B-Que last Friday and was bombarded with questions concerning a camp in Franklin County. Mr. Abernathy stated the people were afraid to say anything and Mr. Abernathy wanted it noted in the BPS minutes that he mentioned the camp in Franklin County to Director Keenan. Mr. Abernathy presented some papers to Director Keenan and Director Keenan advised he would forward the information to GISAC (fusion center) who would vet the information and then forward to the FBI for proper handling.

Director Chris Wigginton, Georgia Public Safety Training Center thanked the BPS for their support this past year as it has been a year since the BPS approved his appointment. Director Wigginton added with the BPS's support and the dedication of all public safety, his mind has been at ease with the support and kind words that have been given to him.

Director Wigginton stated he hopes the BPS members noted the significant changes in their last visit at the GPSTC last month compared to a year ago with the facilities and the training that has been allowed to offer to the students. Director Wigginton stated the GPSTC has been more accommodating to end users which is all public safety professionals throughout the state and in the year, a lot of the lesson plans have been revitalized, that were outdated. Director Wigginton noted it is hard to undertake a lot of lesson plans that has been stockpiled at the GPSTC, has been a huge undertaking to get the curriculum up to date and current, working very diligently to offer classes that are relevant to public safety today.

Director Wigginton advised the Governor's Public Safety Awards will be held Monday, December 14, 2015 at 10:00 am with 17 recipients.

Director Wigginton advised tomorrow a group will be coming back from the country of Georgia; their public safety prime minister will be at the GPSTC along with the state department representatives, FBI representatives, DEA representatives looking at the GPSTC in what we do, the curriculum that is taught and looking to take the information back and form and develop a training center in the country of Georgia and GPSTC has been chosen as a prototype to model after.

Director Wigginton stated the numbers are up with the online courses and enrollment is up tremendously at the GPSTC and there are several new projects beginning as far as construction goes.

Mr. Brian Rickman commented the GPSTC did a great job during the BPS's visit last month.

**DONATIONS**

Major Jason Johnson, Chief Financial Officer, Department of Public Safety requested approval of the following donations:

Three X26P Stalker DSR Radars	\$	8,799.50	Burke County Board of Commissioners
Six X26 Tasers	\$	5,712.00	Griffin Police Department
Eight Stalker XLR Lidars and Three Stalker DSR 2X Radars	\$	26,437.50	Cherokee County Sheriff's Department
One X26P Taser, Cartridge and Battery Pack	\$	981.80	Blue Ridge Police Department

The motion to accept these donations was made by Chief Danny Bowman, which was seconded by Sheriff Joey Terrell, and voted approved by the Board members.

Mrs. Cindy Franklin, Comptroller, Georgia Public Safety Training Center requested approval of the following donations:

Two Railroad Tank Cars	\$	10,000.00	CXS Railroad
Monetary Donation	\$	1,000.00	Atlanta Gas Light

The motion to accept these donations was made by Sheriff Joey Terrell, which was seconded by Mr. Wayne Abernathy, and voted approved by the Board members.

Mrs. Terri Fisher, Deputy Director for the Georgia Crime Information Center, presented for initial adoption, Rules of Georgia Bureau of Investigation Chapter 92-6 Secondary Metal Recyclers Database.

Mr. Wayne Abernathy made the motion to approve the initial adoption of GBI Chapter 92-6 Secondary Metal Recyclers Database. This was seconded by Sheriff Joey Terrell and voted approved by the BPS members.

Vice-Chairman Wood commented that our forefathers and founders years ago recognized the need for our nation to have a special day of Thanksgiving, even to the point of establishing this as a national holiday. Vice-Chairman Wood noted we have had Thanksgiving since the last BPS meeting and all have much to be thankful for and was then soon followed with another tragic event that reminds us of the importance of the people who wear different badges and uniforms and the closeness of the terrorists' attacks that occur in our country. Vice Chairman Wood stated he thought it was appropriate this morning that all would stand and offer a moment of silence in memory of those people sacrificed in the latest attack and to honor those who wear different uniforms and different badges, both civilian and military who protect freedoms and rights that we so many times take for granted. Vice-Chairman Wood asked everyone to stand and pause for a moment of silence.

Vice-Chairman Wood reminded everyone that we are entering the most special time of the year and we all need to be thankful for the most special gift we have been given and that is our salvation through Jesus Christ, and as we enter Christmas continue to thank God for the special gift that has been given to us.

On behalf of the Board of Public Safety, Vice-Chairman Wood thanked Commissioner McDonough and the DPS Command Staff for lunch.

There being no further business, the meeting was adjourned.

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Secretary