

BOARD OF PUBLIC SAFETY

December 13, 2018

GA Department of Public Safety

Atlanta, Georgia

BOARD MEMBERS PRESENT:

Mr. Kacy K. Cronan
Sheriff Dane Kirby-via conference call
Commissioner Michael Nail
Mr. Lester L. Rampy, Jr.
Mr. Mark Revenew
Mr. Charles D. Sikes
Sheriff Joey Terrell
Chief Craig Tully
Mr. Timothy C. Ward
Mr. Ellison G. Wood

BOARD MEMBERS ABSENT:

Mr. Steve D. Cronic
Mr. George Hartwig
Mr. Sam Heaton

OTHERS:

Ms. Tina Piper, Senior Assistant Attorney General
Ms. Cheryl L. Buie, Board Liaison
Commissioner Mark W. McDonough, Department of Public Safety
Lt. Colonel Russell Powell, Department of Public Safety
Major Hank Fielding, Department of Public Safety/GSP
Captain Mark Lambert, Department of Public Safety/GSP
Captain Mark Perry, Department of Public Safety/GSP
Captain Billy Hitchens, Department of Public Safety/GSP
Captain Chris Wright, Department of Public Safety/GSP
Captain Chad Riner, Department of Public Safety/GSP
Mrs. Amy Stancil, Comptroller, Department of Public Safety
Mrs. Melissa Rodgers, Department of Public Safety
Ms. Joan Crumpler, Department of Public Safety
Mr. Dan Kirk, Assistant Director, Georgia Bureau of Investigation
Mr. Bruce Stanford, Georgia Public Safety Training Center
Mr. Ray Saxon, Georgia Public Safety Training Center
Mrs. Cindy Jones, Comptroller, Georgia Public Safety Training Center
Mr. Pete Skandalakis, Executive Director, Prosecuting Attorneys Council
Mr. Brian Lawler, Office of Planning and Budget
Mr. Gus Elliott, Office of Planning and Budget
Ms. Ashlie Moncrief

Vice-Chairman Ellis Wood called the December 13, 2018, Board of Public Safety meeting to order.

Vice-Chairman Wood asked for a moment of silence in memory of Board member Mr. Wayne Abernathy.

DPS Lieutenant Colonel Russell Powell 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 October and November 2018 minutes. Mr. Mark Revenew made the motion to approve the minutes, which was seconded by Sheriff Joey Terrell, and voted approved by the BPS members.

DIRECTOR REPORTS

Commissioner Mark W. McDonough, Department of Public Safety began by stating the holiday season enforcement for DPS incorporates a litany of operations that DPS is involved in. Commissioner McDonough stated DPS participates in Operation Zero Tolerance, Operation Click-it or Ticket, Operation Drive Sober or Get Pulled Over, Operation CARE, Operation Safe Drive and Distracted Driving and over the holiday season, all of the programs are going on in law enforcement and traffic safety to try to zero in on the causation effects and also the things that can save lives. Commissioner McDonough noted whether it is seatbelts, distracted driving, DUI, or commercial motor vehicles, all of the programs are designed so that over the period, particularly the holidays, certain enforcement efforts are done and Motor Carrier officers and troopers are actively involved in all of the programs.

Commissioner McDonough stated DUI continues to be a challenge and noted that Post 25-Grovetown, between January and October, just in Richmond County alone, arrested 406 DUIs and because of that they decided to hold troop concentrated patrols, nighttime sobriety road checks and only did three of the road checks and arrested 68 additional DUIs. Commissioner McDonough stated there is a problem in Richmond County and statistics show that in Savannah, Albany, Macon, Atlanta and Athens, DUI is a consistent thing and DUI continues to be a struggle. Commissioner McDonough stated it also tends to be a struggle for the sheriff's departments that are involved, as they are struggling with manpower issues, struggling with jail personnel and when the troopers come into town and drop 25-30 people arrested on the doorsteps of the jail, one can see the challenges they have. Commissioner McDonough noted this is one of those things that effects not only the safety of the people on the roadway, but pressure on the existing system, particularly the sheriffs and their personnel at the jail. Commissioner McDonough stated this type of thing continues to be a struggle and will continue to not apologize for those efforts and try to make the roads safe as possible.

Commissioner McDonough spoke concerning officer involved shootings and respectfully, Commissioner McDonough stated he hears the clamor of the GBI of having to investigate the officer involved shootings, but his concern is for the people that work for him, the chiefs and the sheriffs, they are the ones getting shot. Commissioner McDonough stated in the past 30 days, four DPS officers have been involved in officer involved shootings, one in which directly resulted in the saving of his life. Commissioner McDonough noted Savannah continues to be a challenge when it comes to this, and just day before yesterday, there was trooper that was so close at a traffic stop, where a gun was pulled on a deputy and all the trooper was able to do was to push the individual into the ditch with his revolver and the man ending up shooting himself in the stomach, because of being pushed in the ditch. Commissioner McDonough stated publicly he hated it for him, but is glad the two officers walked away without any problems. Commissioner McDonough shared questions are being asked of why is

this happening, as now we have a society that no longer respects authority and have a society, particularly in the past decade, which even the leadership has disdained the authority of the police. Commissioner McDonough stated everyone should realize there are some basic things from the top as far as leadership towards what law enforcement does, what is expected of them and that police work is a nasty business and when looking at what is done as far as training, policies and procedures, it is the police that continually look for ways to do things better and should not apologize for what has been done in the past because of the circumstances we find ourselves in now. Commissioner McDonough acknowledged police officers are not the woe of societal problems, they are not the cause of societal problems, they are not the initiator of problems, and in fact, when the police industry finds a bad apple, the police remove them and use them as an example. Commissioner McDonough stated this will continue to be a challenge for all law enforcement and thinks with training and procedures and the continual pursuit of doing things better, the officers can be kept safe and do their jobs, but there will be times when things get nasty and law enforcement is going to end up using lethal force to make sure things stay where they are.

In regards to pursuits, Commissioner McDonough stated DPS has found ourselves in a period of criminal justice reform and in doing so, criminal justice reform ends up placing more people into society that are under some form of supervisory release. Commissioner McDonough stated since 2011, there are ancillary things that occur when taking certain directions, when more people are put on the street that are in that type of release and find themselves being pursued by law enforcement for whatever reason, they realize a potential revocation hearing and being sent back to prison. Since 2011, Commissioner McDonough stated pursuits have doubled and the report that was presented in the past four years shows the violator is a 29 yoa white male on probation, suspended, DUI or is wanted, does not want to go back to jail and therefore puts the police officers, the deputies and the troopers in a situation that puts their safety at risk.

Commissioner McDonough stated the pursuit liability training, mandated in 2007, continues to this day and are going through it now. Commissioner McDonough noted it is not just the aspect of liability, but the decision making of the officer when involved in a chase and what is done to try and bring the chase to a successful completion without taking an innocent life or causing injuries.

Commissioner McDonough stated the DPS continues to be a Below 100 agency which emphasizes tenants of safety, from wearing the seatbelt, wearing the vest, and to making sure the officer is traveling the appropriate speed, those basic tenants are being driven home with the officers.

Commissioner McDonough stated he will be giving Senate testimony involving pursuits tomorrow. Commissioner McDonough stated a lot agencies ask for DPS's help as a lot of agencies that ask for help, do not have pursuit policies and are asking for us to pursue and put an end to it. Commissioner McDonough stated there are instances where people need to be caught and pursuits need to be ended, and noted the job is not to continue the pursuit, the job is to end it as quickly as possible and that is the reason, officers are trained in the use of stop sticks, boxing in and if that is not available, use the PIT. Commissioner McDonough stated time and time again, the PIT has been a success in dangerous situations. Commissioner McDonough stated the testimony will be interesting with the Senate, because what has brought it about is the continual narrative that we hear from a particular group of people that law enforcement should not be engaged in pursuits. Commissioner McDonough stated he

understands and respects that, but also knows the buck has to stop some place and that is what law enforcement does.

Commissioner McDonough presented a DPS calendar being sold by the Georgia State Patrol Historical Society to raise scholarship funding for students of DPS employees or retirees.

In regards to PIT training, Vice-Chairman Wood asked Commissioner McDonough if basic mandate training covers PIT training. Commissioner McDonough replied there is advanced EVOC and then PIT training and acknowledged GPSTC has done a great job of incorporating this training and DPS helps with agencies that make a request. With the monthly statistics, Commissioner McDonough stated one can see where the GPSTC is going from, where it once was, to where it is now, is because the GPSTC has done an excellent job of adding advanced type training that is needed for the environment that law enforcement is in.

Sheriff Dane Kirby stated his Fannin County deputies have been cycling through the GPSTC taking the advanced EVOC training and they are providing fabulous training and everyone that takes the course comes back a better driver.

Mr. Lester Rampy, Jr., asked Commissioner McDonough what causes other law enforcement departments to not have a policy on pursuits. Commissioner McDonough stated liability does drive this, but there is also a mindset in training that the police should not be pursuing at all. Commissioner McDonough noted there are multiple things, certain philosophy on what the police should or should not be doing, and for the municipalities, liability comes into play, the fact of the matter is when things go south and litigation occurs there is an insurance cost to that, municipalities are dealing with insurance carriers, carriers that want to do what they can to limit liability. Commissioner McDonough stated there are social factors, ideology factors and liability plays a good part in it.

In regards to pursuits, Mr. Kacy Cronan noted in his home county, he believes it all falls to the judicial system and the county commissioners that say let others chase them, we do not want to pay the bill, we do not want to be the one in front of the judge that will ask us why we did that, let's put it off on the troopers and Mr. Cronan added he has an issue with that. Mr. Cronan stated it comes back to the county leadership and feels this happens a lot in the state.

Commissioner McDonough stated the Senate hearing came about by legislation that was introduced the state mandate a policy on pursuits and that piece of legislation did not go anywhere, but out of it came a resolution for a study committee and thus the reason for the testimony.

Mr. Rampy asked if the next thing to be is if an officer encounters someone that does not want to go to jail and hits the officer upside the head, the officer cannot hit them back. In regards to using the term belligerence, Commissioner McDonough stated this starts with under the law, what is the responsibility of the person that is in control of the automobile, that when law enforcement puts on the blue lights and siren, under the law they are required to yield to that authority. Commissioner McDonough stated this is part of that concern when going down this road, when one starts eroding what the law requires of the citizen and the privilege of driving and you erode yielding to that authority then that line is moved and what is the next thing, if the violator does not want to go, will we just let

them go and deal with them later. Commissioner McDonough stated law enforcement continues to go down this road and with violent crime going up, violence against officers going up, pursuits going up, does not think it is a big duh-huh.

Sheriff Terrell commented that Washington State has already introduced a law for that.

Mr. Charles Sikes asked Commissioner McDonough what are the heavy traffic days for Christmas and New Year's holidays. Commissioner McDonough stated the holiday periods are bracketed by what are called travel days and when personnel are assigned to the roadway, the percentage as what is required by policy is bracketed by those days. Commissioner McDonough stated when a holiday occurs on the weekend, the 31st be a Sunday and the 1st be a Monday, the heavy travel days will be Friday and set the holiday periods as such that personnel are placed on that high traffic day. Commissioner McDonough stated the day before Thanksgiving and Sunday after Thanksgiving are heavy traveled days and bracketed this way. Commissioner McDonough stated the Christmas holiday travel period will be December 21st through Wednesday, December 26th and New Year's holiday travel period will be Friday, December 28 through Tuesday, January 1st.

Director Vernon Keenan, Georgia Bureau of Investigation stated thus far this year, there have been 90 officer involved shootings, with the latest one last night and have had five shootings in four days. Director Keenan stated three of the shootings in a row, the assailant was a woman and now media is asking the GBI what is going on in the use of force environment where women are shooting at the police. Director Keenan stated this speaks to the level of violence that is ongoing, not only in our state, but other states as well. Director Keenan stated he had additional data pulled and asked analysts to pull all of the investigative files for 2017-2018 officer use of force and review those files and see if there was documentation in there if the assailant had mental health issues. Director Keenan advised in 25% of those cases for both years, there is documentation that the subject was suffering from some type of mental illness or had been hospitalized previously for mental illness. Director Keenan stated GBI has signed a research agreement with the John Jay College of Criminal Justice in NY who have copies of closed cases and researching to try to determine what is occurring, not necessarily in our state, but in the use of force environment where we are having continuously level of violence increase and number of cases increased. Director Keenan stated the college came to them, as the GBI is the central repository in Georgia that works all the officer involved shootings and have a very robust open records act where information can be available.

Director Keenan stated on December 3, GBI had a celebration at GBI Headquarters to honor the 20th anniversary of the DNA program in the state of Georgia. Director Keenan noted that DNA 20 years ago, was started as a unit in the GBI Crime Lab and since the unit was started there are nearly 360,000 profiles in the DNA data base and in the history of the program there have been 6,551 CODIS hits, which means evidence from unsolved cases were identified within the data base. Director Keenan stated there have also been 1300 forensic hits, meaning cases have been connected together based on the DNA profile and have assisted in over 9,000 investigations with the DNA work. Director Keenan noted this was a history of starting out in Georgia where the law required only persons convicted of certain sexual offenses and incarcerated, DNA samples were to be collected, until today the requirement is if one is convicted of a felony, regardless of whether one is incarcerated or on probation, they are required to give a DNA sample. Director Keenan stated as the laws have increased, so have the number of CODIS hits and cases solved. Director Keenan stated they started out in an

environment where DNA scientists, just one, Dr. George Herrin and he would go to court and try to convince a judge and jury that DNA was not voodoo science, there was actually a scientific basis for DNA, until today, judges and juries are expecting to have some level DNA evidence in all cases.

Director Keenan stated Speaker Ralston called a news conference to celebrate completing SB 304 rape kits, the rape kits that were warehoused in hospitals or in law enforcement evidence rooms. Director Keenan stated there were over 3,000 rape kits and received additional resources to handle the back log. Director Keenan stated there were 342 hits, where the rapist was identified based on DNA analysis of those 3,000 rape kits. Director Keenan stated two rapists were identified as serial rapists, one who committed 15 rapes and was in prison and was to be released this coming year, until CODIS hits came in and has now been indicted on 15 rapes. Director Keenan acknowledged this is a tremendous success story and will continue to build on this and get a lot of support through the governor and legislature on keeping the crime lab operational.

Mr. Bruce Stanford, Division Director, Georgia Public Safety Training Center began his report by sharing that student attendance compared to this time last year is up by 3,000 students and are on track to be in 240,000 for this fiscal year. Mr. Stanford stated there were 223,000 students last year and student enrollment is continuing to climb and will get to a point where the facilities and staff are at the max, almost getting there now, and with doing that, using the facilities and the staff to the best of our ability and efficiently as possible, GPSTC is starting to determine new ways to train and meet the demand. Mr. Stanford stated GPSTC has begun blended learning and the blended courses are composed of a lecture online component and then will come to the training center for a practical performance exercise component. Mr. Stanford stated the first blended course was radar LIDAR operator and the traditional radar course is two and the traditional LIDAR course is one day and worked with POST and have combined these to a speed detection operator course, where the student will log in on December 3, take the entire lecture for radar and LIDAR on line, take the test on line and by the 28th of the month, will come to GPSTC and do the four hour practical for radar in the morning and the four hour practical in the afternoon and will have completed the course. Mr. Stanford noted the students were spending three days in a classroom, an instructor was in the classroom for three days and have narrowed this down to using the classroom for one day and the other benefit of blended learning, the agency head will only be without that officer for one day, instead of three days. Mr. Stanford stated feedback has been really good.

Mr. Stanford stated the number one demand for class is Supervision and have been studying the Supervision at three levels and this coming year, GPSTC will be rewriting and combining the three levels of Supervision into one course, and will be like going to college online. Mr. Stanford added there will be 6-8 modules, each module having a quiz or a research and a paper project and once they have completed the 8 modules, they will go to GPSTC for a capstone project where they will receive employment or management scenarios, will have to make decisions and base those decisions off relevant case law and standards that have been set by the courts. Mr. Stanford stated GPSTC is hoping to meet the demand a little better, and more importantly, the training will be much better, will not be a check the box training, it will be learning how to supervise and manage an agency.

In regards to EVOC, Mr. Stanford stated GPSTC has done 20 PIT courses this year, compared to 12 or so, that was done two years, ago. Mr. Stanford shared with the PIT training on the very first night,

they are training in the dark as fast as they can run, as that is realistic. Mr. Stanford stated there will be distracted driving training, specifically for officers coming next year and add a third level of EVOC.

Mr. Stanford added there will be more fire department training.

Mr. Stanford stated GPSTC has a new crash investigation lab, which is called the driver's skilled building under the bond project and is being built on the driver training facility. Mr. Stanford stated GPSTC has a very robust crash and reconstruction curriculum that covers everything from on scene, all the way through motorcycles and pedestrians. Mr. Stanford add the driver training facility will be getting their own building, complete with a bay, where cars and a semi can be brought in for actual inspections and get the students out of the weather when doing this type of training.

Mr. Stanford stated the bond projects went through for expansions at firearms and are in the process of putting out the bids; two additional 200 yard ranges, a 360 range, 4,000 sq. foot classroom with a new bomb range. Mr. Stanford add there will be two propelling towers, one with a helicopter chassis on top for fast roping and will be a nice tactical playground, which will be opened up for residency agencies and all the ranges will be nice that anyone will want to go to.

DONATIONS

Mrs. Amy Stancil, Comptroller, Department of Public Safety requested approval of the following donations:

Two Narcotics K-9s, Three K-9 Car Kennels, One K-9 Home Kennel, Two K-9 Car Heat Alarms, Three K-9 Car Kennel and Heat Alarm Installations Thirty-two Streamlight Polytac X Flashlights and Twenty-Nine Blauer Search Gloves	\$ 29,435.00	Paulding Co. Sheriff's Dept.
Two Stalker DSR 2X Radar Units Twenty-seven Coast RX395 Rapid Response Knives	\$ 6,971.00	West Metro Drug Enforcement Office
Two Stalker DSR 2X Radar Units	\$ 6,025.00	City of Ringgold
Two Stalker DSR 2X Radar Units	\$ 6,161.00	Washington Co. Sheriff's Dept.
Three Stalker DSR 2X Radar Units Two Kustom Pro Laser 4 Lidars Two FLIR TG167 Infrared Cameras with Cases, Three 32" Vizio Smart TVs	\$ 15,347.76	GBI SE Regional Drug Office

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

Mr. Dan Kirk, Assistant Director, Georgia Bureau of Investigation requested approval of the following donation:

Casper Software \$ 15,000.00 Macon Judicial Circuit DA

The motion to accept this donation was made by Sheriff Joey Terrell, which was seconded by Chief Craig Tully, and voted approved by the Board members.

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

Sokkia Data Collector and Sokkia \$ 800.00 Cherokee Co. Sheriff's Dept.
Soth F Total Station

The motion to accept this donation was made by Mr. Lester Rampy, Jr., which was seconded by Sheriff Joey Terrell, and voted approved by the Board members.

Ms. Joan Crumpler, Deputy Director, Legal Services, Department of Public Safety presented a Resolution asking the BPS to authorize the Commissioner of Public Safety to enter into negotiations, contracts and agreements with the City of Hazlehurst, Georgia, necessary to effect the city finance, construction and transfer by reversionary warranty deed of a new Georgia State Patrol Post 16, and to authorize the relocation of Post 16 from the City of Helena, Telfair County, Georgia to Jeff Davis County, Georgia.

Chief Craig Tully made the motion for the members of the Board of Public Safety to authorize the Commissioner of Public Safety to enter into negotiations with the City of Hazlehurst, Georgia, and to prepare and enter into the appropriate agreements and supporting documentation for the express purpose of developing appropriate contracts as necessary to enable the City of Hazlehurst to finance and construct a new State Patrol Post 16 facility on property owned by the City of Hazlehurst, Georgia, and, that upon completion thereof, to accept such property for use as State Patrol 16 as shall have been conveyed by reversionary deed from the City of Hazlehurst to the State of Georgia, and to thereby relocate State Patrol Post 16 from Helena, Telfair County, to Hazlehurst, Jeff Davis County, Georgia. This was seconded by Sheriff Joey Terrell and voted approved by the BPS members.

Ms. Joan Crumpler presented a Resolution asking the BPS to authorize the Commissioner of Public Safety to enter into negotiations and all agreements for receiving transfer of property currently in the custody of the Georgia Department of Behavioral Health and Disabilities, constructing new facilities for GSP Post 33 Milledgeville on that property, and for temporary lease of improved facility space from the Central State Hospital Local Development Authority for GSP Post 33 operations during such construction.

Sheriff Joey Terrell made the motion for the members of the Board of Public Safety to authorize the Commissioner of Public Safety to enter into negotiations and the appropriate agreements and execute all contracts and supporting documents as necessary to: (1) enable the Department's custody of approximately 15 acres of land on Carl Vinson Road in Milledgeville, Georgia, from the Georgia Department of Behavioral Health and Disabilities; (2) construct new Post 33 facilities on said land; and (3) enable GSP Post 33 to temporarily occupy approximately 7,000 square feet of space within a facility owned by the Central State Hospital Local Development Authority, once the Authority has

made the space occupant-ready and pursuant to a direct cost lease which shall end at such time as the new Post 33 facilities on Carl Vinson Road are ready for occupancy. This was seconded by Mr. Mark Revenew and voted approved by the Board members.

On behalf of the Board members, Mr. Mark Revenew presented a Resolution to former BPS member Pete Skandalakis.

Mr. Skandalakis shared it was truly a pleasure and honor to serve on the Board of Public Safety.

Vice-Chairman Wood asked everyone to continue to support and remember Mr. Wayne Abernathy's family.

Sheriff Joey Terrell made a motion to present Mr. Wayne Abernathy's family with a Resolution in memory of Mr. Abernathy. This was seconded by Chief Craig Tully and voted approved by the BPS members.

There being no further business, the meeting was adjourned.

Mr. Mark Revenew
Secretary