

**BOARD OF PUBLIC SAFETY**

November 7<sup>th</sup>, 2018

Cumberland Inn and Suites

2710 Osborne Road

St. Marys, Georgia 31558

**BOARD MEMBERS PRESENT:**

Mr. Steve D. Cronic  
Commissioner Greg Dozier  
Mr. George Hartwig  
Mr. Sam Heaton  
Chief Mark Revenew  
Mr. Charles D. Sikes  
Sheriff Joey Terrell  
Chief Craig Tully  
Mr. Ellison G. Wood

**BOARD MEMBERS ABSENT:**

Mr. Wayne Abernathy  
Mr. Kacy Cronan  
Sheriff Dane Kirby  
Commissioner Michael Nail  
Mr. Lester L. Rampy, Jr.

**OTHERS:**

Ms. Amy Radley, Attorney General's Office  
Ms. Cheryl L. Buie, Board Liaison  
Commissioner Mark W. McDonough, Department of Public Safety  
Major Jason Johnson, 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  
SFC Chad Gray, Department of Public Safety/GSP  
Captain Jeremy Vickery, Department of Public Safety/MCCD  
Director Vernon Kennan, Georgia Bureau of Investigation  
Director Chris Wigginton, Georgia Public Safety Training Center  
Mr. Tony Hightower, Deputy Director, Georgia Public Safety Training Center  
Mrs. Cindy Jones, Comptroller, Georgia Public Safety Training Center  
Mrs. Joan Keenan  
Mrs. Cynthia Sikes  
Mrs. Kathy Cronic  
Ms. Ashlie Moncrief  
Mrs. Cindy Tully  
Sheriff Neal Jump, Glynn County Sheriff's Department  
Sheriff Jim Proctor, Camden County Sheriff's Department  
Officer William Lee, Kingsland Police Department

Vice-Chairman Ellis Wood called the November 7, 2018 Board of Public Safety meeting to order, 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 September 2018 minutes. Chief Craig Tully made the motion to approve the minutes, which was seconded by Chief Mark Renew, and voted approved by the BPS members.

### **DIRECTOR REPORTS**

Commissioner Mark W. McDonough, Department of Public Safety recognized two veterans from DPS in the group today. Commissioner McDonough recognized Capt. Jeremy Vickery, a proud Navy guy and Capt. Mark Perry who served on the US Tennessee, a trident class ballistic submarine.

Commissioner McDonough noted the Tennessee was the first trident boat in 1989 that came to St. Marys, which makes it a homecoming for Capt. Perry, as this is where he spent his time in the Navy.

Commissioner McDonough advised storm relief efforts continue in southwest Georgia, although Troop G is back to normal operations, they are assisting with tree removal and helping the EMC's restore power. Commissioner McDonough stated over the three week operational period, 470 DPS officers were deployed, 360 troopers and 110 MCCD officers at a cost of 1.66 million dollars in relief costs to southwest Georgia. As of Monday, Commissioner McDonough advised there are over 12,000 homes still without power and when it first happened, listening to the utility estimates that it could take between 5 and 6 weeks for power to be restored, and when doing the math from the first week in October to the first week in November and still have 12,000 residents out of power, it is amazing what the power company does, how they make those estimates and how close they come.

Commissioner McDonough stated Governor Deal issued a new executive order today through November 21<sup>st</sup>, reducing the counties from 108 to 28, with the emphasis being on hours service relief, anything that is being transported for commercial motor vehicle purposes for aid, relief, debris removal, anything like that, relief is in the hours of operation. Commissioner McDonough stated the Federal Motor Carrier FMC has extended their declaration of emergency that covers AL, FL and GA in this tristate area.

Commissioner McDonough shared that troopers have been detached to provide event security to both gubernatorial candidates, including the events that occurred last night. Commissioner McDonough stated IRT teams from Troop B and Troop C were used for the events with no incidents reported and have received several comments today from both sides of the aisle on the troopers' professionalism and how they handled themselves at last night's events. Commissioner McDonough stated there was an election SWAT team that was assigned to the Secretary of State's office. Commissioner McDonough reminded everyone that in the past, GSP would transport from each county, the certified ballots from the county to the Secretary of State's office for final certification. When going to electronic balloting, this was sent electronically as each county reported, but now we had to have staff from the Secretary of State's Office who supported this effort, for broken machines, disputes or things that have occurred and GSP had three helicopters that were staged throughout the state, along with troopers that were specifically assigned to Secretary of State employees for the purpose of transportation and shut down at 12:30 last night and had very little to do.

Commissioner McDonough shared Governor Deal came to the ribbon cutting for the Administrative Support Building, gave some remarks and have received feedback from the officers saying they really like the place and the mindset and design of the building is specifically to give them one place to go to do all of their business when they come to HQ. Commissioner McDonough stated previously support services were spread out and folks would get knocked around like a ping pong ball just trying to get a video camera taken care of or something in their car and now they can go to one place to get it all done. Commissioner McDonough noted there is a room available for overnight stay, if needed.

Commissioner McDonough stated there are two legislative efforts for DPS, the annual Motor Carrier bill updating the Federal Motor Carrier issues from the year into the state's code and the other is to add the Board of Public Safety to the list of Boards that are allowed to receive per diem to offset expenses as Board members when traveling.

Commissioner McDonough stated the special legislation session starts November 13<sup>th</sup> and requires a 5 day term and Mitchell Street will be closed for this, with DPS providing the security.

In regards to the upcoming holiday season, Commissioner McDonough stated one of their major responsibilities is traffic enforcement and do a traditional fly-around to get media coverage, but in particular this year one of the emphasis will be distracted driving. Commissioner McDonough noted it takes between 5-7 years to change behavior and when looking at how long it took to change behavior for seatbelts, we should expect that it will not happen any quicker than that. Commissioner McDonough stated there is a concerted, education and enforcement effort to get people to change their behavior.

Mr. Charles Sikes shared he had seen news releases regarding distracted driving and accidents. Commissioner McDonough noted before the law even came into effect, some would like to point to it, that even the discussion of it has caused people to take a look at it. Commissioner McDonough stated the state is about 10% below the fatality number last year and that is great for everybody, and has tried to tell the sponsor of the bill to not watch the fatality count and directly tie the fatality count to that specific issue, because that is the type of thing that you can get burnt on if you just tie it to and make the assumption that is the reason for it. Commissioner McDonough stated with GA having a population increase and the miles traveled increase, we have all seen in our state, it is a very positive thing that we are 10% below what we were last year. Commissioner McDonough stated a lot of folks are working hard, did 90 days where we were nice and see a lot of citations being written, so hopefully it will have a positive effect, but to hang one's hat on that decrease just on that one issue, thinks it would be premature.

Mr. Steve Cronin asked Commissioner McDonough how DPS was doing on staffing. Commissioner McDonough stated DPS has 845 troopers and 266 Motor Carrier officers and when we started replacing the 116 that walked out the door, DPS was at 863 and have made a lot of strides and knew that it would take two years and are close. Commissioner McDonough stated there are currently two very small trooper schools, one has 18 and the other 17, really were one school, but started one month apart. Mr. Cronin asked Commissioner McDonough with the salary increases a year or so ago if that helped with the retention and recruiting and how that was impacting overall. Commissioner McDonough stated this reduced the walking out the door from 12% down to about 4%, but there is a

bubble there, the truth is, is that there are 124 people that are eligible for retirement and the effect of that raise on their retirement check is effective January 1. Commissioner McDonough advised one of the things that has been address and noted GBI Director Keenan and GPSTC Director Wigginton are in the same situation, all have polled their employees, the best that they could, can't tell a person they have to retire or that they have to tell them, but all have looked at it, the way it is going to affect budgets when looking at the cost of retirement, as the raise took care of the front-end issue, but there was not a dollar figure there for the effect of that raise on the back-end. Commissioner McDonough stated when getting the raise, this increases the salary, which effects the cost of retirement and all are facing a huge annual leave payout and ERS payout that the only way that we have in our existing budget to pay for that is not hiring the person to replace the people who are walking out the door. Commissioner McDonough noted this has a compounding effect, and all are potentially facing this challenge that is going to hurt the budgets, how to fund that and how not to effect the manpower the agencies are having to depend on. Commissioner McDonough added the agencies met with the house budget on Monday.

Chief Craig Tully thanked Commissioner McDonough for the GSP and MCCD being their immediately following Hurricane Michael and noted Major Waldrop was in the area before the storm arrived and immediately saw the presence of state law enforcement. Chief Tully stated his little city, Colquitt was overwhelmed before the storm struck. Chief Tully shared his little city struggled to survive and when the resources came in, everything that was needed was taken care of. Chief Tully noted the GBI was present and with troopers moving trees, doing whatever they had to do and when there were issues, phone calls were made and the issues were resolved. Chief Tully stated his County Commissioners, the Mayor and City Council asked him to thank Commissioner McDonough and Director Keenan publicly for what they did for them, as there is no way they could have survived without the resources of the State of Georgia and thanked them for allowing it.

Chief Tully shared last Thursday, Vice-Chairman Wood led a group from Statesboro helping the city and county and the impact that group of people left on his city has changed their attitude towards neighbor helping neighbor and what love is all about. Chief Tully and his wife, Cindy thanked Mr. Ellis for all of the assistance he and his group provided. Mr. Charles Sikes added that Vice-Chairman Wood would always say they are just one little grain of sand, do what they can in a short period of time, affecting a couple of people, but it takes just that one little grain of sand and he is very good about bringing a group together from Statesboro to address those needs.

Commissioner McDonough added that the response to SW Georgia was some of the cutting of teeth and lessons learned by some people present today, who had some huge challenges with two storms that came, as there was no bridge inspection issue with the DOT in SW Georgia like occurred here, but a lot of those mistakes that were made here, particularly working with local people, that learning curve paid off for what was done in SW Georgia and thanked Sheriff Proctor and Sheriff Jump for their patience.

Vice-Chairman Wood noted what little bit his group does, they could not do, without all of DPS's assistance.

Director Vernon Keenan, Georgia Bureau of Investigation began his report stating the GBI recently sent out an Operational Bulletin from the Medical Examiner's Office and Director Wigginton has incorporated it in death investigation training classes. Director Keenan stated there cannot be more than three outside people attending an autopsy and previous commonplace there would be five, six or seven representatives from a law enforcement agency to show up for the autopsy. Director Keenan stated there can be no taking of photographs in the morgue, only those done by the official photographer and no cell phone usage in the morgue. Director Keenan stated he has asked the medical examiners' office to put together a document which outlines the best practices they see investigators use in death investigations and also mistakes that are made and asked them if they were standing before a class of death investigation students at GPSTC, what they would tell those students.

Director Keenan shared two years ago there was a bill passed in the legislature SB304, which required all law enforcement agencies to inventory their rape kits in their evidence rooms and then notify the GBI Crime Lab of the number of rape kits. Director Keenan stated there were over 3,000 rape kits and then put out a notice to turn those rape kits in to the crime lab, so that a process could begin to work through the backlog and the GBI was fortunate enough to get a 2 million dollar grant to outsource the rape kits, otherwise it would have brought the crime lab to a standstill. Director Keenan stated the crime lab receives 250 new sexual assaults kits each month and have now worked through the 3,000 rape kits and are down to around a dozen. Director Keenan stated Speaker Ralston's office calls every week asking where the crime lab is in working the backlog as he wants to have a news conference at the Capitol when the backlog has been eliminated. Director Keenan stated of those 3,000 kits, there have been 318 CODIS hits, which means the evidence in the rape kits matched unsolved crimes. Two of the crimes were serial rapists, one which had committed 15 rapes, he has been indicted in Fulton County, because when the CODIS hits come in, they bounced off of 15 different victims and then learned he is in the prison system slated to be released next year. Director Keenan stated he never would have imagined they would have had that many CODIS hits matching up to unsolved cases in the backlogged rape kits. Director Keenan stated they will be constantly putting out to local law enforcement to send in their rape kits, do not let them stack up in the evidence rooms.

In addition to the 3,000 rape kits that were turned in under SB304, Director Keenan stated the crime lab had 5,000 cases that were still in the lab which were pre-DNA use, but in today's world there have been a lot of increases. Director Keenan stated the DNA program was set up in 1998, it took a sample the size of a coke can in three to four months' time to do the analysis, and now can do an analysis on a sample which is smaller than the tip of a ballpoint pen in two days.

In dealing with first offender DNA, Director Keenan stated GA law requires every person convicted of a felony to give a DNA sample regardless of whether they go to the prison system or probation, unless they get a first offender sentence. Director Keenan added some persons convicted of a felony, get first offender sentence, but they are also sent to the prison system, and when they get out of prison, they will no longer have a record. Through an error, Director Keenan shared they started out with 105, and now have 108 first offenders, persons incarcerated where their DNA was collected by error, as the prison system operates likes an assembly line. Director Keenan stated there are CODIS hits on the 108 who's DNA was taken by mistake and out of those 108 CODIS hits, four were for homicides and 17 for sexual assaults and this tells everyone, including the GA legislature and the Governor's office, people that have been receiving first offender sentences have committed some horrendous crimes and it is unknown as the law did not require them to give up their DNA samples. Director Keenan stated

the legislature is working with the Prosecuting Attorneys' Council and will have legislation going forward to correct this. Director Keenan stated he does not know what can be done about the cases where the DNA was collected by mistake. Director Keenan stated if the law passes which requires DNA to be collected by first offender sentence, he wondered what the work load would be for the GBI and in FY17, there were nearly 11,000 persons who received first offender felony sentences and in FY18 there were a little over 10,000 persons, which is a pretty good workload. Director Keenan noted there is a positive side to this, because we are dealing with offender DNA, and are operating a true assembly line at the Cleveland Crime Lab, that's all they do, offender felony DNA samples, so the workload on them will not be astronomical and the costs for them to absorb this additional work is a little over \$400,000.00, which is completely doable if budgeted for it. Director Keenan stated the crime lab thought they were in trouble when all of this happened, and he told them if it was not for this mistake, there would be a lot of people skating free for having committed rapes and homicides, because their DNA is not in the database to be matched up against unsolved cases.

Director Keenan stated he had asked the Medical Examiners' Office to pull down all of the drug deaths that have come through the GBI morgue, 3,000 a year, and look at the number of drug deaths and tell him how many are dying from prescription drugs versus the illegal drugs. Director Keenan stated in 2015, 54% of the deaths came from prescription drugs and only 17% came from illegal drugs and now in 2018, 20% of the deaths are from prescription drugs, while 54% deaths were from illegal drugs. Director Keenan stated the methamphetamine deaths have jumped from 172 to 248, with more deaths still coming in and methamphetamine is becoming a major killer for persons using methamphetamine.

Mr. Charles Sikes asked how the DNA issue impacts the identification system, fingerprints of first offenders, he and Director Keenan were raised with. Director Keenan responded when someone is arrested, their fingerprints are captured and that goes against the unsolved crime data bases, but the vast majority of cases now are being solved through DNA, not fingerprints and the law authorizes the fingerprints to be taken upon arrest, whereas there is no authorization for the DNA to be taken from someone who is a first offender. Director Keenan noted at some point, Georgia will go to taking DNA from persons who are arrested for violent felonies, as GA is the only state in the southeast that does not do this, the federal government has been doing it for decades, in the surrounding states, if one is arrested for a violent felony, they are required to give a DNA sample when they are booked into the jail and they solve a lot of cases this way.

Mr. Steve Cronic asked Director Keenan what is the political obstacle of taking DNA for a violent felony and Director Keenan stated the history of DNA collection has always been sensitive and started out with the first DNA law requiring that if one was convicted and incarcerated for certain sexual offenses, one gave up DNA and then it was if a person was convicted of any sexual offense and incarcerated, you gave up DNA. Director Keenan stated this law was change for anyone convicted of any sexual offense incarcerated or on probation. Director Keenan stated they proposed why wouldn't they take DNA from every convicted felon, no matter what the crime is, every convicted felon that is incarcerated and the legislature at that time did not want to do all felonies, they wanted to do for certain crimes, so in the law it was spelled out the crimes that if convicted you give up DNA. Director Keenan stated the law as it exists today, is if one is a convicted felon incarcerated or probation and do not have first offender sentence, then they give up DNA. Director Keenan stated the political sensitivity is we have been wearing people down over the years, but it has been a journey.

Mr. Charles Sikes asked about the building status of the Savannah Crime Lab in Pooler and Director Keenan replied the facility is coming along excellent and expected to be completed summer of 2019.

Director Chris Wigginton, Georgia Public Safety Training Center stated about 10 years ago, the GPSTC formed an agreement with GEMA to become a logistical staging area and had never been used before his tenure and are now on their third activation. With Hurricane Michael, Director Wigginton advised there were over 400 tractor trailers that came through the GPSTC, there were over 1 million meals that came through the center that were sent down to storm victims, over 100,000 tarps, tractor trailers full of water, ice, cots, medical supplies and housed a little over a 100 National Guardsmen that transported the goods. Director Wigginton advised no classes were cancelled.

Mr. Charles Sikes asked Director Wigginton who were the people that staged at the GPSTC and Director Wigginton responded the tractor trailer companies were contracted with FEMA and once the storm has arrived, FEMA activates a variety of different companies and in the past the private tractor trailer companies would go down range to the storm, but this time, they stopped the trailers at the GPSTC and the National Guardsmen carried the resources down range, with a little more controlled environment in the storm area.

Director Wigginton stated for the month of September, GPSTC serviced just shy of 16,000 students in that month, the numbers have mellowed out a little bit.

In regards to distracted driving, Director Wigginton stated GPSTC has been working on a course for all public safety personnel, which is awaiting POST approval. Director Wigginton advised it will be a live driving course with distraction taking place.

Director Wigginton stated this past week, the GPSTC Accident Team did another live crash acting out a true crash, two moving vehicles in opposite directions, one at 48 mph and the other at 18 mph. Director Wigginton added the mannequin that was inside the 48 mph vehicle was deceased from the injuries according to the stats from the crash data. Director Wigginton noted that for many years, those who have gone to a crash, stood before a DA or jury and sent someone to prison, based on formulas that no one had ever validated, took a mathematical formula and worked the numbers and just assumed everything was correct. Director Wigginton stated with these crashes, the accident team has been able to replace those formulas and to validate them, so if an officer is asked by a jury how they know if these formulas work, they can simply take that video of that case to trial and will have true crash data to validate every formula that was used in the crash investigation.

Director Wigginton presented a Resolution requesting the Board of Public Safety's approval to authorize the Director of Georgia Public Safety Training Center to enter into negotiations with Justice Federal Credit Union and Georgia State Properties Commission for use of certain space at 1000 Indian Springs Dr., Forsyth, Georgia.

Director Sam Heaton made the motion to authorize the Director of GPSTC to negotiate an agreement through State Properties Commission with the Credit Union for the long term lease of such space for rent to be determined by State Properties Commission and to provide for payments to GPSTC to cover

the cost of utilities and routine maintenance and to provide for the payments of costs for any capital expenditures for the repair or replacement of any major system within the said occupied space. This was seconded by Sheriff Joey Terrell and voted approved by the Board members.

Director Wigginton advised the Governor's Public Safety Awards will be held December 6, 2018 at 10:00 am and invitations will be forthcoming.

Chief Craig Tully thanked Director Wigginton for a job well done in regards to staging the tractor trailers for the storm area.

**DONATIONS**

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

One Pull behind Trailer Propane Grill Combo	\$ 1,039.70	Carry-On Trailers, Inc.
Ten Stalker DSR 2X Radar Units Five LIDAR Pro Laser 4 Units Two Falcon Hand Held Radar Units	\$ 40,486.00	Troup Co. Bd. of Commissioners
One DragonEye US Lidar System	\$ 2,495.00	Berrien County Sheriff's Dept.

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.

Vice-Chairman Wood asked everyone to keep Dan Kirk and his family and also Mr. Wayne Abernathy in their prayers.

There being no further business, the meeting was adjourned.

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Chief Mark Renew  
Secretary