

BOARD OF PUBLIC SAFETY

May 8, 2008
Atlanta, Georgia

BOARD MEMBERS PRESENT:

Vice-Chairman James E. Donald
Mr. Bud Black
Mr. Rooney L. Bowen, III
Chief Lou Dekmar
Sheriff Bruce Harris
Mr. Pat Head
Chief Jack McElfish
Chief Dwayne Orrick
Sheriff Cullen Talton
Mr. Jerry Willis
Mr. Ellis Wood

BOARD MEMBERS ABSENT:

Mr. Wayne Abernathy
Mr. Dub Harper
Sheriff Steve Cronic

OTHERS PRESENT:

Mr. Joe Drolet, Board Attorney
Ms. Laura Jones, Board Liaison
Colonel Bill Hitchens, Department of Public Safety/Georgia State Patrol
Lieutenant Colonel Fred Snellings, Department of Public Safety/Georgia State Patrol
Major Mark McDonough, Department of Public Safety/Georgia State Patrol
Major Stewart Hicks, Department of Public Safety/Georgia State Patrol
Captain Russell Powell, Department of Public Safety/Georgia State Patrol
Captain Mike Fagler, Department of Public Safety/Georgia State Patrol
Mr. Joe Hood, Department of Public Safety/Georgia State Patrol
Ms. Melissa Rodgers, Department of Public Safety/Georgia State Patrol
Chief Mark McLeod, Motor Carrier Compliance Division, DPS
Mr. Dan Brown, Department of Public Safety/Georgia State Patrol
Sergeant Russell Hayes, Department of Public Safety/Georgia State Patrol
Director Vernon Keenan, Georgia Bureau of Investigation
Mr. Mark Jackson, Georgia Bureau of Investigation
Ms. Lisa Urich, Georgia Bureau of Investigation
Mr. Dan Kirk, Georgia Bureau of Investigation
Ms. Dawn Deidrich, Georgia Bureau of Investigation
Director Dale Mann, Georgia Public Safety Training Center
Ms. Patrice Kerner, Georgia Public Safety Training Center
Mr. Butch Beach, Georgia Public Safety Training Center
Mr. Geronald Bell, Office of Planning and Budget
Reuben McGee, Office of Houston County Sheriff
Ms. Jill Stuckey

Mr. Talmadge Stuckey
Dr. Teresa Resch, Department of Technical and Adult Education
Executive Director Ken Vance, Peace Officers Standards and Training

Vice-Chairman James Donald called the May meeting to order. The meeting opened with prayer and pledge of allegiance.

Vice-Chairman Donald introduced new Board member, Mr. Jerry Willis. Vice-Chairman Donald began with noting Mr. Willis' resume of a distinguished career in the Coast Guard, rising to the rank of Captain; over thirty years of distinguished service in variety of assignments. Mr. Willis is a graduate of Perry High School, a bachelors degree from University of Georgia, and a masters from Webster University. Vice-Chairman Donald welcomed Mr. Willis. Mr. Willis stood and stated he has known Mr. Bowen for quite a while; and that he is pleased and honored to be here.

Vice-Chairman Donald recognized Chief Jack McElfish, who is the new Fire Chief representative. Chief McElfish, who attended last month, introduced himself again, stating he is the Fire Chief of Sandy Springs, and, it is greatest honor to be on this Board and honor to be in the fire service. He noted that because of Director Mann's leadership, the Public Safety academy has gotten appropriations for the new burn building which has tremendous opportunities to do hands-on training.

Vice-Chairman Donald welcomed all visitors. Mr. Rooney L. Bowen, III welcomed Ms. Jill Stuckey and Mr. Talmadge Stuckey for coming here today in honor of Mr. Gene Stuckey.

Vice-Chairman Donald and Mr. Rooney L. Bowen, III presented the Board of Resolution to Ms. Jill Stuckey and Mr. Talmadge Stuckey in honor of Mr. Gene Stuckey. Director Dale Mann presented the Board picture of Gene to Ms. Stuckey. Ms. Stuckey thanked the Board members; stating that Gene loved this Board more than anything else. Ms. Stuckey stated Gene started out at the age of 16 as Police Chief of Rhine and has been in law enforcement since then; and that he was particularly proud that he was able to serve on the Board. Mr. Talmadge Stuckey stated Gene loved this Board and all the members; and that if he was anything else in life, Gene would be a Georgia State patrol trooper.

Vice-Chairman Donald requested a motion to approve the April Minutes. Chief Lou Dekmar made a motion to approve the Minutes, which was seconded by Mr. Rooney L. Bowen, III, and voted approval by the Board members.

DIRECT REPORTS

Colonel Bill Hitchens, Department of Public Safety/Georgia State Patrol, began with making a few comments about Mr. Gene Stuckey. Colonel Hitchens stated he has known Gene for many years and knew him well. Both Colonel Snellings and Colonel Hitchens were assigned to former President Jimmy Carter, when he was Governor; and Gene Stuckey was there during that time, and, that Gene has told Colonel Hitchens that he remembered Colonel working from that time. Gene Stuckey lived a pretty happy life and came from humble beginnings and did positive things in his life. During the time Colonel Hitchens was stationed in Statesboro and while Zell Miller was running for Governor, Gene Stuckey was active in Miller's campaign. Gene Stuckey was infatuated with law enforcement all his life. Colonel Hitchens stated that, for those who do not know, Talmadge Stuckey is an identical twin; their father had some involvement in politics, too.

Colonel Hitchens stated that one thing the Department does is put together an annual book, which is similar to a high school yearbook, for the Department's 70th Anniversary. In the year book, there are honors of those who have passed on, one who is Gene Stuckey. The historical committee met and voted on five people from the Department, who lost their lives in the last year, along with the two from the Board of Public Safety. There will be pages to remember both Gene Stuckey and Hal Averitt.

Colonel Hitchens reported there has been another unfortunate incident that occurred last month. One of the motor carrier officers, Gary Beard, who had been on HOV enforcement and had just been promoted to Sergeant, had an severe stroke. Sergeant Beard was hospitalized and the prognosis was not good. The doctors advised the family, and they agreed, to remove the respirator, and, Sergeant Beard died shortly thereafter. Sergeant Beard was a good employee; was a retired U.S. Army veteran. The memory of Sergeant Beard will also be in the annual book.

Colonel Hitchens stated that an e-mail from Mr. Frank Rotondo of Chiefs of Police Association caught his attention. The e-mail had to do with the car dealership in Georgia that has bid for police vehicles and state vehicles. The Department has had a terrible time in procuring some Dodge patrol cars. The funding was put in place last year; some in supplemental budget and some in regular budget. In FY 07, the Department ordered five patrol cars in April; ten in June; seventy-one in August; and fifteen solid cars in August. To this date, eleven of the solid cars have been received and the first blue-and-gray car came this morning. There were 156 blue-and-gray cars that the Department began ordering last April. This is an issue that has not been dropped because Major Hicks has contacted the dealership repeatedly. Some of the responses received have been less than truthful, because they have been followed up in September, October, November, December, January. When they told Major Hicks that the cars were on the train and being shipped down, Colonel sent some people over to Hapeville to take pictures of the cars on the train to make sure they were in fact there. Colonel Hitchens commended Major Hicks because he has stayed after this. Chrysler Motor Company then committed to give a \$500

rebate on every vehicle because of what has transpired. When contacting the dealership, they responded they cannot do that because the cars were sold at \$800 under cost to begin with. Finally, Chrysler Motor Company agreed to do a letter stating they will give \$500 per car. The Department has gone a year without vehicles; it takes about 250 cars per year to stay in business. The Department is currently out of pool cars, out of spare cars. There are 100 or so cars on the train, and once the Department gets them, these can be given out to the field pretty rapidly. Colonel Hitchens stated he does not know what the issue is for the Police Chiefs; but, thought maybe it was an issue because State Patrol ordered so many cars. Apparently, there are problems around the state. Colonel Hitchens responded to several questions on this issue.

Colonel Hitchens stated the next issue is recruiting, and, Governor's initiative is to get 953 prior to his leaving office. Colonel gave each Board member a Trooper School Count report. With the upcoming trooper school class, the Department had great difficulty last year recruiting. The Department started this school with 79 and thought it would graduate with 50. After six weeks, things settle down and most of the people make it to the end. The school lost one cadet last week so the count is down to 49. This year, the Department started a recruiting program in-house and has identified a recruiter in every patrol post in the state. There is a statewide recruiter who organizes events at military bases. With the handout, Colonel Hitchens pointed out the breakdown. There are 106 people left in consideration; several still have background investigations that are not complete. Colonel Hitchens stated the hope is to end up 70-80 to start the school in July. This is the first year to run two trooper schools in one year, which will help significantly. The Department will recruit again for the next school. One of the positives from today's economy is there are a lot of people looking for jobs. Out of the interview panel last week, people stated there are some very, very qualified candidates who had been working in private business and had lost their jobs as a result of the economic downturn. The candidates are at 30/32/33 years old and had made a lifestyle decision that perhaps working for the state at a lower salary with benefits might be a better offer than taking the chance in private sector. The Department is looking forward to a good school. In response to a question, Colonel Hitchens responded that Governor Perdue's initiative is that there be two trooper schools in the FY 09 budget. The second school got cut out in the first conference. After talking to conference members, it was agreed to be put back in. However, when the budget book came out, the second school was not there. The administrative people neglected to put it in the budget. There is a letter from the administrative people that the second class had been approved and signed. Looking at long term in the economic downturn, if the state's revenue continues to go down, everybody will be cutting in areas. The Department will do whatever they have to do to stay in line with the budget. The personnel count shows the Department is 439 people short in an agency of 1,700; that is a significant amount of people.

With a question of fuel costs, Colonel Hitchens responded that the Department's business is riding. There has not been an increase in the price for what is budgeted for fuel since 2001. Last year, Colonel Hitchens had gotten a question from a legislator about where money from the 200 trooper vacant positions was going on the 200 trooper vacant positions that was funded for but did not have. The Department is funded \$1.5 million to \$2 million per year for maintenance and

fuel in the vehicles. So far this year, over \$7 million has been spent. Back in September or October, the Department instituted a voluntary 1% reduction in mileage. The troopers have been cooperative about it and the Department has shown a good reduction.

Director Vernon Keenan, Georgia Bureau of Investigations, began with starting out with talking about Gene Stuckey. Director Keenan met Gene when he was on the Board the first time, and, one thing that struck Director was Gene's sense of humor; that never changed. If there is ever a human being that had a zest for life, that person was Gene Stuckey. Director Keenan stated he distinctly remembers when Gene resigned from the Board to run for office, he met with Mr. Buddy Nix and Director Keenan to apologize for leaving the Board. Director Keenan met Jill Stuckey separately and did not connect them together until later. Director Keenan stated he is going to miss Gene.

Director Keenan reported he has shared with the Board a press release which GBI sent out on Tuesday. The press release related to a problem in the State Crime Laboratory as it related to evidence in a murder case. A fingerprint technician made a human error in analyzing a latent fingerprint evidence from a murder scene. The technician thought that he had matched an unknown fingerprint from the murder scene to be that of the suspect in the case. The key piece of evidence against the suspect who was arrested was the fingerprint. This is a murder case worked by Paulding County Sheriff's Department and GBI. As the technician was preparing his evidence for court trial, he determined that he had made a misidentification with the latent fingerprint. GBI made immediate notification to the District Attorney and to the Sheriff's Department. The GBI has a very structured process on how handle problems in the State Crime Laboratory. The Laboratory handles nearly 100,000 cases each year; the highest volume laboratories in the nation. There are very strict quality control measures; the GBI is double accredited in the processes. The GBI learned through experience that when there is a problem with evidence then a thorough investigation is done to document exactly what has happened; what the cause was; and then the steps implementing to prevent a re-occurrence. The end result is that the GBI has a complete document which lays out the facts of the incident, there is no attempt to minimize the seriousness of what happened, nor is there any attempt to tell anything other than the facts. The document itself is signed by every one who was involved in the mistake that was made or the process. That way there is no re-visiting of the facts later on. The GBI found through experience that once the thorough fact finding is done, the document is prepared then and it speaks for itself. The GBI is in the process of doing that investigation, and, when it is concluded, Director Keenan will provide a copy of the document that explains the issue. Director Keenan stated he will bring back to this Board with complete findings. In response to a question of peer review when there is positive latent identification, Director Keenan stated that is for every case. Here again, when a mistake is made, then you are able to see the protocol needs to be changed. In this instance, the scientist is looking at unknown print and a suspect's print; they are both displayed on computer screen; he looks at the prints and he matches them as being one in the same. The scientist calls in the peer review; they look at it and they confirm it as one

in the same. The GBI is looking at the process of how to prevent the mis-reading of the actual identification of the print.

Prior to discussing this review, Director Keenan had already planned to have a presentation to the Board of updating status of two legal issues in the GBI. There had been a mistake made in the Crime Lab; had been through the entire process of investigating it and laying out the facts; there were subsequent lawsuits filed against GBI, and as the cases worked their way through the court system, they have been resolved. Director Keenan asked Ms. Dawn Deidrich, who is the Assistant Director of Legal Affairs, to advise the Board of the outcome of those two cases.

Mr. Dawn Deidrich began with stating she had previously briefed on two issues relating to these lawsuits. There had been an issue in the Toxicology section of blood alcohol testing and that was when the GBI prepared the Executive Summary and used the exact same model that will be used with this fingerprint issue. As a result of that situation, that was an instance that occurred that was an instrument issue, not human error as the current one dealing with now, relating to the instrument used to test blood alcohol. There were two instances, that is, in 2000 and 2001, wherein the instrument switched cases; they switched samples with the result. Ms. Deidrich stated the lab, as Director Keenan said, is certified by two different accrediting bodies and in that accreditation process is the quality process. There is a quality manager in the Lab; each technician has a leader. As part of that process, what occurred with the toxicology section is they determined what in fact had caused the instrument to switch. It turned out it was a very unique set of circumstances; it had to do with the instrument not having complete runs. The normal run would be 39 samples plus the control; short runs that were not complete; and, certain positions would switch. The interesting thing was that these short runs would usually only occur in just more than samples, because the blood alcohol samples for DUI cases are full runs on a regular basis. Mr. Deidrich stated that an Executive Summary was prepared, then reported to the Board Members; then notified the prosecutors involved. It was determined through subsequent testing that this switch had only occurred in two instances and involved four cases. Those four cases were post-mortem cases, so there were no criminal implications for the actual prosecutions. However, this became known to the DUI community and it came to the attention of two attorneys, Mr. Billy Spruell and Mr. McDonald. They both ended up bringing a lawsuit in August of 2003 on behalf of a plaintiff, Richard Kjellsen, and then in 2005 brought another lawsuit on behalf of Michael Catko. The Catko case involves the issue of instrument switching. What they alleged in the Catko case was that the instrument could possibly have switched. It was an unusual case because the run had started before the toxicologist left that evening and went through the evening and stopped, and, then when the toxicologist came in the next day, saw that it had stopped. He then re-started the run. Every time a blood alcohol sample is tested, it is tested twice. The Lab had that one run that had stopped and then had another run the next day. Those runs indicated that he had a blood alcohol level of .12. He ended up pleading nolo contendere. This case was tragic in that Michael Catko was driving home one evening and had been drinking and another vehicle crossed the center line and three people died as a result of the accident. Catko plead nolo contendere in April of 2003 and was sentenced. Then, his attorney, according to the complaint, learned in October about the issue of the instrument switching. The

actual tests were run about the same time; the instrument switched in 2000 and 2001, and, Mr. Catko's run was run in September of 2000. The argument that was raised in the lawsuit; the lawsuit was brought under 42 U.S.C. § 1983 that there was a constitutional violation. The allegation was that this was exculpatory material that had he had the benefit of knowing about the problems in the toxicology section, Mr. Catko would not have plead guilty and would have had a trial and maybe prevailed. Based on a Motion for Summary Judgment, and, the court concluded that case and the decision came out in February. The court's decision stated that he had an obligation to raise the issue in habeas corpus, which he had not done, and therefore they are not going to look at that. The Court also said in its decision that the toxicologist testified that if she had been asked, she would have said what had occurred with the switching incident. So, the Court did not seem to give it much credence. The court used the *Heck v. Humphrey* Supreme Court case in saying you cannot litigate in a § 1983 action what could be litigated in the underlying criminal case appeal or habeas case. So the GBI prevailed on that case. The Kjellsen case, that was bought by Mr. Spruell and Mr. McDonald, was a unique case. It involved a situation where there had been a blood test that the Lab had done, and, did the blood test in May of 2000; when he was arrested, the reading at that time was .105. He was charged with DUI; and no trial had been set, so after about eleven months, his attorney said they wanted Dr. Woodford to test it. Those at Crime Lab were concerned when they heard Dr. Woodford was doing the independent test, because regulations require that if a person is doing an independent test, that person must have a lab. Dr. Woodford has no lab and there are questions about his ability. Ms. Deidrich stated the Court said go ahead and get the sample to Dr. Woodford. The Crime Lab policy is that before sending out the sample, the test is run again. At this point, eleven months had passed. What happens to blood alcohol samples over time is it tends to deteriorate. The blood alcohol sample with subsequent test was .098 and .097; there were two tests. The Crime Lab sent it to TBI, because of concern about Dr. Woodford. The allegation in the *Kjellsen* was that this was exculpatory evidence showing that he was innocent of per se DUI and Crime Lab should have notified the prosecutor. What the Crime Lab has said all along, this is just about scientist. The scientists looked at that and said, of course, the blood alcohol deteriorated, and, nobody notified the prosecutor because it was not thought this was exculpatory evidence. At trial, Dr. Brown was there as a rebuttal witness, and, when asked, said Crime Lab had re-tested it prior to going out. *Kjellsen* was acquitted by jury and the lawsuit was dropped. This was a hard fought lawsuit; a motion to dismiss was filed, a motion for summary judgment was filed; went to the Eleventh Circuit on the qualified immunity issue twice and finally prevailed. The court decision stated there was no constitutional violation by the defendant. Ms. Deidrich stated the GBI feels like this was a challenge in some sense to the Crime Lab's blood alcohol testing. Ms. Deidrich addressed questions and completed her report.

Director Keenan added that this last incident, and very few occur, has served to reinforce to the Crime Lab staff the seriousness of the work that they do each and every day and the particular attention that has to be given to each case because it has such a direct impact on the administration of justice and state. Director Keenan stated he will bring back a report when the investigation is completed. No matter what the future holds, GBI will never be involved in the cover up of a problem or the facts of the matter.

Director Keenan stated he is asking Assistant Director Dan Kirk to come forward. In his previous life, Mr. Kirk was in charge of facilities management. The GBI is going to be making movement in some facilities to new locations, and, Mr. Kirk will brief the Board on what the GBI plans are.

Mr. Kirk started his presentation with saying there are two offices that will be changing locations. The first one is Region 2 office, which is located in Meriwether County and is in a rental facility. GBI has rented from Meriwether County for \$1.00 per year, and, has leased this building for ten years. Recently, the county officials have changed in Meriwether County and they have decided to charge \$50,000 a year for this office. Mr. Kirk stated that Upson County has offered the GBI to come to their county. They have an older building in the rural area of Thomaston, Upson County. The building is still in very good shape; maintained very well. This is a very large building and has two floors. Mr. Kirk stated Upson County desires to make this a law enforcement center. With the powerpoint slides, Mr. Kirk showed a picture of the building. The GBI will occupy the basement at the backside of the building; with 6,000 or 7,000 useable square feet, which is ample space for Region 2 office. So, the GBI will relocate the Region 2 office to Thomaston very shortly, as soon as the lease agreement is signed. As far as rent goes, the only rent that will be paid will be nominal amount which will help take care of maintenance of the facility. Mr. Kirk showed the basic floor plan; it has two large electrical and mechanical areas that service the building, but the rest of the space is very useful. In response to a question if there will be renovation, Mr. Kirk stated there will be very little. This area is set up for office space already, so the GBI will spend about \$30,000 or \$40,000 on repairs to walls and paint. Also, Thomaston has offered to use inmate labor. The next move is a pretty significant move for the GBI. The GBI operates a task force in west Georgia. This is a combination of change in building locations, but also change in drug initiative. The GBI is going to create a West Metro Regional Drug Enforcement Office to help handle 19 counties, within the Atlanta Metro area. Carroll County has offered a building, an old funeral home, that they will purchase and renovate and house both the West Georgia Task Force and part of the new West Metro RDEO. Mr. Kirk stated the GBI will continue the operation of the local task force and combine to that administration to start the West Metro RDEO. Of course, these two task forces will work together, working local in the larger 19 county area. Along with that, there is space to house the State Drug Task Force. The State Drug Task Force is funded through CJCC Edward Byrne Memorial Justice Assistance Grant (Byrne/JAG Grant Program). That particular program has been cut by 60% and did not get put back into the Supplemental Budget process, so that money is gone. Right now, the GBI is in the facility in Forest Park, which is costing \$90,000 a year. This move will be a rent free move for the State Drug Task Force and it will continue just as it has been, except now out of Carrollton office. With a picture on powerpoint, Mr. Kirk stated the office will be located in downtown in Carrollton; an old funeral home across from the police department. It is an older building in good shape, requiring some renovation but the county and city are taking care of that. Mr. Kirk showed the floor plan, which has plenty of space downstairs as well as upstairs. This building will very easily house all folks here; this will work out really well.

Director Keenan announced that Tuesday, May 13, Governor Perdue will be at GBI to have a Press Conference relating to his signing of Identity Theft bill. This is Governor's initiative to set up an Identity Theft Unit at GBI. Also, he sought and received funding to go to GBI to set this unit up. Director Keenan will get the information to the Board members on the specific time that the Press Conference will be held.

Director Keenan is still interested in and still planning to be able to go to Tift College, when that is finished. The GBI is looking at very opportunity to get out of rental space and into permanent facility where cost is minimized. Director Keenan stated GBI is also talking with Rockdale County authorities because State Patrol has vacated a patrol post in Conyers, and, GBI is interested in that building. There is a reversionary clause there, so the GBI is dealing with the county. The GBI needs somewhere to house the Identity Theft Task Force. Director Keenan completed his report.

Director Dale Mann, Georgia Public Safety Training Center, began with thanking Jill Stuckey and Talmadge Stuckey for being here. Director Mann bragged on Jill Stuckey in describing that several years ago, Jill called and stated she understood he was looking for some property. Jill told Director Mann about the State Patrol Post on Dean Forrest Road in Savannah. Unfortunately, on the property there was gas leakage so it turned into a toxic waste site. Most of the tanks and contamination had to be taken out. Long story short, the Training Center worked a deal with Garden City. Garden City has sold their Police Department building, their City Hall, Public Works building to the State Port Authority, and, now Garden City wants to move their city offices to the other side of I-16. The Training Center has worked a deal with Garden City, where Garden City will take 17 acres in exchange for leaving three acres. This has been agreed upon and actually passed through General Assembly in a bill for State Properties this past year. The plan right now is for Garden City to build a new Police Academy up to a value of \$1.4 million, and turn the property over when it is completed. The Training Center had already spent about \$20,000 to remove asbestos and chromium and other things. In essence, the Training Center comes out \$1.4 million to the good by giving Garden City property, which will be green space. This will be a walking mall for their new City Hall building, which will include a new Police Department, a new Fire Department, and so forth. Director Mann stated he never would have known about the property if it had not been for Jill Stuckey. Director Mann stated Jill Stuckey offers a lot to the state.

Director Mann reported the Training Center has gotten the pathologist report on the firefighter who died. The firefighter, Mr. Joey Turner, was 48 years old from the Volunteer Fire Department in Homerville. Unfortunately, this young man had an enlarged heart that was very soft and very diseased. The pathologist report says two things, i.e., even if Mr. Turner had had an EKG that very day, it would not have detected his heart problem; and, the intervention given to Mr. Turner that day was as good as he could have received. There were folks who did

everything they could to save him; and, when Mr. Turner was taken to the hospital, he had heart failure.

Director Mann acknowledged that Dr. Teresa Resch, with Department of Technical and Adult Education, is here this morning, along with Mr. Ken Vance, Executive Director of P.O.S.T. Director Mann stated he wanted to give them an opportunity to tell the Board where they are in this process of letting technical schools get involved in the delivery of Basic Training.

Dr. Teresa Resch began with thanking the Board for the opportunity to speak and brought greetings from Commissioner Ron Jackson. Dr. Resch stated it has been a pleasure to meet and work with Mr. Ellis Wood and Director Mann and Director Vance; their staff has been so open to this project and willing to work through. Dr. Resch stated the Technical College System of Georgia is very committed to this project to be successful in offering the basic law enforcement academy. DTAE has met with about eleven colleges, identified criteria that would identify the strengths that each college would have, as well as being prepared to offer this academy. Their deadline for proposals is May 30; the proposals have to be in her office by that day. The process that will be put in place is for each proposal to be read by a five-member team. The team goes through the proposal according to the criteria, grade them, and take the cream of the crop on which colleges would have the best opportunity to be successful in offering the academy. Again, DTAE hopes to have that completed in the first two weeks in June. As moving forward, the plans that DTAE has put in place would be to start for students in either October or the following January. DTAE has moved forward and is excited about this project, and, could not have moved forward without the cooperation of everyone who has worked on this project. Dr. Resch again recognized Mr. Ellis Wood, Director Ken Vance, and Director Mann and their staff for their hard work.

Executive Director Ken Vance began with stating what P.O.S.T. is involved in is getting this certification exam ready. Mr. Ellis and Director Mann went to North Carolina earlier this year and went back up there in March to look at the certification test. Director Vance stated that with every effort, you have to have vision. Mr. Ellis Wood's vision is what is going to make this move forward. Director Vance stated this is going to work; there are a few things to be tweaked about. The certification exam will have to be done; working with DTAE and their people who discovered another source to write the questions. Director Vance believes this project is closer to January in getting this done. There are some things that have to be overcome, such as, the six identified in getting them certified as having the appropriate functions and places for hands-on type training in order for P.O.S.T. to certify those places. It is not something taken lightly; it is something that requires an enormous amount of effort. Director Vance stated P.O.S.T. is committed to seeing it through. Director Vance added that Governor Perdue signed Senate Bill 373 yesterday, which gives P.O.S.T. ability to temporarily suspend certification of anybody carrying any kind of post certification in Georgia, if they are arrested or indicted for a felony. That person will be suspended so they cannot go somewhere else and start working while that process is going on. That is one endeavor that Director Vance is trying to do now; that is what

he is most proud of. Director Vance is tired of bad law enforcement officers shopping around and people not doing backgrounds and hiring just because of the need. Director Vance thanked many people for having a hand in this bill.

Director Mann added that as a requirement of being a P.O.S.T. certified academy, there has to have an advisory board. Director Mann states he believes they are on the right track in moving toward a closure on this.

Mr. Ellis Wood added that he is concerned about parts of the project; he feels very comfortable with the work that Director Mann and Director Vance and Dr. Resch have done. There are pockets of concerns throughout the state. This will have to be dealt with publicly and personally as meet and greet people who will have valid concerns. Mr. Wood suggested trying to evaluate how valid those concerns are and deal with them. The Resolution states, in part, to ask for major support for Director Mann, Director Vance, and Dr. Resch through their agencies for monitoring this program. When looking back at what started this, you can see what validates the need for this. This whole process is to make the most sufficient method of meeting a need that Director Mann presented last year. Mr. Ellis stated that we need to continue to educate people, and, continue to make sure that this is successful. Everyone will have a tremendous amount of responsibility to monitor this and make sure it is successful, because it will have a tremendous effect throughout the state. It will have an effect on the possible expansion through other agencies.

Vice-Chairman James Donald called for a motion to approve the Basic Law Enforcement Mandate Resolution. Mr. Rooney L. Bowen, III made the motion, seconded by Mr. Bud Black, and voted approval by the Board members attending today's meeting.

FISCAL REPORTS

Mr. Joe Hood, Department of Public Safety/Georgia State Patrol, stated this is the report for July 1 through March 30 operations. It is set up for the actual fiscal year of the 2008 budget by Program, Actual or Expenses to date, Adjusted budget, Surplus/Deficit, and then Percent Remaining. The percent remaining would be about 25% of the remaining fiscal year of April through June. Mr. Hood noted there are a couple of programs below that, one which is Aviation is 21.24% that has had high maintenance on that program. Mr. Hood reminded the Board members of a helicopter that crashed, so having to maintain the remaining helicopters and there are maintenance issues to insure they are maintained well; this should finish the year fine on that. The other one is Capitol Police that is at 16.59%, which had equipment issues that were prepaid earlier in the year which caused that percentage to be lower, along with issue of Allied Barton, the security contractor on Capitol Police and that is prepaid each quarter; this figure actually reflects what is prepaid for April through June and they are actually pretty much on target for the

year. Mr. Hood pointed to State, Federal, and Other funds as it stands to date that will change as receiving other revenue throughout the year that may be received from Capitol Police.

Ms. Lisa Urich, Georgia Bureau of Investigation, stated the report shows the GBI budget and how much has been spent to date. The agency should be at 25% remaining. With State funds GBI is right on target at 24.53%. The Federal dollars are funds that can be carried over into the next fiscal year; and Other funds are being targeted now.

Ms. Patrice Kerner, Georgia Public Safety Training Center, stated the report shows a budget of \$18 million. The Training Center is sitting at 73% and is doing good. The Other funds are at 91% spent, but still has State and Federal funds.

DONATIONS

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

Two Televisions with DVD/VCR Players	\$ 500.00	Wal-Mart, LaGrange
Gas Cards	\$4,000.00	Tour de Georgia

Mr. Rooney L. Bowen, III motioned approval of the donations, seconded by Chief Lou Dekmar, and voted approval by the board members.

OLD/NEW BUSINESS

Mr. Ellis Wood stated he would like to plant a seed for thought; that sometime in the near future that the Board consider either moving meetings or having field trips at the GBI Crime Lab, or the Training Center in Forsyth, or the Prison in Jackson to view the Execution Chamber Mr. Wood stated this is just a seed for thought and would let others develop it. The Board members added that is a good idea; that every time the Board has a new member that the Board tried to make an effort to have some type of orientation at the different places. Vice-Chairman Donald stated Board members are welcome to attend an execution.

Chief McElfish questioned who to notify if absent from a Board meeting. Vice-Chairman Donald stated to let Laura Jones know; there are times when a member cannot attend, but there is the commitment the Board member makes when appointed to the Board.

The June Board meeting will be hosted by Mr. Bud Black. After discussion, the Board members requested the meeting be held at GBI office in Cleveland. Director Keenan stated the GBI would be glad to hold the meeting.

There being no further business, the meeting was adjourned.

Rooney L. Bowen, III
Secretary