

GEORGIA PEACE OFFICER STANDARDS AND TRAINING COUNCIL

Threadmill Complex
August, Georgia
June 24, 2009
1:00 PM

The regular meeting of the Georgia Peace Officer Standards and Training Council was held at the Threadmill Complex, in Austell, Georgia on June 24, 2009. Chairman Mike Yeager called the meeting to order at 1:00 PM.

ROLL CALL OF COUNCIL MEMBERS:

A calling of the roll by Secretary, Sgt. Dolly Johnson indicated a quorum was present.

COUNCIL MEMBERS PRESENT:

Director Michael Nail
Milton Nix, Jr.
Warden Vanessa O'Donnell
Lt. Col. Homer Bryson
Sheriff Mike Yeager
Lt. Steve Hyman
Mr. Don Banks
Col. Bill Hitchens(rep. by Cpt. Russell Powell)
Chief Roy Whitehead
Sgt. Dolly Johnson
Commissioner Tom McMichael
Mayor Bill Trapnell
Inspector Garry Moore
Director Bryan Golden
Chief Mike Jones(rep. by Frank Rotondo)
Sheriff Gary Hutchins(rep. by Terry Norris)

COUNCIL MEMBERS ABSENT:

Commissioner Jan Tankersley
Sheriff Phil Miller
Mayor Margaret Evans

ADVISORY MEMBERS PRESENT:

Director Frank Rotondo
Director Dale Mann
Terry Norris
Steve Smith
Chief Jimmy Williamson
Dr. Archie Rainey

ADVISORY MEMBERS ABSENT:

Representative Burke Day
Ronnie Lane
Director Ted Wynn

POST STAFF PRESENT:

Ken Vance, Executive Director
Ryan Powell, Director of POST Operations
Brad Pope, Director, Investigations Division
Rick Gardner, Budget Administrator
Willie Evans, Investigator
NeeNah Yarbrough, Recording Secretary
Mitch Jones, Director of Certification and Training Standards

Recognition of Visitors:

Joe Drolet, Law Dept.	Terry Edge
Chaplain Ron McCrary	Adam Baswell
Bert Flewellen	Demetrius Robertson
Newton Maddox	Chris Robertson
Derick Durden	Isaiah Hall
Peg O'Connor	
John Ballard	
Tom Childers	
Susan Miller	
Alonzo Smith	
Ken Brewer	
Matthew Gregory	
Earl Hill	
Delores McClellan	
Carl Humphrey	

Opening Remarks of the Chairman:

Chairman Mike Yeager welcomed everyone, he then invited Chaplain Ron McRary, from the Cobb County Sheriff's Office to come forward for the invocation. Sheriff Yeager announced this would be the last meeting for Chief Mike Jones and Sheriff Gary Hutchins. He stated that Chief Stacey Cotton from Covington Police Department would be replacing Chief Jones as the incoming President of the Chief's Association. And Sheriff Logan Marshal from the McDuffie County Sheriffs' Office would be replacing Sheriff Hutchins as the incoming President of the Sheriffs' Association. Chairman Yeager welcomed Warden Carl Humphrey to the Council he will be representing the Warden's Association. He also welcomed Cliff Tackett back as an Advisory Member.

Approval of the Minutes

Chairman Mike Yeager asked if someone would like to make a motion to approve the minutes from the April 16, 2009 meeting. Commissioner Tom McMichael made a motion to approve the minutes. Sgt. Dolly Johnson seconded the motion. The motion carried unanimously.

ANNOUNCEMENTS

Executive Director Ken Vance thanked the council members for being present and he expressed his gratitude and appreciation for their support. He stated that he had several items to discuss:

- Budget overview was presented to the Council and gave a brief synopsis of where POST is fiscally.
- Order of Suspension Cases was reviewed, since the last council meeting 22 additional suspensions have been ordered, with two being reversed due to the Grand Jury dropping charges.
- A handout was given to each council member it is the Georgia Peace Officer Standards and Training Council Manual for Background Investigators. The final version will be place on the POST website.
- An update was given on the new database. A beta version is supposed to ready by July. Some time will be spent exploring the program and making sure it is working as planned.
- The POST website will undergoing an upgrade with the goal of having more information available to officers as well as the public.

P.O.S.T. OPERATIONS DIVISION

Review Bert A. Flewellen's application for certification as an academy director for the Parole Board Training Academy-

Director Ryan Powell stated that this issue was presented to the Training Standards Committee and it was their recommendation to approve.

Director Michael Nail made a motion to accept the recommendation of the Training Standards Committee and approve the application for certification for Bert A. Flewellen as an academy director for the Parole Board Training Academy. Mr. Milton Nix, Jr. seconded the motion. All were in favor, and the motion carried.

HANDOUT

Certification of a POST Regional Police Academy-Reinhardt College

Director Ryan Powell stated that this issue was presented to the Training Standards Committee and it was their recommendation to approve.

Chief Roy Whitehead made a motion to accept the recommendation of the Training Standards Committee and approve Reinhardt College for certification as a POST Regional Police Academy. Sgt. Dolly Johnson seconded the motion. All were in favor, and the motion carried.

CERTIFICATION DIVISION AND TRAINING STANDARDS DIVISION

Review petition for offering offsite Basic Jail Officer Training Course at the Bartow County Sheriff's Office and the Pickens County Sheriff's Office-

Director Mitch Jones stated that this issue was presented to the Training Standards Committee and it was their recommendation to approve the petition.

Mayor Billy Trapnell made a motion to accept the recommendation of the Training Standards Committee and approve the petition for Bartow County Sheriff's Office and Pickens County Sheriff's Office to offer offsite basic jail officer training. Mr. Milton Nix, Jr. seconded the motion. All were in favor, and the motion carried.

HANDOUT

Revision of the Basic Parole Officer Training Course-

Director Mitch Jones stated that this issue was presented to the Training Standards Committee and it was their recommendation to approve the revision.

Sgt. Dolly Johnson made a motion to accept the recommendation of the Training Standards Committee and approve the revision of the Basic Parole Officer Training Course. Inspector Garry Moore seconded the motion. All were in favor, and the motion carried.

INVESTIGATIONS DIVISION

Probable Cause Committee Recommendations

Director Brad Pope stated that the following were the recommendation of the Probable Cause Committee: For cases with the recommendation of:

- No Action
- Approve Certification
- Probation
- Deny Certification
- Revoke Certification
- Revoke/Deny Certification

Chief Roy Whitehead made the motion to accept the recommendation of the Probable Cause Committee. Sgt. Dolly Johnson seconded the motion. All were in favor, and the motion carried.

Emergency Probable Cause Committee Cases and Compliance Cases

Case #002-483-07-08

Recommendation: Revoke Certification

Sgt. Dolly Johnson made a motion to accept the recommendation of the Probable Cause Committee. Director Michael Nail seconded the motion. All were in favor, and the motion carried.

Case #003-214-05-08

Recommendation: No Action

Mr. Don Banks made a motion to accept the recommendation of the Probable Cause Committee. Mr.

Milton Nix, Jr. seconded the motion. All were in favor, and the motion carried.

Case #005-957-02-08

Recommendation: 24 months probation with anger management course

Commissioner Tom McMichael made a motion to accept the recommendation of the Probable Cause Committee. Mayor Billy Trapnell seconded the motion. All were in favor, and the motion carried.

Case #005-206-03-09

Recommendation: Revoke Certification

Mr. Don Banks made a motion to accept the recommendation of the Probable Cause Committee. Inspector Garry Moore seconded the motion. All were in favor, and the motion carried.

HANDOUT

Case #001-314-07-08

Recommendation: Revoke Certification

Mayor Billy Trapnell made a motion to accept the recommendation of the Probable Cause Committee. Sgt. Dolly Johnson seconded the motion. All were in favor, and the motion carried.

Case #001-775-10-08

Recommendation: Revoke Certification

Inspector Garry Moore made a motion to accept the recommendation of the Probable Cause Committee. Sgt. Dolly Johnson seconded the motion. All were in favor, and the motion carried.

Case #002-512-08-08

Recommendation: Revoke Certification

Mr. Don Banks made a motion to accept the recommendation of the Probable Cause Committee. Mr. Milton Nix, Jr. seconded the motion. All were in favor, and the motion carried.

Recommendation to Deny Certification:

- James R. Anello
- Jackie Davis
- Matthew D. Gregory
- Dustin A. Hobbs
- Darren E. Scarborough

Director Brad Pope stated that before the council makes a motion petitioner Matthew Gregory has submitted a written request to address the council. Chairman Yeager asked Mr. Gregory to come forward. Mr. Joe Drolet of the Attorney General's office then swore him in. Mr. Gregory then addressed the council in regards to his case. He also had with him two character witnesses that would like to address the council. After being duly sworn, Mr. Todd Cosper and Mr. Ken Brewer addressed the Council on behalf of Mr. Gregory.

After the testimony of Mr. Matthew D. Gregory there was a question and discussion session with Mr. Gregory.

At this time Chairman Mike Yeager asked the council for a recommendation on the recommendation to deny certification for James R. Anello, Jackie Davis, Dustin A. Hobbs, and Darren E. Scarborough. Chief Bryan Golden made a motion to accept the recommendation of the Certification Committee. Mayor Billy Trapnell seconded the motion. All were in favor, and the motion carried.

Chairman Mike Yeager stated that as to the case of Matthew D. Gregory does anyone have a motion. Director Frank Rotondo made a motion to take no action and send the case of Matthew D. Gregory back to the Certification Committee for further review. Warden Vanessa O'Donnell seconded the motion. All Council Members opposed, Chairman Mike Yeager did not vote. The motion failed.

At this time Chief Bryan Golden made a motion to reinstate/approve with 24 months probation upon rehire Matthew D. Gregory. Mr. Milton Nix, Jr. seconded the motion. The votes were as follows:

**Sheriff Mike Yeager- did not vote
Director Michael Nail- Nay
Commissioner Tom McMichael-Yea
Col. Bill Hitchens-Nay
Dir. Frank Rotondo(rep. Chief Mike Jones)-Nay
Mr. Milton Nix, Jr.-Yea
Mr. Don Banks-Yea
Lt. Steve Hyman-Yea
Warden Vanessa O'Donnell-Yea
Sgt. Dolly Johnson-Yea
Mayor Billy Trapnell-Yea
Inspector Garry Moore-Nay
Chief Roy Whitehead-Nay
Chief Bryan Golden-Yea
The motion carried.**

Recommendation to Approve Certification:

Dave T. Cummings
Steven P. Dixon
Spencer R. Holland
Gregory W. Rhodes
Demetrius T. Robertson
Alonzo D. Smith
Tommy D. Willeby

Chief Roy Whitehead made a motion to accept the recommendation of the Certification Committee and approve certification. Sgt. Dolly Johnson seconded the motion. All were in favor, and the motion carried.

Recommendation to Approve Certification with Conditions:

Michael L. Astuto –with 24 months probation upon rehire
Derek B. Clark-with 24 months probation upon rehire
Amir Y. Johnson-with 24 months probation upon rehire, conflict resolution course within 6 months

must provide documents verifying no conflict with 18-USC-922 (g)

Commissioner Tom McMichael made a motion to accept the recommendation of the Certification Committee and approve certification with conditions. Chief Bryan Golden seconded the motion. All were in favor, and the motion carried.

ADMINISTRATIVE AND/OR EMERGENCY MATTERS

Chairman Mike Yeager thanked everyone for his or her hard work in preparing for the council meeting in advance.

Chairman Mike Yeager entertained a motion to adjourn. Mr. Don Banks made a motion to adjourn the meeting of the Georgia Peace Officer Standards and Training Council. Chief Bryan Golden seconded the motion. All were in favor, and the motion carried.

Sheriff Mike Yeager, Chairman
Georgia Peace Officer Standards and Training Council

NeeNah Yarbrough, Recording Secretary