

Compensation of Police and Sheriffs (COPS) Task Force

Final Report

December 20, 2017

Task Force Members

**Honorable Casey Cagle (Co-Chair)
Lt. Governor of Georgia**

**Honorable Greg Kirk (Co-Chair)
Senator, District 13**

**Honorable Steve Gooch
Senator, District 51**

**Honorable Tyler Harper
Senator, District 7**

**Honorable Jack Hill
Senator, District 4**

**Honorable Tonya Anderson
Senator, District 43**

**Honorable John Wilkinson
Senator, District 50**

**Chief Adam Lowe
Gray Police Department**

**Chief Denise-Downer McKinney
Rome Police Department**

**Chief Gary Yandura
Brookhaven Police Department**

**Chairman Jeff Turner
Clayton County Commission**

**Chairman Richard Strickland
Glynn County Commission**

**Chairwoman Pat Graham
Barrow County Commission**

**Mayor Linda Blechinger
City of Auburn**

**Honorable Keith Turman
City of Royston City Council**

**Terrell Jacobs
City Manager, City of Douglas**

**Sheriff Terry Deese
Peach County, Georgia**

**Sheriff Lewis Walker
Walker County, Georgia**

**Sheriff Howard Sills
Putnam County, Georgia**

**Chief Augustus Palmer
Waynesboro Police Department**

Introduction

The State of Georgia prides itself in the quality of its local law enforcement officers. The men and women of our sheriff's offices and police forces make tremendous personal sacrifices on a daily basis in order to ensure that our communities are safe places for Georgia's citizens to live, work, and enjoy. These brave men and women deserve not only our gratitude, but also an assurance that they will be justly compensated in a way that rewards them for the often thankless work they do.

In the Spring of 2017, Lt. Governor Casey Cagle appointed the Compensation of Police and Sheriffs (COPS) Task Force in order to study the salaries and compensation of Georgia's local law enforcement officers and jailers, as well as the obstacles which prevent too many of these public servants from receiving the pay they both need and deserve.

The members selected to serve on the Task Force include a diverse group of highly-skilled officials and professionals with years of experience in law enforcement and local and state governments.

At the onset of the Task Force, Lt. Governor Cagle charged its members to find a fiscally responsible path to increase compensation, benefits, and retention of Georgia's police officers, deputies, and jailers. To open the first meeting of the COPS Taskforce in June, Lt. Governor Cagle said:

“We will continue to work until every law enforcement officer in the State of Georgia is appropriately compensated for the work they do – no matter which city, county, or region of our state they call home. Our mission will not be complete until we find solutions that enable all of Georgia's local communities to pay deserving salaries and benefits to local law enforcement officers. It is simply the right thing to do – and the men and women who dedicate their lives to protecting and serving our state deserve nothing less.”

While the Task Force held its meetings at the State Capitol, its members also participated in annual conventions for the Georgia Sheriffs Association, the Georgia Association of Chiefs of Police, the Georgia Municipal Association (GMA), and the Association of County Commissioners of Georgia (ACCG), representing the Task Force and

engaging in question-and answer-sessions with the members of each organization.

At the five Task Force meetings held at the Capitol, members heard numerous presentations from agency and organizational professionals with specific knowledge of the topic of law enforcement compensation. Members also discussed the primary challenges and obstacles that local agencies and governments face as they address this important issue. These meetings and the speakers who addressed the Task Force at them are listed as follows:

- **June 19, 2017**—The Task Force convened and discussed the current state of compensation for local law enforcement officers in Georgia along with the challenges and obstacles that face local agencies and governments when dealing with this important issue.
- **August 21, 2017**—The Task Force heard testimony from Dr. Mark Foster and Alex Daman of the Carl Vinson Institute regarding the benefits and functions of Formal Compensation Plans for local governments. Andrew Zoll, of the Senate Budget and Evaluation Office also provided the Task Force with a state-wide sampling of salaries for local law enforcement officers.
- **September 18, 2017**—The Task Force heard testimony from Bobby Carter, Executive Director of the Peace Officers’ Annuity and Benefit Fund on the purpose, function, and future outlook of the Fund. Debra Nesbitt, of ACCG and Justin Kirnon, of GMA also provided information regarding the retirement plans offered to law enforcement officers by local governments across the state.
- **November 1, 2017**—The Task Force received testimony from Ken Vance, Director of the Peace Officer Standards and Training Council on the professionalism and standards required of Georgia’s law enforcement officers. Chris Wigginton, of the Georgia Public Safety Training Center presented the Task Force with an overview of the process and costs of training and certifying law enforcement personnel. Members of the Georgia Sheriffs Association, along with Chief Gary Yandura of the Brookhaven Police Department and Randy Robertson, President of the Georgia Fraternal Order of Police also testified

regarding the challenges facing local agencies in recruiting, training, and retaining officers. Debra Nesbit of ACCG and Justin Kirnon of GMA also provided the Task Force with information regarding the cost of insuring local agencies against accidents and other liabilities relating to local law enforcement agencies.

December 4, 2017—The Task Force convened to discuss the information gathered over the course of the previous months, and to vote on its final recommendations for 2017.

Recommendations of the Task Force

1. Members of the Task Force will propose legislation to amend the Department of Community Affairs requirements for Qualified Local Government (QLG) Status to require local governments to:
 - Perform wage and compensation evaluations of their own, and surrounding counties at least every five years.
 - Adopt and maintain a compensation pay scale for their local law enforcement officers consisting of pay grades and pay steps with appropriate ranges of salaries for each category based on merit, training, longevity, and local demographics. Reporting of this information to DCA will be required.
 - If a government or agency refuses or fails to implement pay-scales or perform compensation studies, they will lose QLG status and therefore no longer be eligible to receive state or federal grants, loans, or reimbursement for training, education, and travel.
 - Appropriate a minimum of \$7 million in state funds (to be increased if greater need is established) to be available for grants to assist local governments and sheriff's offices with increased officer compensation. In doing so, procedures shall be put in place to ensure that grant funding shall be used solely for compensation and shall not be supplanted. DCA shall establish

grant regulations to ensure that funds are prioritized for full service law enforcement agencies who:

- Demonstrate financial need due to a lack of local government revenue or tax base; and
 - Demonstrate an effort to maximize the effectiveness of available resources.
2. Study the fiscal impact of potential tax exemptions or credits for local law enforcement officers in the state in order to increase compensation.
 3. The Georgia Municipal Association and the Association of County Commissioners of Georgia should study the impact of allowing local governments to channel a percentage of revenue received from local option sales taxes to law enforcement agencies or provide more flexibility with existing insurance premium revenue collected by local governments.
 4. GMA and ACCG should study the cost and impact of creating a transferrable retirement system for all certified local law enforcement personnel as well as jail and correctional staff. It is recommended that this be done in cooperation with the Peace Officers' Annuity and Benefit Fund (POAB).
 5. Work to make the POAB fund more fiscally sustainable in order to allow county jail officers to participate and save for retirement.
 6. Ask POAB to perform a study and determine whether required monthly contributions to the Peace Officers' Annuity and Benefit Fund should be increased. If such an increase is needed, legislation should be introduced in 2019.
 7. The issue of decreased revenue from fine add-ons should be addressed by requiring all Pretrial Diversion Programs in the state to include add-ons that contribute directly to the POAB and the Peace Officer and

Prosecutor Training Fund. Legislation will be proposed in January 2018.

8. Work with appropriate agencies and insurance stakeholders to study the potential fiscal impact of an up to 1% tax on all auto-insurance policies issued in the state, with revenue from this tax flowing to the POAB. This tax would be similar to the insurance premium tax currently being collected on homeowners' policies for the benefit of the Fire Fighters Pension Fund.
9. GMA and ACCG should take steps to ensure that spouses of public safety officers who are killed in the line of duty receive compensation for the deceased officer's accrued, unused leave, as well as any leave which would have accrued through the fiscal year of the officer's death. If an officer is not married at time of his or her death, compensation should be paid to his or her estate.
10. GMA and ACCG, along with the Georgia Public Safety Training Center (GPSTC) should perform research and analysis on key areas of liability facing local law enforcement agencies as well as any specific training that should be implemented in order to reduce the number of accidents that occur. Specific actions to be recommended to the Task Force in 2018.
11. Steps should be taken to ensure that all funds currently being collected for the Peace Officer and Prosecutor Training Fund are actually being appropriated to this fund and used to train law enforcement officers. Any additional funds appropriated should be targeted to increase professionalism and advancement of local law enforcement officers, which will result in an increase in the compensation and retention of local officers.
12. GPSTC should be encouraged to work with Technical Colleges and high schools to address the law enforcement workforce pipeline problem by streamlining criminal justice training programs, ensuring that more students will graduate better-prepared to become certified

officers. The Task force will request GPSTC and TCSG to submit proposals to strengthen Georgia's statewide law enforcement workforce pipeline.

13. Steps should be taken to encourage reciprocity with other states' POST Councils in order to make it easier for certified out-of-state officers to come to Georgia. Request POST to propose appropriate legislation.
14. The Criminal Justice Coordinating Council should provide technical assistance to law enforcement agencies located in small and rural counties to enable them to obtain federal and state training and equipment grants. Legislation will be proposed during the 2018 session to add this responsibility to the duties of the council.
15. The Georgia Sheriffs Association and all local governments should work together to perform a review of un-funded state mandates affecting local law enforcement agencies.
16. The Legislature should examine potential changes to statutory mandates which require sheriffs' offices to transport state prisoners to probation detention centers. Legislation will be proposed in January 2018.
17. The Task Force should remain intact, and continue to meet throughout 2018.

Addendum:

Both GMA and ACCG provided several suggested recommendations to the Task Force for consideration. Many of these were adopted by the Task Force and are listed above. All those not adopted at this time will remain before the Task Force and will continue to be considered in 2018. All recommendations are listed as submitted below:

Recommendations Provided by ACCG:

1. Increase the existing premium tax by 1% on auto insurance policies and direct 0.5% into a fund dedicated to an incentive program for law enforcement jurisdictions that demonstrate managerial and operational excellence.

The remaining 0.5% should be dedicated to the Police Officer's Annuity and Benefit Fund (POAB) to ensure that this benefit remains available to all P.O.S.T. certified law enforcement within our state. This will also ensure ongoing funding for this important law enforcement benefit in lieu of fine add-ons that have and will continue to decrease as a result of criminal justice reform.

The details of incentive programs should have criteria specific to the various jurisdictions and their operations, i.e. municipal police departments, sheriff's offices with patrol functions, and county police departments.

An example of a similar program is the "Waterfirst Community" program. For discussion purposes call it the "ELLE" Excellence in Local Law Enforcement Program. Possible financial incentives for Law Enforcement jurisdictions that demonstrate managerial operational excellence in several key areas:

- Receive priority status on all grant applications and grant funding issued thru the Governor's Office of Highway Safety.
- Receive tuition reimbursement for all P.O.S.T approved training completed.

- Receive reimbursement for the purchase of tactical and bullet proof vests for all officers in the department.
 - Receive a state base supplement of \$5,000 per year per sworn officer within the department.
- Examples of potential criteria that jurisdictions must meet and maintain the following program requirements for the ELLE designation:
 - Local law enforcement agencies shall have a published classification wage & salary schedule which has been updated by an independent HR firm within the past 60 months to assure wages are competitive within the region when compared to other law enforcement agencies and wages paid by private sector employers within the region.
 - Demonstrate that the agencies are “right-sized” for the types of duties and services provided.
 - Command staff complete managerial training.
 - Have P.O.S.T. develop training specifically designed to de-escalate situations, crisis intervention, and liability reduction.
 - Have clear policies regarding overtime and outside employment.
2. Currently offenders on probation/parole with the Department of Community Supervision (DCS) who violate the conditions of probation/parole are revoked and ordered to a state probation detention center. There is currently a wait list for available beds, therefore those inmates are held in the county jail until a bed becomes available. Currently the counties are not reimbursed for housing these state inmates. The state should pay the per diem for housing these inmates, just as they pay for those inmates sentenced to state prisons.
 - Once a bed becomes available, under current law, the Department of Corrections (DOC) is supposed to pick up the inmates to transport to the state facility, however that is not the current practice. The Sheriff’s office is providing those transports. Having DOC/DCS provide that transportation would free up resources within the Sheriff’s current budgets for increased compensation for deputies.
 3. Prior to the move to community based mental health services the state paid for all psychotropic medications for mental health patients. Due

to the lack of community based mental health services, many of these mental health patients are in local county jails and the counties are responsible for not only the psychotropic medications but all other health related costs as well as the housing costs. The State should pay for the mental health services and medications required in local jails or at the very least set up some sort of cost-sharing program.

4. Reimburse Sheriff's Offices at a per mile rate for transport of all 1013's to mental health facilities. This would offset the costs of the officer's time and transportation to the current budgets, again freeing up resources for redirection.
5. Under current law (O.C.G.A. 42-4-15) medical providers are not permitted to charge a county more than the Medicaid rate for any emergency room visit for an inmate and any resulting hospital stay. ACCG urges expansion of that statute to include all medical services, which would cap those expenses at the current Medicaid rate thereby freeing up existing resources within the current budgets for redirection to officer pay.
6. Have the Public Safety Training Center and P.O.S.T. partner with the Local Government Risk Management Services (LGRMS) to develop and implement a train the trainer program that will enable local jurisdictions to send one person to be certified as a trainer that can take back and provide relative, meaningful and effective training for law enforcement officers without the costs of travel meals and housing.

Recommendations Provided by GMA:

1. In lieu of a mandatory minimum wage for local law enforcement, require law enforcement agencies to have a salary scale with incentives to be determined by local agencies, all agencies shall have a salary scale for officers based on merit, years of service, and training.
2. The state should allow local governments to implement a PSLOST (Public Safety Local Option Sales Tax) to allow the usage of local funds for public safety purposes.

3. Increase driving training during the academy and offer more advance driving safety courses to help reduce liability claims due to motor vehicle accidents.
4. Increase state funding to GPSTC so law enforcement classes can be provided at lower cost to the departments or local governments.
5. Additional state funding to POAB that address differences in Fire Fighter Annuity and POAB.
6. Discounted state college tuition for officers and immediate family that agree to stay for a minimum period of time in a jurisdiction.
7. State provided childcare vouchers for law enforcement officers.
8. Reduction or state tax waiver as an incentive for law enforcement officers that serve in a specific jurisdiction for a specified amount of time.

A copy of this report will be distributed to Governor Deal, Speaker Ralston, Members of the Georgia General Assembly and the Executive Director of the Georgia Sheriffs Association, the Georgia Association of Chiefs of Police, the Georgia Municipal Association and the Association of County Commissioners.

*Copies of all Presentations and Surveys submitted to the Task Force will be made available upon request by the Senate Research Office.