

RESOLUTION

A RESOLUTION OF THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA TO THE DEKALB COUNTY DELEGATION OF THE GENERAL ASSEMBLY TO INSTITUTE A TRANSPARENCY PROCESS FOR THE HIRING AND BACKGROUND CHECKS OF LAW ENFORCEMENT OFFICER CANDIDATES AND LAW ENFORCEMENT OFFICERS PREVIOUSLY EMPLOYED BY A LAW ENFORCEMENT UNIT

WHEREAS, the Governing Authority of DeKalb County requests that the DeKalb Delegation of the General Assembly work to institute a transparency process for the hiring of Law Enforcement Officer Candidates and Law Enforcement Officers previously employed by a Law Enforcement Unit;

WHEREAS, the Governing Authority of DeKalb County, Georgia believes that the adoption of a transparency process in the state of Georgia would increase public trust in Law Enforcement Officers by increasing accountability;

WHEREAS, similar policies have been passed in states across the country with the goal of increased transparency and accountability to the public;

NOW, THEREFORE, BE IT RESOLVED by the Governing Authority of DeKalb County, Georgia that the following is requested:

1. The General Assembly enact legislation instituting a state-wide uniform hiring process which includes background checks for Law Enforcement Candidates, and Law Enforcement Officers previously employed by a Law Enforcement Unit; and
2. The implementation of a state-wide uniform hiring process that mandates the use of current guidelines and procedures of the Peace Officers Standards and Training (P.O.S.T.) Council (found in the Georgia Peace Officers Standards and Training Council – Manual for Background Investigators: Chapter 5: Areas of Investigation and the Past Personal History -, –Section 5: Experience and Employment) when conducting background checks for the consideration of hiring Law Enforcement Officer Candidate and Law Enforcement Officers who were previously employed by a Law Enforcement Unit.

a. “Law Enforcement Officer Candidate” shall mean a peace officer, who having satisfied preemployment requirements, is seeking employment with a law enforcement agency, organ or department of this state, subdivision or municipality thereof, to obtain expressly by law or by virtue of public employment, the authority to enforce the criminal laws through the power of arrest and whose duties would include the preservation of public order, the protection of life and property, and the prevention, detection and investigation of crime.

- i. Law Enforcement Officer Candidate also encompasses any person seeking employment as a “jail officer” with a county or municipality, whose responsibility would be the supervision of inmates confined in a municipal or county detention facility; and any person seeking employment as “a juvenile correctional

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officer” with the Department of Juvenile Justice, whose responsibility would be the supervision and control of youth confined in its programs and facilities.

- b. “Law Enforcement Officer” for purposes of this Resolution shall mean a peace officer, who having satisfied preemployment requirements, has previously obtained employment with a law enforcement agency, organ or department of this state, subdivision or municipality thereof, and expressly by law or by virtue of public employment, has the authority to enforce the criminal laws through the power of arrest and whose duties would include the preservation of public order, the protection of life and property, and the prevention, detection and investigation of crime. This definition does not include administrative investigators, including those peace officers employed as investigators by the District Attorney or the Solicitor-General, who investigate violations of law and the enforcement of administrative, regulatory, licensing, or certification requirements of his/her employing agency.
 - c. Law Enforcement Unit” shall mean any agency, organ, or department of this state, subdivision or municipality thereof, whose primary functions include the enforcement of criminal or traffic law, the preservation of public order, the protection of life and property, or the prevention detection or investigation of crime. This term shall also include the Department of Transportation, Department of Juvenile Justice, Department of Corrections, Department of Community Supervision, State Board of Pardons and Paroles, municipal correctional institutions, county probation systems and county correctional institutions.
3. The information contained in such records to be considered when hiring a Law Enforcement Officer Candidate, or a Law Enforcement Officer previously employed by a Law Enforcement Unit should include:
- a. Personal identifying information;
 - b. Relatives and other references;
 - c. Educational history;
 - d. Residential history;
 - e. Employment history;
 - f. Evaluations;
 - g. Disciplinary history;
 - h. Military history;
 - i. Financial history;
 - j. Legal history;
 - k. Driving history; and
 - l. Other topics related to assessing moral character

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October 19, 2021

ADOPTED by the DeKalb County Board of Commissioners, this ____ day of _____, 2021.

STEPHEN R. BRADSHAW
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this ____ day of _____, 2021.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

APPROVED AS TO FORM:

BARBARA SANDERS-NORWOOD, CCC
Clerk

VIVIANE H. ERNSTES
County Attorney