

# PROSECUTING ATTORNEYS QUALIFICATION COMMISSISON

## State of Georgia

### Open Special Meeting Minutes

Tuesday, September 24, 2024      5:00pm      Walton County Government Bldg  
303 Hammond Drive

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This special meeting of the Investigative Panel of the Prosecuting Attorneys Qualification Commission of the State of Georgia was held at the Walton County Government Building at 303 Hammond Drive, in Walton, GA. District Attorney Randy McGinley Chaired the meeting and Ms. Baucum served as Recording Secretary.

**Investigative Panel**      District Attorney Randy McGinley, Chairman  
**Members Present:**      Judge John Ott, Member  
Mr. Jason Saliba, Member (virtual)

**Members Absent:**      Joey Cowart, Vice Chairman (court conflict)  
Steve Scheer, Member (court conflict)

**PAQC Staff Members**      Mr. Ian Heap, Executive Director (virtual)  
**Present:**      Ms. Barbara Baucum, Executive Assistant (virtual)

**Others Present**      Mr. Chuck Boring, Attorney (virtual)

#### **Chairman's Comments:**

Chairman Randy McGinley called the meeting to order at 5:04pm and determined that a quorum of the Panel was present. Steve Scheer and Joey Cowart were absent for good cause, as both had conflicts with court.

A motion to adopt the open meeting minutes from the regular August 27, 2024 Investigative Panel was called by Judge Ott and seconded by Jason Saliba. The motion passed unanimously.

Chairman Randy McGinley said all emails that had been sent to him and other members of the Investigative Panel prior to Ian taking the Executive Director position had been forwarded to him last week.

Mr. Heap introduced the Executive Assistant, Barbara Baucum. He mentioned she would be taking the meeting minutes and providing an affidavit for Executive Sessions and providing notes within 2 days of Investigative panel meetings. Ms. Baucum said if anything was needed to feel free to contact her via email or phone.

#### **Executive Session:**

At 5:08 a motion was made by Mr. Saliba to go into Executive Session to discuss pending litigation with the Attorney representing the Commission in pending litigation, Chuck Boring. Judge Ott seconded the motion. Mr. Heap asked if he and Barbara should step out. Mr. McGinley said they should be present.

5:15pm Return from Executive Session. Mr. Heap placed on the record that only matters regarding pending litigation and covered by attorney client privilege were discussed in Executive Session.

#### **Director's Report:**

##### Complaints and Inquires to Date:

Mr. Heap said once he received the over 500 emails from Mr. McGinley, he went through them and culled out approximately 40 complaints, none of which met the criteria for a complaint as defined by statute. Several were sent by the same individuals. Mr. Heap sent a "Reply All" via Bcc with an explanation of the statute and requirements, the upcoming website and submission form and standardized format. He also included the legislators who emailed that were helping constituents. He mentioned that he did receive several replies thanking him for the response.

##### Investigator Search:

The PAQC has received resumes from 18 candidates so far. The job posting will close on October 4<sup>th</sup>, 2024 and interviews will be held the following week, Oct 7- Oct 11, 2024. There are five good candidates that have been selected for interviews. Mr. Heap said he going to interview with a panel, hopefully consisting of Glen Kessler, formally RSAC of the Savannah Field Office of the Secret Service and now the Executive Director of U.S. Security Operations for Wells Fargo, the current Director of the CNT, and an Agent who he closely with from CNT, who fulfilled much more than a regular investigator role. Mr. Heap said if any panel members had anyone they would like included on the interview panel, to let him know.

##### Office Space:

In response to Commissioner Scheer's request that we make sure our office lease is in line with what other state agencies were paying we enlisted the help of the State Properties Commission (SPC) and they identified 5 properties to look at. One was already rented. Another that we identified as suitable also got rented. The SPC ended up with the original property that we identified that met security and space criteria. However, the SPC was able to negotiate the price to a lower cost on our behalf. The SPC will negotiate the lease terms and sign off as State approved. At this time, we are renting shared office space at approximately \$1,000.

#### Website:

The contract is complete. We're still waiting on the .gov domain. It will be outward facing with information on the Commission and inward facing in that complainants will file complaints via a form that requires the user to choose one or more of the stature requirements. Complainants will have a digital receipt proving submission and date, Commission will have a digital copy of everything submitted.

#### Tech:

The Speros contract is finally signed after some initial issues with PAC. It did go out for quotes but we got little response from the second potential bidder and had to move forward. PAC has approved the vendor and contract. We will have our own server onsite for security purposes. Mr. McGinley asked about having multiple Outlook accounts and Mr. Saliba said there was a way to have them both to where you could switch back and forth. There was no interest in having a separate phone or separate communication app for a panel member's phone.

#### Logo/State Seal:

We have some issues with this according to an individual at PAC who states PAQC does not have the authority to use the seal. Mr. Saliba stated that the JQC had been using the seal for all the years it has been operational. Mr. Heap said he is following up with the Governor's Counsel per statute, and that he and Chairman McGinley have worked out a response to the PAC.

#### Hearing Panel:

The Hearing Panel reached out for an update which was provided to Bobbie Christine. He advised the Hearing Panel with any issues being resolved at the lowest appropriate level.

#### Policies and Oaths:

We are getting all the office infrastructure in place. At this time, there are 6 policies in place: Confidentiality, Equipment Usage, Social Media, Outside Employment, Progressive Discipline and a Loyalty Oath.

#### Legislative Goals:

Mr. Heap said that he is working with the JQC and POST on legislation for search warrants and classifying Special Investigators. If there are complaints of incapacitation issues, an investigator would need to be able to get medical records. Mr. McGinley said that he was able to get his investigators arrest powers.

#### Requirements for Website:

There is a requirement by statute to post an address on the website for Point of Service (POS) for lawsuits. Mr. Heap asked if an IP member would be willing to have their address be the POS for the PAQC. Mr. McGinley volunteered. Mr. Heap also reminded the members that he needs a short bio and headshot for the website.

At this time, Mr. Heap shared his screen and showed the IP a PAQC Complaint Process Flowchart that will be posted on the website.

**Date of Conduct to Consider:**

Mr. Heap confirmed that the Commission had previously decided to consider conduct only subsequent to the rules being adopted. This was based on Due Process concerns which were raised and considered during litigation. As the rules were formally adopted on the first day of April, 2024 the Panel confirmed no conduct prior to March 31<sup>st</sup>, 2024 would be considered except if it was part of an ongoing pattern of conduct that continued past March 31.

**Budget Discussion:**

An MOU is in place with PAC for the budget. A Teams meeting is held weekly with the Executive Assistant and the PAC Finance Director for budget oversight and checks and balances. The PAQC budget is distributed to PAC in monthly allotments. It is in balance, with a surplus due to salary savings with staff being hired after the beginning of the fiscal year and operational savings with the negotiated rent decrease.

**Set Dates for October and November Meetings:**

Mr. Heap suggested set monthly dates to avoid the need for publication, such as the third Wednesday of every month. Mr. McGinley was in concurrence and asked for Mr. Heap to send an email to the IP to get a consensus. Judge Ott suggested Thursday mornings, which will be an option presented in the email/poll.

There being no further old or new business for discussion, Mr. McGinley motioned to adjourn at 6:00pm and was seconded by Mr. Saliba.

These minutes were approved by the Investigative Panel of the Prosecuting Attorneys Qualification Commission.