Rules and Regulations of the State of Georgia

Department 142 RULES OF ORGANIZED CRIME PREVENTION COUNCIL

Current through Rules and Regulations filed through November 6, 2026

Table of Contents

ADMINISTRATIVE HISTORY
Chapter 142-1. ADMINISTRATION.
- Rule 142-1-.01. Organization.
- Rule 142-1-.02. Member Compensation.
- Rule 142-1-.03. Administrative Assignment.

Chapter 142-2. DEFINITIONS.
- Rule 142-2-.01. Definitions.

Chapter 142-3. FUNCTIONS AND PURPOSES.
- Rule 142-3-.01. Functions and Purposes.
- Rule 142-3-.02. Georgia State Intelligence Network.

Chapter 142-4. ADOPTION OF RULES.
- Rule 142-4-.01. Right of Petition Established.
- Rule 142-4-.02. Form of Petition.
- Rule 142-4-.03. Proceeding on Petition.

ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date. Chapter 142-1 entitled "Administration," containing Rules 142-1-.01 through 142-1-.03, was filed on November 2, 1981; effective November 22, 1981. Chapter 142-2 entitled "Definitions," containing Rule 142-2-.01, was filed on November 2, 1981; effective November 22, 1981. Chapter 142-3 entitled "Functions and Purposes," containing Rules 142-3-.01 and 142-3-.02, was filed on November 2, 1981; effective November 22, 1981. Chapter 142-4 entitled "Adoption of Rules," containing Rules 142-4-.01 through 142-4-.03, was filed on November 2, 1981; effective November 22, 1981.

Cite as Ga. Comp. R. & Regs. R. dept. 142, ADMINISTRATIVE HISTORY

Chapter 142-1. ADMINISTRATION.

Rule 142-1-.01. Organization.

All rules and regulations of the Organized Crime Prevention Council shall be administered by the Director, Organized Crime Prevention Council, whose address is P.O. Box 1456, Atlanta, Georgia 30371.

(a) Director. The Director is appointed by the Council and serves at the pleasure of the Council. The Director shall employ such other professional, technical and clerical personnel as he deems necessary to carry out the Council's duties and responsibilities.

(b) Council Membership. The Organized Crime Prevention Council shall be composed of eight (8) members appointed by the Governor, who shall be, by virtue of their training or experience, knowledgeable in the prevention and control of organized crime, and one of whom must be a member of the Board of Public Safety.

1. Terms of Membership. The Governor shall make all appointments and the members shall serve at his pleasure. The initial terms for the members shall begin July 1, 1981.

2. Appointment to Fill a Vacancy. In the event of death, resignation, disqualification or removal of any member of the Council, the Governor shall fill the vacancy in the manner as other member appointments.

(c) Council Officers. There shall be elected from the general membership of the Council a Chairman and a Vice Chairman to serve at the pleasure of the Governor or until their successors have been duly elected. The Secretary of the Council shall be the Director of the Organized Crime Prevention Council.

1. Chairman. The powers and duties of the Chairman shall be as follows:

   (i) Preside at all meetings of the Organized Crime Prevention Council and conduct said meetings in an orderly and impartial manner so as to permit a free and full discussion by the membership of such matters as may be before the Council. He shall have the same voting rights as a regular member;

   (ii) Establish and appoint any special committees or subcommittees as may be deemed necessary by the Council;

   (iii) Select and so designate the Chairman of each committee or subcommittee;

   (iv) Designate special advisory committees composed of other than regular members of the Council for the purpose of providing information for the use of the Council;

   (v) Serve as an ex officio member of all committees.

2. Vice Chairman. The powers and duties of the Vice Chairman shall be as follows:

   (i) Perform all duties of the Chairman in the absence of the Chairman or in the event of the inability of the Chairman to act;

   (ii) Have the same voting rights as any regular member;

   (iii) Perform such other duties as the Council may delegate to him.

3. Executive Committee.

   (i) Executive Committee Membership. The Executive Committee shall be composed of the Chairman, the Vice Chairman and one at-large member named by the Chairman.

   (ii) Powers and Duties. The Executive Committee will meet at the call of the Chairman and shall have the same functions, responsibilities and authorities as those of the full Council when the latter is not in session.

(d) Meetings. The Council shall meet regularly four times each year at the call of the Chairman. Special meetings may be called by the Chairman when deemed necessary and in the best interest of the Council. Committees shall meet at the call of their chairmen.

1. Notice. No regular or special meeting of the Council, committee or subcommittee shall be held without notice to all members at least five (5) days prior to the date of such meeting.

2. Authority. No action of the Council shall be binding unless it is duly acted upon at a regular or special meeting of the Council or Executive Committee of the Council.

No member shall be qualified to speak for or bind the Council unless specific authorization has been granted.

3. Quorum. A majority of the Council shall constitute a quorum at any regular or special meeting.

4. Vote. A majority vote of those Council members present is required for the approval of any action of the Council unless otherwise provided therefor.

Cite as Ga. Comp. R. & Regs. R. 142-1-.01
Authority: Ga. L. 1980, pp. 396-399.
History. Original Rule entitled "Organization" was filed on November 2, 1981; effective November 22, 1981.

Rule 142-1-.02. Member Compensation.

The members of the Council shall serve without compensation but shall receive the same expense allowance per day as that received by a member of the General Assembly for each day the member of the Council is in attendance at a meeting of the Council, plus either reimbursement for actual transportation costs while traveling by public carrier, or the same mileage allowance for use of a personal car in connection with such attendance, as members of the General Assembly receive. Such expense and travel allowance shall be paid in lieu of any per diem, allowance or other remuneration received by any Council member for his or her attendance.

Cite as Ga. Comp. R. & Regs. R. 142-1-.02
Authority: Ga. L. 1980, pp. 397-398.
History. Original Rule entitled "Member Compensation" was filed on November 2, 1981; effective November 22, 1981.

Rule 142-1-.03. Administrative Assignment.

The Organized Crime Prevention Council is assigned to the Department of Public Safety for administrative purposes only.

Cite as Ga. Comp. R. & Regs. R. 142-1-.03
Authority: Ga. L. 1980, p. 397, and Ga. L. 1972, p. 1015.
History. Original Rule entitled "Administrative Assignment" was filed on November 2, 1981; effective November 22, 1981.

Chapter 142-2. DEFINITIONS.

Rule 142-2-.01. Definitions.

The following shall apply generally to all rules and regulations of the Organized Crime Prevention Council:

(a) The "Act" means the "Organized Crime Prevention Council Act" (Ga. L. 1980, pp. 396-399).

(b) "Council" means the Organized Crime Prevention Council, as created by Ga. L. 1980, pp. 396-399.

(c) "Emergency" means a sudden or unexpected occasion for action of pressing necessity; an unforeseen combination of circumstances that calls for immediate action.

Cite as Ga. Comp. R. & Regs. R. 142-2-.01
Authority: Ga. L. 1980, pp. 396-399.
History. Original Rule entitled "Definitions" was filed on November 2, 1981; effective November 22, 1981.

Chapter 142-3. FUNCTIONS AND PURPOSES.

Rule 142-3-.01. Functions and Purposes.

The functions and purposes of the Organized Crime Prevention Council as prescribed by law are as follows:

(a) Organized Crime Prevention Coordination. The Council shall develop and coordinate strategies and plans to attack and control organized crime, such as:

1. To create, guide and counsel the Georgia State Intelligence Network (GSIN);
2. To coordinate Georgia's Locals to Help Locals law enforcement program;
3. To coordinate international, national and statewide special projects;
4. To conduct joint federal, state and local intelligence conferences;
5. To provide organized crime and intelligence training courses;
6. To prepare annual reports and annual confidential reports on Georgia's organized crime problem;
7. To develop an annual organized crime legislation package;
8. To provide advice and counsel to the Governor of Georgia on ways and means to prevent the intrusion of organized crime into Georgia;

9. To inform the public of the menace of organized crime and the threat it poses to the citizens of Georgia.

Cite as Ga. Comp. R. & Regs. R. 142-3-.01
Authority: Ga. L. 1980, pp. 398-399; Ga. L. 1980, pp. 399-400.
History. Original Rule entitled "Functions and Purposes" was filed on November 2, 1981; effective November 22, 1981.

Rule 142-3-.02. Georgia State Intelligence Network.

(1) Membership. Admission to membership in the Georgia State Intelligence Network, hereinafter referred to as the "Network," is subject to approval by the Council by a unanimous vote of the members voting. The Council will include the following considerations in its decisions but is not restricted thereto:

(a) Needs/benefits to applicant/Council;

(b) Size of applicant agency as well as extent of its organized crime problem;

(c) Desirable size of the Network;

(d) Integrity/credibility of applicant among law enforcement and the community in general.

(2) Application. The applicant agency will complete a department membership application form. This form will include, among other things:

(a) A summary of the organized crime problems in the applicant agency's jurisdiction;

(b) Organization and functions of the applicant agency's intelligence unit;

(c) Names of three or more intelligence units that applicant agency has contacted recently;

(d) Letter of sponsorship from an existing member agency.

(3) Suspension. Membership in the Network is not a matter of right, and suspension therefrom may be voted on by the Council at a regular or special meeting, following notice to the member agency of the scheduled action with an invitation to appear and defend against the action proposed. The Council may suspend for any reason it feels is in the best interest of the member agency or of the Network, keeping in mind that mutual trust and confidence among members of the Network are essential to a successful intelligence network. The Council may consider any changes in circumstances of the member's admission to the Network.

(a) A routine suspension occurs upon a change in command involving either the intelligence unit commander or the head of the organization, subject to approval by the Council of such change.

(b) Except for a routine suspension the Council through its Chairman or Director will keep the Governor advised of any action which may affect the credibility and effectiveness of the Council in carrying out the designated purposes for which it is organized.

Cite as Ga. Comp. R. & Regs. R. 142-3-.02
Authority: Ga. L. 1980, pp. 396-399.
History. Original Rule entitled "Georgia State Intelligence Network" was filed on November 2, 1981; effective November 22, 1981.

Chapter 142-4. ADOPTION OF RULES.

Rule 142-4-.01. Right of Petition Established.

Any interested person may petition the Council requesting the promulgation of a rule or the amendment or repeal of a rule already in force, as contemplated in the Georgia Administrative Procedure Act (Ga. L. 1964, pp. 338-346, as amended).

Cite as Ga. Comp. R. & Regs. R. 142-4-.01
Authority: Ga. L. 1980, pp. 396-398.
History. Original Rule entitled "Right of Petition Established" was filed on November 2, 1981; effective November 22, 1981.

Rule 142-4-.02. Form of Petition.

Each such petition shall be filed with the Council in writing and shall set forth:

(a) The name and post office address of the petitioner;

(b) The full text of the rule requested to be amended or repealed, or the full text of the rule desired to be promulgated;

(c) A paragraphed statement of the reasons such rule should be amended, repealed or promulgated, including a statement of all pertinent and existing facts as to the petitioner's interest in the matter;

(d) Citations of legal authorities if any, which authorize, support, or require the action requested by the petitioner. The petition shall be verified under oath by, or in proper behalf of the petitioner.

Cite as Ga. Comp. R. & Regs. R. 142-4-.02
Authority: Ga. L. 1980, pp. 396-398.
History. Original Rule entitled "Form of Petition" was filed on November 2, 1981; effective November 22, 1981.

Rule 142-4-.03. Proceeding on Petition.

Upon receipt of the petition, the Chairman, Vice Chairman, or Secretary of the Council, shall give the petition due consideration and present it to the Council, who shall decide upon the action to be taken. Within thirty days after receipt of a petition, the Council shall inform the petitioner by mail of the decision reached, and shall either decline to take the action requested, stating its reasons for so declining, or shall initiate rulemaking in accordance with the Georgia Administrative Procedure Act (Ga. L. 1964, pp. 338-346, as amended).

Cite as Ga. Comp. R. & Regs. R. 142-4-.03
Authority: Ga. L. 1980, pp. 396-398.
History. Original Rule entitled "Proceeding on Petition" was filed on November 2, 1981; effective November 22, 1981.