This eleventh annual report of the Georgia Organized Crime Prevention Council covers the period January 1, 1981, through December 31, 1981. It is designed to inform governmental officials, the media and the general public about the activities of the Council and to provide an overview of organized crime in Georgia. The 1981 highlights are:

- A continuing increase in illegal drugs flowing through Georgia—This drug traffic, with an estimated street value of seven billion dollars, remains the single most lucrative source of revenue for organized crime in the state. Interrelated with this drug trafficking is an increase in corruption of public officials.

- The escalation of national organized crime involvement in Georgia—Federal, state and local authorities have learned that seven of the traditional national organized crime organizations have established a significant presence in the state.

- The increasing effectiveness of the Locals to Help Locals Project—Arrests through the use of the project's equipment and manpower totaled over six hundred. One hundred fourteen different departments used items from the equipment pool, accounting for thousands of man-hours during the year. Thirty-three requests from various departments throughout the state were received in the Council office to draw from the statewide manpower pool. This program, in existence for less than three years, appears to be very successful in both manpower and equipment usage.

- The impact of Project Leviticus, a multistate investigation of organized criminal activities in the nation's coal fields—By the end of 1981 fourteen Association investigations and fifty-two Association-related investigations for a total of sixty-two designated project cases were in progress. The Leviticus Project Association investigates a variety of crimes affecting the nation's coal industry. These investigations include sales of fraudulent limited partnership coal mining ventures, frauds affecting financial institutions, organized theft of heavy equipment, "boiler room" sales of fraudulent commodity futures in coal, extortion, bribery, insurance fraud, advance fee schemes, loan sharking, price fixing, and violent crimes such as murder and assault, as well as other crimes.

Sincerely,

F.D. Hand
Chairman
ANNUAL REPORT
JANUARY 1981 - DECEMBER 1981

GEORGIA ORGANIZED CRIME PREVENTION COUNCIL (GOCCPC)

The Georgia Organized Crime Prevention Council was statutorily created by the 1980 Georgia General Assembly, effective July 1, 1981 (see Appendix). Prior to the passage of Georgia Law No. 875 of the 1980 Georgia Laws, the Council acted under the authority of executive orders of the Governor issued in 1979, 1971, 1975 and 1979. The 1979 executive order assigned the Council to the Georgia Board of Public Safety for administrative purposes and ordered that the Council be composed of not more than eight persons, none of whom by virtue of their training or experience would be transferrable in the prevention and control of organized crime, and that one of these persons shall be a member of the Board of Public Safety, who shall be designated by the chairman of the Board of Public Safety. Section 8(b) of the 1980 Georgia Law No. 875 mandates the functions and duties of the Council to be the following:

1. Creation, guidance and coordinating of the Georgia State Intelligence Network (GSIN).
2. Coordination of joint federal, state and local intelligence conferences.

COUNCIL MEMBERSHIP

At the end of 1981 the Council consisted of the following persons: F.D. Hand, Jr., Director, DeKalb County Department of Public Safety; Harold P. Craft, Jr., Chief, Marietta Police Department; Gary C. Chryst, District Attorney, Cobb Judicial Circuit; Mandan Groteley, Jr., Deputy Sheriff, Bibb County; Paul L. Howard, Jr., Assistant District Attorney, Atlanta Judicial Circuit; Earl D. Lee, Sheriff, Doughlas County; E. Philip Pitts, Sr., Director, Georgia Bureau of Investigation; and George W. Word, Chief, Elberton Police Department.

Director F.D. Hand serves as Chairman, and Chief H.P. Craft serves as Vice-Chairman.

COUNCIL STAFF

James W. Foughner continued to serve as the Executive Director of the Council. Mr. Foughner is a graduate of the University of Georgia Law School and has served as Executive Director since January, 1972. Mr. Foughner is a member of the Georgia Council of Justice Administrative Schools, a seventy-state national organization engaged in the implementation of the Georgia Organized Crime Prevention Council (GOCCPC) in the State of Georgia, with a common and continuing goal of developing information resulting in the apprehension of persons engaged in organized criminal activity.

Ron Irvin continued to serve as the GSIN Coordinator. Prior to joining the Council in 1975, Mr. Irvin was a seventeen-year vetting.

GEORGIA STATE INTELLIGENCE NETWORK (GSIN)

The Georgia State Intelligence Network is the hub of our statewide organized crime prevention and intelligence effort and is the vehicle that provides the intelligence data on organized criminal activity in Georgia. Membership in the Georgia State Intelligence Network in 1981 remained at thirty-three.

Georgia Bureau of Investigation
Georgia Department of Revenue
Georgia Insurance Department
Georgia Secretary of State's Office
State Fire Marshal's Office
Albany Police Department
American Police Department
Athens Police Department
Augusta Police Department
Bibb County Sheriff's Office
Brunswick Police Department
Chatham County District Attorney's Office
Chatham County Sheriff's Office
Clayton County Police Department
Cobb County Police Department
Cobb County Sheriff's Office
Columbus Police Department
Corpus Christi Police Department
DeKalb County Police Department
East Point Police Department
Fulton County District Attorney's Office
Fulton County Police Department
Gainesville/Hall County Vice, Intelligence and Narcotics Unit
Glynn County Police Department
Gwinnett County Police Department
LaGrange Police Department
Macon Police Department
Marietta Police Department
Muscogee County Sheriff's Office
Richmond County Sheriff's Office
Rome Police Department
Savannah Police Department
Tifton Police Department
Thomasville Police Department
Valdosta Police Department
Warner Robins Police Department
Winder Police Department

Admission to membership is covered by Article IX of the Council bylaws. To paraphrase, this article states that admission to membership is subject to the approval of the Council by a unanimous vote of the members voting. The Council considers in its decision the size of the applicant agency and the extent of its organized crime problem, the desirable size of the Network, and the integrity and credibility of the applicant among law enforcement and the community in general. The applicant agency completes a GSIN department membership application form which includes, among other things, a summary of the organized crime problem in the applicant agency's jurisdiction, the organization and functions of the applicant agency's intelligence unit, names of agents in three or more intelligence units that the applicant agency has contacted recently, and a letter of sponsorship from an existing member agency.

Section Two of Article IX says that membership is not a matter of right, and suspension may be voted on by the Council at a regular or special meeting, following notice to the member agency of the arbitrated 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 the Network, keeping in mind that mutual trust and confidence among members of the Network are essential to a successful intelligence operation. A routine suspension occurs upon a change in command involving either the intelligence unit commander or the head of the organization, such change being subject to the approval of the Council.

In addition to Article IX of the Council bylaws, there is a four-part policy and procedures statement that governs the Georgia State Intelligence Network. Part One governs the organization and purpose and states that the Network shall be composed of law enforcement intelligence officers of proven integrity and ability, representing agencies that maintain a unified and dedicated interest in combating organized crime. Its purpose is to assist in the collection, evaluation, preservation and dissemination of information concerning organized criminal activity in the State of Georgia, with a common and continuing goal of developing information resulting in the apprehension of persons engaged in such organized criminal activity.

Section Two governs membership and says that membership shall be open to local police departments, sheriff's offices, county police organizations and other investigative agencies. It provides that each member agency shall have a representative and an alternate representative, who shall be appointed by the chief executive of the member agency and approved by the executive committee of the Network, after a thorough background check. The representative is charged with the responsibility of gathering criminal intelligence, maintaining the GSIN records and handling correspondence and requests for assistance from other GSIN members. Any new member of the Network will automatically
Organized Crime Definition

There is no simple definition of organized crime. The Council over the past several years has been using the following:

"Any group of persons collaborating or conspiring to engage, on a continuing basis, criminal activity as a significant source of income or livelihood, or aiding and sheltering the violations of the laws of this state relating to prostitution, loitering, gambling, illegal drug distribution, illegal trafficking in firearms, illegal distribution of deadly weapons, theft, extortion, arson, lending money at usurious rates of interest, counterfeiting, bribery of law enforcement officers and other public officials, or any other criminal offenses for profit."

For 1981 the Organized Crime Council and the Georgia State Intelligence Network believe that the description of organized crime developed by the Task Force on Organized Crime of the National Advisory Committee on Criminal Justice Standards and Goals is the most accurate and most inclusive definition of organized crime currently available. The Task Force described the characteristics of organized crime as follows:

1. Organized crime is a type of conspiratorial crime, sometimes involving the hierarchical coordination of a number of persons in the planning and execution of illegal acts, or in the pursuit of a legitimate objective by unlawful means. Organized crime involves continuous commitment by key members, although some individuals with specialized skills may participate only briefly in the ongoing conspiracies.

2. Organized crime has economic gain as its primary goal.

Overview of Organized Crime in Georgia

Preface

The following is a general overview of organized crime activities within the State of Georgia for the period of January through December, 1981. The generalizations and projections contained in this narrative summary are based upon intelligence data collected and evaluated by the members of the Georgia State Intelligence Network.

During 1981 GSIN agencies targeted 830 major organized crime figures for intensive investigation.

National Organized Crime Involvement

In 1981 there was an escalation of national organized crime involvement in Georgia. The Council in previous reports has commented on national organized crime activity statewide.

In 1973 the Council stated:

"Georgia does not have a Mafia or La Cosa Nostra family in residence. Atlanta, at this time, is considered to be an open city for any family that wishes to establish operations."

In 1974 the Council stated:

"Our Georgia State Intelligence Network agents have determined that eleven Mafia families are represented in Georgia, either by their physical presence or through financial interests, and primarily in Metropolitan Atlanta. These families direct activities in Georgia, as they have in the past and will in the future. What is somewhat alarming is that organized crime operations with direct and indirect associations with Mafia/LCN families are being detected through intelligence information and investigations with a higher degree of rapidity than in the past. Therefore, one must conclude that our state is more and more becoming an area lucrative and susceptible to national organized crime syndicates. Activities of this syndicated nature are unquestionably alarming. But Georgians would be mistaken if they concluded from this that organized crime in Georgia is monopolized by any particular Mafia family or group of Mafia families. Indeed, the greatest threat to Georgia is posed by the autonomous local or regional criminal groups which operate independently, informally, and who often assist one another when needed."

In 1975 the Council reported the following:

"Eight national organized crime families have been identified as maintaining spheres of influence in the Metropolitan Atlanta area. This ranges from union organization in real estate management. At least ten La Cosa Nostra families can be identified through their operations within the metro area, although no family maintains a significant control over illegitimate activities."

In 1976 the Council reported that:

"Ten to twelve La Cosa Nostra (LCN) families can be identified through their operations within the metro area, although no family maintains a significant control over illegitimate activities."

And in 1978 the Council commented:

"La Cosa Nostra (LCN) families are conducting an occasional transaction in the state to members and associates establishing permanent businesses not previously detected by law enforcement."

It is believed that several organized crime organizations have now established a significant presence in Georgia through the following activities: (1) Placing of individuals or associates in Georgia; (2) investing in and obtaining control over businesses; (3) purchasing real property and making other investments; and (4) movement of large amounts of cash through the state economy.

The following is a list of organizations and their laisons that are known to have established permanency in Georgia:

1. Gambino
   New York
2. Genovese
   New York
3. Lucchese
   New York
4. Accardo
   Boston
5. Bufalino
   Philadelphia
6. Cutrone
   Canada
7. Accardo
   Chicago
8. Zerilli
   Detroit

Authorities have learned that members and associates of traditional organized crime organizations are gaining significant influence in the business community by becoming officers, key employees, or major stockholders of certain businesses. Indications have been noted that members and associates are exercising control and influence over certain labor organizations and employee benefit plans in Georgia. Segments of the business community that have been infiltrated by traditional organized crime..."
and manpower in combating this particular criminal activity. The agencies in the state expend most of their time to involving these traditional organized crime organizations are:

1. narcotics
2. labor law violations
3. financial crimes, i.e., fraud, currency violations. tax violations
4. RICO statutes, including investment of illegally obtained funds in legitimate businesses
5. immigration law violations - use of illegal aliens in various businesses

Illegal Drug Traffic

GSIN agencies report that drug traffic has increased in all areas of the state. The agencies in the state expend most of their time and manpower in combating this particular criminal activity.

Drug and gambling operations are frequently interrelated and most gains from both are at times funneled into legitimate businesses. It is also important to realize that a large percentage of other crimes, i.e., homicide, etc., are connected to narcotics and drug operations.

Local agencies in the state working independently and in cooperation with each other, the Georgia Bureau of Investigation and federal agencies, i.e., U.S. Customs, Drug Enforcement Administration, and Internal Revenue Service, have had an impact on the problem. This reflects in part that this year the seizure figures are higher than in previous years. However, while these seizure figures are higher it is estimated that only five to ten percent of the drug traffic is seized. Law enforcement agencies are hampered greatly due to Georgia’s coastal location and the large number of clandestine airstrips and deserted land areas. A 1981 survey identified 518 airports and airstrips located within the state. This was an increase of 48 percent from 1977. The coastal areas and rivers provide ideal locations for water smuggling operations, although Georgia has no navigable channels for maritime smuggling activities during the last two years. This coincides with the intervention of federal naval resources in this area.

Georgia’s geographical location in relation to major Latin American source counties places it within flight range of many types of general aviation aircraft. Airports have regularly in the state to unload cargoes of marijuana, cocaine, methaqualone (Quaalude), and other narcotics such as hashish, amphetamine, phencyclidine, MDA and LSD. Intelligence analysts estimate that more than 200 aircrafts and more than 100 vessels made illegal drug deliveries in Georgia during 1981 (Georgia law enforcement agencies seized between three to five percent of these).

Besides the narcotics and drugs being smuggled into Georgia from South America, the Caribbean and Mexico, domestic marijuana is increasing significantly in most areas of the state. Both our state’s climate and its rural areas are ideal for domestic cultivation of marijuana. Cultivation of the more potent sinsemilla variety of marijuana is on the increase. Intelligence data on seizures also indicate that clandestine laboratories are being found in increasing numbers in Georgia.

Attendant to the increase in the drug problem is a dramatic increase in the corruption of public officials. The tremendous profit margins available to drug traffickers serve as an invitation to corrupt normally legitimate persons, i.e., public officials, bankers, lawyers, and businessmen. At least forty Georgia law enforcement officers or public officials have been accused of serious drug offenses during the past two years. Many have been tempted by payoffs of up to $50,000 per week. Undercover operations by the FBI, FBI and other federal agencies have led to the arrest and conviction of a Georgia state senator who promised drug smugglers came blanche authority to operate if they financed his bid for governor. Six sheriffs and ex-sheriffs, two police chiefs, two county sheriffs, two state troopers, nine police officers, a police narcotics squad secretary, one FBI agent, one county prison ward, two deputy prison wardens, a Department of Natural Resources ranger, and eight Coast Guardsmen have been arrested on drug-related charges.

Drug arrests in 1981 included hard narcotics violations as well as violations of marijuana, pills, etc. Five hundred one key individuals were identified as major drug operators in the state. Based on arrests and other data it is estimated that the average street supplier of drugs flowing through Georgia in 1981 was $7 billion.

Georgia continued to rank third in the nation in 1981 behind the States of Florida and Texas in drug trafficking. This drug trafficking continues to be the most serious organized crime problem in Georgia and is by far the primary source of revenue for organized crime. The unlimited monies available to smugglers has made possible a major increase in the thefts of large, expensive motorcycles. Approxi­mately fifty to sixty thefts are believed to be occurring in the state, with estimated profits of twenty to thirty million dollars.

Some of the large shop shop operations in the northern cities of the United States are known to have connections with such operations in Georgia. The operations in the northern cities have long-established ties to organized crime.

Major Theft and Forging Operations

The forging of stolen property remains one of the major crime problems. The list of famous thefts includes jewelry, credit cards, and other types of property. One of the larger thefts in recent years was the theft of a large amount of money from a bank in Atlanta. The money was taken by a group of five men who drove to the bank and used a large, powerful knife to force open the vault. They then fled in a large, fast car, leaving a trail of smoke from the burned-out car. The robbers made away with approximately $500,000 in cash. The police were unable to recover any of the money.

Another example of a major theft occurred in the town of Independence, Ohio. In 1978, a group of five men broke into a jewelry store and stole over $250,000 worth of jewelry and other items. The police were unable to recover any of the property.

Theft of jewelry continues to be a major problem in many cities. In New York City, for example, the theft of jewelry has increased significantly in recent years. The police have made many arrests in connection with jewelry thefts, but the problem remains a major one.

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Loan Shamming

Loan shamming operations are difficult to detect because the victim, the person who pays the high rate of interest, very seldom, if ever, complains to the authorities. Loan shamming activity does exist to some limited extent in Georgia in connection with gambling losses.

Prostitution/White Slavery

Organized prostitution/white slavery operations can be found throughout the state, primarily in the metropolitan areas. Prostitution can be defined at two levels. The first or lower level is street level prostitution. This situation is basically the same as in past years, with no indication of any organization other than one pimp working with several prostitutes. Prices are generally

graphy income in Georgia is estimated to be at least $10 million 2 year.

Organized Auto Theft

Vehicle theft in Georgia, which includes automobiles, trucks, tractors, motorcycles and motor homes, accounts for a major crime problem in the state. There was a slight increase in these organized thefts during 1981. The state has always had more than 2000 vehicles used in organizing 'VIN numbers, converting salvaged vehicles and operating sophisticated auto and truck theft rings. There has been also an increase in the thefts of large, expensive motorcycles. Approximately fifty to sixty thefts are believed to be occurring in the state, with estimated profits of twenty to thirty million dollars. Some of the larger shop shop operations in the northern cities of the United States are known to have connections with such operations in Georgia. The operations in the northern cities have long-established ties to organized crime.

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Public And Political Corruption

In 1981 there were thirty-one investigations into the charges of public corruption. One investigation resulted in four involuntary terminations, six resignations and four examinations. In another area a joint undercover operation revealed a very large drug operation. Four county employees were arrested and indicted for their participation in this operation.

White Collar Crime/Commercial Fraud

There were various types of investigations in this category during 1981. The focus was on middle and large businesses. "Pencil" schemes, international currency dealers, counterfeits and bonds, real estate investments, gold mining investments, treasure hunts, and regulatory investigations of registered dealers, stock

SPECIAL PROJECT — THE CROSS CASE

The following case illustrates the excellent coordination and cooperation among law enforcement agencies at all levels.

William Howard Cross, Sr., was convicted in the United States District Court for the Middle District of Georgia, Columbus Division, for violations of 21 USC SS481 (a)(1), (11), 846, 952a) and 963. The defendant was sentenced in the maximum of five years imprisonment on each count of the indictment, with the sentence on each count to run consecutively to the other — for a total term of imprisonment of twenty years. The defendant was also given a special parole term of ten years.

The primary investigating agencies consisted of agents from: MacKenzie Police Department, Cobb County Sheriff's Department, Cobb County Sheriff's Office, and Smyrna Police Department. This combination of task force joined with agents from U.S. Customs, Drug Enforcement Administration, Georgia Bureau of Investigation, and the U.S. Justice Department.

The trial on the factual allegations concerning this conspiracy was held in Columbus, Georgia. The trial judge, Mr. David W. Clark, presided over the trial and convicted Cross, Sr., of importing and possessing with the intent to distribute approximately 84,000 Quaalude tablets (totaling 1,500 pounds of the drug). Cross was convicted of importing and possessing with the intent to distribute approximately 84,000 Quaalude tablets (totaling 1,500 pounds of the drug) — quantity sufficient to bring him into the consideration of a maximum of ten thousand drug dealers.

At the trial, a Cobb County narcotics agent testified that the volume of drugs seized in Cross, Sr.'s case has had an estimated street value in the State of Georgia between three and four million dollars. Government investigators calculate that Cross, Sr. had purchased these tablets for approximately twenty-five to thirty cents each and thus stood to realize a potential profit in excess of one million dollars.

The trial of Cross, Sr., resulted in a judgment of conviction in DeKalb County, Georgia, for bribing a police officer with lower clearance rates than other conviction in DeKalb County, Georgia, for bribing a police officer with lower clearance rates than other.

Evidence produced at Cross, Sr.'s trial established that Cross, Sr., was the most eligible member of those in his drug smuggling operation. He was directly responsible for recruiting other individuals in the operation who maintained contacts with drug smugglers in South America, pilots, airstrip operators and other individuals necessary to import methaqualone. Cross, Sr., was responsible for overseeing the storage and distribution of these drugs to various wholesalers who marketed these drugs throughout the southeastern United States.

In the Spring of 1981, Cross, Sr., joined with a Atlanta-area pilot, Donald Martin, in an effort to continue to import Quaalude tablets from South America. In this regard, Cross, Sr., Martin and Cross, Jr., met and conspired with a cooperating government witness to arrange for the purchase of an aircraft under a false corporate name and began active steps to bring an additional one million Quaalude tablets into North Georgia.

When Cross, Jr., has already pled guilty to substantive charge 21 USC 840(b). Donald Martin has been convicted by a jury trial on the factual allegations concerning this conspiracy.

Although the defendant was arrested and released on bail in 1981, he continued his criminal activities with respect to drug smuggling during the late Fall and Spring of 1981. Evi­dence produced at Cross, Sr.'s trial established that Cross, Sr., was the most eligible member of those in his drug smuggling operation. He was directly responsible for recruiting other individuals in the operation who maintained contacts with drug smugglers in South America, pilots, airstrip operators and other individuals necessary to import methaqualone. Cross, Sr., was responsible for overseeing the storage and distribution of these drugs to various wholesalers who marketed these drugs throughout the southeastern United States.

The trial of Cross, Sr., resulted in a judgment of conviction in DeKalb County, Georgia, for bribing a police officer with lower clearance rates than other.

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This program enables a local law enforcement agency anywhere in the State of Georgia to request and receive the manpower and equipment necessary to carry out an undercover or other special project in its jurisdiction. This program permits the greatest utilization of agents contributed by forty police departments and sheriffs' agencies make up the current Locals to Help Locals manpower pool. The Georgia Organized Crime Prevention Council, the coordinating agency for the Locals to Help Locals Project, maintains this confidential list of names of agents and their investigative specialties. The Council identifies and selects the necessary agents upon the request of a receiving agency and provides the receiving agency and the selected agents the necessary training and specialized equipment to carry out their assignments. The long-range effectiveness of this program is maximized by the fact that it is not consistent on federal or state funding levels. The contributing agencies continue to pay the agent's salary and the receiving agency pays the agent's per diem for the duration of the project. Project length is usually anywhere from two days to three weeks. In addition, the Council has secured a liability insurance policy to cover the agents selected to participate in this project. The agents are considered temporary state employees during the course of their participation in Locals to Help Locals and the liability policy is secured through the Department of Administrative Services, State of Georgia, Insurance and Hazard Reserve Fund.

The Council maintains for use by local law enforcement agencies, an array of electronic equipment (60 pieces valued at $150,000). This equipment has been heavily used.

As the Secretary to the Executive Committee.

The Leviticus Project is a formally structured and centrally coordinated multidisciplinary investigation of a variety of crimes affecting the coal industry. The Leviticus Project is an interstate association composed of fourteen member agencies from the States of Alabama, Georgia, Indiana, Kentucky, New York, Pennsylvania and Virginia. Jim Foughner, Executive Director of the Georgia Organized Crime Prevention Council, serves as Georgia's member on the Executive Committee of Leviticus, and as the Secretary to the Executive Committee.

Law enforcement efforts to combat crime in the coal industry before the Leviticus Project relied exclusively, as do most real-life covert operations, on personal relationships between investigators and on the sharing of information in an arbitrary and haphazard manner. The Leviticus Project is unique because it combines regular, controlled administrative procedures with structured and predictable multi-agency law enforcement cooperation on special investigations and prosecutions.

The Leviticus Project is increasingly being recognized by law enforcement agencies around the United States and in Canada as the primary reliable source of cooperation and information concerning coal-related crime. Since the beginning of the Leviticus Project, the Council has had formal liaison with over one hundred thirty-five agencies in forty states and in Canada. The Executive Committee of Levitics has also briefed the U.S. Senate Permanent Subcommittee on Investigations. In order to preserve the pattern of organized criminal activity in the coal industry and successfully prosecute the criminals, the Leviticus Project has selected certain pieces of the pattern to focus on. The Project chose to aim at limited partnership tax shelters, heavy equipment theft and fraud on financial institutions. Since the Project began, a major area of potentially useful activity has gained such momentum that it too has been included as a major area of Project concern. This fourth area is known as, 'dealt in' goods, dealing in stolen goods, narcotics or other commodities; develop inferences and intelligence on organized criminal activity. Confidence gained in these areas is used to guide federal, state and local special operations and the targeting of organized criminal activity. The Project continues to operate somewhat ahead of expectations in all areas. Some highlights of the development during the period October 1, 1981, to December 31, 1981, are as follows.

The Project's continued success continues to grow. There are now 14 Association investigations and 52 Association-related investigations. The Project has 66 designated cases. There are approximately 128 other nondesignated coal-related investigations, or completes under investigation, being handled by member agencies.

Investigative and support personnel devoted 2399 man-days to Project work.

Project investigators conducted 954 investigative interviews.

Criminal charges have been brought against 35 defendants in 22 cases. Criminal charges are expected soon in 14 cases involving 55 defendants. Civil charges have been brought against 84 individuals and business entities in 7 cases. Civil charges are expected in two cases involving 9 defendants.

TRAINING

GSIN agents attended three organized crime related training courses in 1981. The first was a five-day course on vice investigations. This course was designed to provide the student with an in-depth study of commercialized vice. The student became skilled in the legal aspects of each phase of vice investigations. The student gained a working knowledge of the relationship of organized crime to vice operations. Topics included: prostitution, theft of stolen goods, narcotics or other commodities; develop inferences and intelligence on organized criminal activity. Confidence gained in these areas is used to guide federal, state and local special operations and the targeting of organized criminal activity.

The second course was a one-week course in advanced techniques for the investigation and prosecution of complex criminal cases—major street crimes, fraud, arson, organized crime, narcotics trafficking, white-collar crime and related conspiracies. This course was presented to the Georgia Police Academy and Anacapa Sciences, Inc., specialists in techniques for investigation and intelligence. This course is designed to improve the analytical thinking required for the successful investigation and prosecution of complex criminal cases. Through its practical 'hands-on' approach the course prepares the investigator or analyst to organize available information; graphically portray relationships among individuals and organizations; trace the flow of money, stolen goods, narcotics or other commodities; develop inferences by means of inductive logic; develop investigative leads and establish priorities; and disseminate analytical results to supervisors, administrators, prosecutors and other investigators.

The third offering was a repeat of the vice investigation course with an added emphasis on the Georgia Racketeer Influenced and Corrupt Organizations Act.

STATETEAL INTELLIGENCE CONFERENCES

Twelve organized crime intelligence conferences were held in 1981. This brings the total number of conferences from their inception on September 18, 1972, through December 31, 1981, to one hundred thirty-seven (137). Representatives from twenty federal agencies—Bureau of Alcohol, Tobacco and Firearms; Drug Enforcement Administration; Federal Bureau of Investigation; Federal Trade Commission; General Services Administration; Internal Revenue Service; Organized Crime Strike Force, Customs, Federal Trade Commission, Federal Bureau of Investigation, and others.

As before, representatives of the Federal Bureau of Investigation, U.S. Secret Service, and The Federal Reserve Board also attended. Conference topics included organized crime activity in the coal industry, fraud and other white-collar crimes, and related topics.

U.S. Department of Justice; Securities & Exchange Commission; U.S. Atty's Office; U.S. Customs Office; U.S. Immigration Service; U.S. Secret Service—plus representatives from the thirty-seven GSIN agencies, meet to exchange intelligence on organized criminal activity. Confidence gained in each other from these meetings has led to the joint federal, state and local operations and the targeting of organized criminals and their associates for further investigation.
The Georgia Organized Crime Prevention Council supported the following legislation that was prepared and presented in the 1982 General Assembly:

H.B. 723, a law that allows no bond for known or repeat drug traffickers;

H.B. 1218, that created a forfeiture of drug assets; this law has the potential to provide enough funds for the majority of drug enforcement efforts;

H.B. 1349, a law which expands the definition of drugs to include the sale of any substance purported to be a narcotic;

H.B. 1455, which moved methamphetamine from Schedule II to a Schedule I drug;

S.B. 479, crossing the felony offense of trafficking in methamphetamine;

S.B. 480, a bill changing existing law to require that large transactions be reported to the State Banking or Revenue Commission; this helps to identify major suppliers and provides information by which known violators can be checked; and

H.B. 813, Amended RICO Statute. The RICO statute provides the basis for prosecution of organized criminal elements and it is a significant tool in fighting organized crime and preventing its infiltration into legitimate business. The original bill that passed in 1980 had several errors of omission which significantly weakened the intended effectiveness of the act.

The principal amended provisions of the act are as follows:

Makes it clear that wiretaps can be used in racketeering cases; under the 1980 law, it was clear that wiretaps could be used in civil cases but not in crimes in Georgia. A court agreement. The clear matter that the evidence derived from such wiretaps could be used in a case brought under RICO.

H.B. 813 adds new predicate offenses, including felony violations of the Georgia Securities Act of 1973 and conduct defined as racketeering under federal RICO. Violations of federal law such as interstate transportation of stolen property and the federal controlled substances act could not serve as predicates under the 1980 act.

The amended RICO statute also includes the following provisions:

Makes felony violations of other states’ and federal laws dealing with murder, robbery, theft, receipt of stolen property, larceny, extortion, obstruction of justice, dealing in narcotics or dangerous drugs, or dealing in securities, also evidence of racketeering under Georgia RICO.

Revises the word “person” in the definition of an enterprise; several legal commentators concluded that omission of this word from the original act prohibited the conviction of one person under the Georgia act unless othet persons were also charged and convicted.

Excludes any period of imprisonment from the requirement that acts of racketeering occur within four years of each other;

Requires concurso violate to violate the RICO act as a substantive offense; this provision is found in the federal and all of the other state RICO's but was specifically omitted from the House Floor substitute enacted in 1980.

Requires that a RICO forfeiture be instituted within a reasonable time after seizure; the 1980 law required filing within 30 days. In at least five known cases that the court did not know they had seized evidence of a racketeering operation until after the 30 days had passed.

Allows in to person in action to be brought in lieu of an in rem; this permits all of the proceedings to be brought in a single jurisdiction.

Provides for reciprocity with other states having RICO acts.

Specifies that venue in RICO cases is in the county where racketeering occurs or in which the interest or control of the enterprise is acquired or maintained;

Provides that conviction for an offense which constitutes an incident of racketeering does not disqualify anyone as such incident as evidence of an act of racketeering in subsequent prosecution.

Another amendment deals with RICO lien notices. Under the 1980 racketeers could effectively defeat the RICO forfeiture provisions by owning real property in secret land trusts or other secret devices and immediately liquidating these arrangements and removing the proceeds from the jurisdiction. As a result, notwithstanding the forfeiture law, the racketeer was able to retain his illicit gains and subsequently recover those proceeds or utilize the money for funding additional criminal enterprises. In other words, aided by secret ownership, the drug dealer for instance, charged with a violation of the RICO act, would immediately upon the filing of a RICO forfeiture action dispose of the real property and remove the proceeds either from the jurisdiction of the authorities or otherwise make it almost impossible for the authorities to locate the proceeds. The amended RICO lien provision permits the state, upon the filing of a civil RICO proceeding, to file in the public records of any county in the state a RICO lien notice that would create a lien on certain real property and other interests in real property owned in the county of filing by the defendant against whom the RICO proceeding has been instituted.

Another provision states that a rentier is faced with a notice to report the names of the beneficiaries in the investigatory agency, but the trustee would also be responsible to the state if it is thereafter conveyed title to the real property for the proceeds paid to or distributed by the trustee to the beneficiary against whom a RICO lien notice was filed.

The amended law also requires foreign corporations to file a short form annual report with the Georgia Secretary of State prior to investing in Georgia real estate. This provides a method through the registered agents for the State of Georgia to obtain pertinent information about their corporations.

The amendment also strengthens the RICO forfeiture of organized crime figures of real property. By creating a lien through the filing of a RICO lien notice, persons will be hesitant to purchase real property in the name of the individual named on the lien notice, or purchase directly from this individual an interest in the trust, since they would be subject to the RICO lien notice and the possibility that the property would be forfeited to the State of Georgia. The statute broadly defines "beneficial interest" to include any indentured interest in land, the legal or record notice to which is held by another person for the benefit of the person against whom the RICO lien notice has been filed. This would not only cover express trusts but also informal agreements or understandings not reduced to a specific agreement. The statute also permits the RICO lien notice to apply to fictitious names and aliases used if filing the person charged with the violation.

In regard to trust agreements, the RICO lien notice will also operate to place restrictions on the transfer by the trustee of real property which he holds for beneficiaries against whom a RICO lien notice has been filed. Since drug dealers very rarely restrict the transfer by the trustee to the beneficiaries or others involved in illegal activities from acting as trustees for drug dealers. This will further eliminate the source of trustees for drug dealers.

By seriously restricting transfer by drug dealers and other organized crime figures of real property by the time a RICO proceeding is initiated against them, it is hoped that the State of Georgia will be able to ascertain the whereabouts of the real property and initiate forfeiture proceedings of the real property to the State of Georgia in the event of a violation of the RICO act in regard to the real property can be proven. On the other hand, in order to protect certain rights, the amendment does not preclude continuing use of the property nor does it interfere with proceeds such as rents received from the property until such time as the forfeiture proceedings are rendered in favor of the State of Georgia. All that the lien notice effective does is to preclude any further interests in the property either by way of sale, mortgage, lease, etc. It is further hoped that by making disposition on short notice impossible for a drug dealer that it will assist in dissuading narcotics smugglers and organized criminals from investing illegal proceeds in Georgia real estate.

The second part of the legislation requires that foreign corporations file a short form notice with the Georgia Secretary of State and to designate a registered agent prior to acquiring or conveying and interests in Georgia real property. A foreign corporation is defined to mean any corporation organized under the laws of any state or foreign jurisdiction other than the State of Georgia or any other state of the United States and who has not already qualified to do business in the State of Georgia. The necessary form to be filed is different from one for qualification to do business in the state and is simply the annual report form. The statute further provides that the acquisition of an interest in property is not doing business in the State of Georgia but the filing of the form is necessary. Required. Further, the filing of the form does not in and of itself subject the corporation to jurisdiction in the State of Georgia for any matters and cannot be said by the State of Georgia or any other entity except in regard to RICO matters. By requiring such notice, it is hoped that the State will have someone in the state through the registered agent to contact and discuss regarding the corporation. It is felt that the corporation has a shareholder or shareholder involved in drug-related business or other organized crime activities until the matter has been resolved.

The lien proposal also requires the trustee, upon obtaining actual knowledge that a RICO lien notice has been filed against one of the beneficiaries, to immediately advise the investigatory agency. This should help enforce actions. This will also have the effect of preventing anyone ever being involved in any illegal activities from acting as trustee for drug dealers. This will further eliminate the source of trustees for drug dealers.
1982 FORECAST

The Georgia Organized Crime Prevention Council will continue in 1982 the intrastate efforts of coordinating the Georgia State Intelligence Network, the Locals to Help Locals special project, and a newly created Metropolitan Area Narcotics network. At the interstate and international level the Council will continue its efforts in the Leviticus Project. Major emphasis at all levels will be given to deterring the enormous statewide drug problem. Escalation of increased national organized crime influence will be monitored throughout the year. In the training area, the Council will join in the task force approach to develop advanced training courses for prosecutors and agents in the area of major conspiracy violations.

APPENDICES
1. Organized Crime Prevention Council Act
To create the Organized Crime Prevention Council to provide for assignment of the council to the Board of Public Safety for administrative purposes; to provide for the members, officers, qualifications, duties, powers, authority, appointments, terms of office and vacancies; to provide for meetings; to provide for expenses; to provide for a director and other staff personnel; to provide for rules and regulations; to preserve the powers of certain state agencies; to provide for procedures connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. There is hereby established the Organized Crime Prevention Council of the State of Georgia which is assigned to the Department of Public Safety for administrative purposes only, as prescribed in Section 3 of the "Executive Reorganization Act of 1972" (Ga. Laws 1972, p. 1015), as amended.

Section 2. (a) The Organized Crime Prevention Council shall be composed of eight members who shall be, by virtue of their training or experience, knowledgeable in the prevention and control of organized crime, and one of which must be a member on the Board of Public Safety. 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.

(b) 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.

Section 3. (a) The council shall elect a chairman and vice-chairman from its members to serve at the pleasure of the council and may appoint such committees as it considers necessary to carry out its duties.

(b) The council shall meet once each alternate month. Additional meetings may be held on the call of the chairman or at the written request of any three members of the council.

(c) 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 such member of the council is in attendance at a meeting of such 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 now received by any such member for such attendance.

Section 4. (a) The council may appoint a director who shall serve at the pleasure of the council.

(b) The director may contract for such services as may be necessary and authorized in order to carry out the purposes of this Act and may employ such professional, technical, and clerical personnel as deemed necessary to carry out the functions of this Act.

Section 5. (a) The council is hereby authorized to promulgate and adopt rules and regulations consistent with this Act which are necessary for the performance of its duties.

(b) The council shall develop and coordinate strategies and plans to attack and control organized crime, such as:

(1) Creation, guidance and counseling of the Georgia State Intelligence Network (GSIN);
(2) Coordination of joint federal, state and local intelligence conferences;
(3) Providing organized crime and intelligence training courses;
(4) Preparation of annual reports and annual confidential reports on Georgia’s organized crime problems;
(5) Development of an annual organized crime legislation package;
(6) Coordination of international, national, and statewide special projects to combat organized crime;
(7) Providing advice and counsel to the Governor; and
(8) Informing the public of the menace of organized crime and the threat it poses to the citizens of Georgia.

(c) Notwithstanding any provision in this Act to the contrary, the Organized Crime Prevention Council shall not exercise any power, undertake any duty, or perform any function presently or hereafter assigned by law to the Governor, the Attorney General, or any prosecuting or investigatory agency at the state or local level.

Section 6. This Act shall become effective on July 1, 1981.

Section 7. All laws in conflict with this Act are hereby repealed.

Approved March 20, 1980.

2. Council Bylaws
BY LAWS
(adopted and amended)
October 1981
ORGANIZED CRIME PREVENTION COUNCIL
ARTICLE I
(Name)
The name of this organization shall be the Georgia State Intelligence
Safety Department.
ARTICLE II
(Purposes)
1. To develop and coordinate strategies and plans to attack and control organized crime;
2. To encourage and develop improved intelligence resources in the state and local agencies responsible for combating organized crime;
3. To provide advice and counsel to the Governor of Georgia on ways to prevent and control the intrusion of organized crime into Georgia;
4. To inform the public about the menace of organized crime and the threat it poses to the citizens of Georgia.
ARTICLE III
(Governance)
Section 1: Election.
The Chairman shall with the advice of the Council, select and so designate the chairmen of each committee or subcommittee.
Section 2: The Organic Crime Prevention Council for the purpose of the bylaws, shall hereinafter be referred to as the Council.
Section 3: All appointed members of the Council shall have equal voting rights on all matters brought before the Council.
Section 4: The members of the Council shall not be entitled to compensation for their services, but all members shall be entitled to receive the same expense allowance per day as shall be 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 other reimbursements 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.
Section 5: The names of any members of the Council who are personally absent from two (2) meetings of the full Council during any one twelve-month period shall be forwarded to the Governor for consideration of the reasons for such absences and for consideration of removal from office, and such absences shall be deemed sufficient grounds for dismissal.
ARTICLE IV
(Officers)
Section 1: Election.
There shall be elected from the general membership of the Council's Chairman and a Vice Chairman to serve as 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.
Section 2: Duties, Appointment of Committees, etc.
(a) The Chairman shall provide all meetings 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.
(b) The Chairman shall establish and appoint any special committees or subcommittees as may be deemed necessary by the Council.
(c) The Chairman, upon approval of the Council, may 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.
(d) The Chairman shall be an ex officio member of all committees.
(e) The Vice Chairman shall perform all duties of the Chairman in his absence of the Chairman, or in the event of the inability of the Chairman to act, and shall perform such other duties as the Council may delegate to him.
ARTICLE V
(Committees)
Section 1: The Executive Committee shall be composed of the Chairman, Vice Chairman and one at-large member named by the Chairman. This 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.
Section 2: The committees or subcommittees designated by the Chairman and the Council as being needed shall meet at the call of their chairmen, with a majority of the members of a committee constituting a quorum.
Section 3: Each committee or subcommittee may consider programs or methods and types of research that will be helpful in the accomplishment of the Council's goals and objectives.
ARTICLE VI
(Staff)
Section 1: The Organized Crime Prevention Council shall be authorized to appoint a full-time director and other personnel, professional or clerical, on a full- or part-time basis as may be deemed necessary to work with the Council in discharging its duties.
ARTICLE VII
(Funds)
Section 1: The Council shall have the authority to accept funds from any source and apply such funds to the accomplishment of the Council's goals and objectives.
ARTICLE VIII
(Meetings; Authority; Quorum; Voting)
Section 1: (a) The Council shall meet regularly four times each year at the call of the Chairman. Special meetings may be held by the Chairman when deemed necessary and in the best interest of the Council. Committees shall meet at the call of their chairmen.
(b) 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.
Section 2: (a) 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.
(b) A majority of the Council shall constitute a quorum at any regular or special meeting, and a majority vote of those present is required for the approval of any action of the Council, unless otherwise provided elsewhere.
(c) The Council may designate to its members or professional staff such duties as it may deem necessary in fulfilling its objective.
(d) The Council shall not have investigative authority.
ARTICLE IX
(Georgia State Intelligence Network)
Section 1: Administered 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 decision but is not restricted thereto: needs, benefits to applicant, Council size, applicant agency as well as extent of its organized crime problems in general. Applicant agency will complete a form to be used in furthering the Council's goals and objectives.
The fiscal officer of the Department of Public Safety shall be the fiscal officer of the Council.
organization and functions of the applicant agency’s intelligence unit: names of three or more intelligence units that applicant agency has contacted recently: and letter of sponsorship from existing member agency.

Section 2:
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 that is felt to be 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 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.

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 purpose for which it is organized.

ARTICLE X
(Amendment of Bylaws)

Section 1:
(a) Amendments to these bylaws may be presented at any meeting but shall not be considered for passage until the next regular or special meeting.
(b) Any proposed change in the bylaws shall be submitted to the Council members in the notice of the meeting.

ARTICLE XI

Section 1:
Roberts Rules of Order shall govern in all cases in which they are not inconsistent with the bylaws and the standing rules and orders of the Council.