



Checklist for Establishing New Police Departments

The Georgia Association of Chiefs of Police (GACP) developed this document to assist local officials that are considering establishing a law enforcement agency. The document may not be inclusive; consequently, local officials should coordinate the development of the new police department with their city/county attorney. For further information, contact GACP Executive Director Frank Rotondo at 770.495.9650.

1. Verify that the City Charter authorizes the establishment of a police department. If the agency will be a county police department, the agency must be approved by the voters (see OCGA 36-8-1 thru OCGA 36-8-7 for more information).
2. Contact Georgia Bureau of Investigation (GBI/GCIC 404.244.2601) to have an ORI number assigned to the agency (see OCGA 35-3-33, OCGA 35-3-36 and Official Rules of Georgia Crime Information Center (GCIC) and via the web at: http://gbi.georgia.gov/00/channel_title/0,2094,67862954_74028473,00.html for more information).
3. Contact Peace Officer Standards and Training Council (POST 770.732.5604) Council to advise POST of the new agency. POST will require the municipality to provide a copy of the council meeting's minutes which authorized and/or approves the establishment of a police agency (see OCGA Title 35, Chapter 8 Employment and Training of Peace Officers for more information). POST is responsible for auditing agencies for compliance with POST Rules and Regulations. This includes officers' annual training requirements as well as certification requirements (see OCGA Title 35, Chapter 8 Employment and Training of Peace Officers for more information).
4. Immediately contact the Georgia Association of Chiefs of Police (GACP 770.495.9650) about enrolling the new police chief or law enforcement head in the mandatory Chief Executive Training class. If the agency fails to send the new Police Chief / Head of a Law Enforcement Agency (must be a sworn officer), substantial liability applies (see OCGA 35-8-20.1 for more information). After the new police chief or law enforcement head is selected, he/she should be involved with the organization and management of the agency. He/she is usually responsible for a wide variety of activities including: selection of sworn officers, selection of other personnel, selection of uniforms; development of policy and procedures; selection of patrol vehicle; and selection of other police equipment and supplies. It should be noted that the law enforcement head (e.g., police chief, director, etc.) must be a certified peace officer pursuant to OCGA 35-1-12.
5. Verify that the city/county court clerk is familiar with the collection of all of the add-on fees* such as:

Alternative Dispute Resolution
City General Fund

Clerks' Retirement Fund
County General Fund
County Jail Fund
Drug Abuse and Treatment Education
Indigent Defense Application Fee
Law Library
Peace Officers Annuity and Benefit Fund
Probate Retirement Fund
Probation Fees
Crime Lab Fee
Photo Publication Fee
Restitution
Sheriffs' Retirement Fund
Crime Victims Compensation Fund
Local Crime Victims Compensation Fund
Brain and Spinal Injury Trust Fund

**It should be noted that the Georgia General Assembly may add to list. Consequently, to verify that the most current information is available, see OCGA 15-6-95 and OCGA 15-21-10. Call 404-327-7320 or 866-847-4058 or via the web at <http://www.courttrax.org/reportsCanned.asp> and <http://www.courttrax.org/contact.asp>*

6. If the new agency will be enforcing anything other than State and Federal laws, adopt local ordinances for the police department to enforce.
7. Review the jurisdiction's (city or county) signed HB 489 agreement (see OCGA 36-70-21, **Service Delivery Strategy**). Contact the Georgia Department of Community Affairs (DCA) at 404.679.4940 to obtain a copy of the **Service Delivery Strategy**. This signed agreement will specify how law enforcement services are to be delivered.
8. Contract the agency (usually the Sheriff) that will house your prisoners and make arrangement for a contract for housing inmates (again, see Service Delivery Strategy, see OCGA 36-70-21 or call DCA at 404.679.4940 to obtain a copy of the Service Delivery Strategy).
9. Contact the agency (usually the 911 Center) that will provide dispatch services for your agency (again, see Service Delivery Strategy, see OCGA 36-70-21 or call DCA at 404.679.4940).
10. Contact Department of Public Safety (DPS 404-624-7000 or 404.624.7477) before any speed enforcement begins using any type of speed detection devices. Several requirements must be met before radar or similar type devices can be used by local police (see OCGA 40-14-2 thru OCGA 40-14-24 for details).
11. Assuming the new agency will be providing traffic enforcement, verify that the agency's vehicle are properly marked with the proper equipment for traffic enforcement (see OCGA 40-8-91 for more information).
12. Develop comprehensive policies and procedures for the operations of the police department (see OCGA 36-8-7 for county police and OCGA 35-1-14 regarding pursuit policies for additional information). For assistance with the development of a policy and procedures manual, contact the Georgia Association of Chiefs of Police at 770.495.9650 and see the link below for a sample manual: http://www.gachiefs.com/DeptResrcs_SamplePolicyManual.htm

13. Contact Risk Management with the Georgia Municipal Association (GMA 678.686.6280) or other insurance provider for liability insurance coverage for the agency (see OCGA 36-33-1 "...there is no waiver of the sovereign immunity of municipal corporations...").
14. Order a copy of the publication from the U.S. Department of Justice entitled: Guidelines for Starting and Operating a New Police Department:
<http://www.cops.usdoj.gov/ric/ResourceDetail.aspx?RID=104>
15. Should a local government decide to abolish or disband their law enforcement agency, the jurisdiction should reverse these procedures to properly close down the agency. The jurisdiction's **Service Delivery Strategy** (SDS) should to be updated and a revised copy of the SDS sent to the Georgia Department of Community Affairs. It is imperative that the following agencies are notified of the local government's decision to disband or abolish the law enforcement agency:
 - o Georgia Department of Community Affairs (DCA) – SDS;
 - o Georgia Crime Information Center (GCIC - GBI);
 - o Georgia Peace Officers Standards and Training Council (GPOSTC);
 - o Georgia Superior Court Clerks' Cooperative Authority; and
 - o Georgia Association of Chiefs of Police (GACP).