

## **Internal Investigation**

**Public Safety Response to  
Robert Timothy Spriggs, Jr. Incident**

**December 1, 2009**

**Captain Mark W. Wallace  
Floyd County Police Department**

On November 17, 2009 at 16:51:23 Floyd County Police Officers were dispatched to a reported shooting incident with a male victim [Greg Davis] down in the front yard of 4565 Old Dalton Rd. Also on November 17, 2009 at 17:03:10 Rome Police Officers were dispatched to 127 East Clinton Drive, the location of another shooting incident involving a male victim [Scott Sulsberger]. Due to a complaint by Pat and Monty Montgomery in regards to the length of time that was required for police to respond, an internal investigation was ordered into the response of public safety members to these two incident locations. The following represents a synopsis of the events that occurred from the beginning of this case on November 17, 2009 until Robert Timothy Spriggs, Jr. was taken into custody.

On November 17, 2009 at 16:34:51 a "hang-up" call from Greg Davis' cell phone was received in the Floyd County 911 center. This call was answered by Operator Becky Dean. Operator Dean attempted to make a call back to the cell phone but received the voice mail recording. At this time there was no connection made between this call and any impending incidents nor was information of this phone call relayed to other dispatchers. When questioned about this event, Operator Dean did not remember the specific hang-up call nor did she remember hearing the name on the voice mail greeting when she called the number back. According to Operator Dean it is protocol to not leave a message when calling a hang-up call back on a cell phone. She stated that when she returned the call as soon as the voice mail picked up she probably disconnected prior to hearing the name.

On November 17, 2009 at 16:37:35 Tiffany Sulsberger called the Floyd County 911 Center and spoke with Operator/Supervisor Renee Baldwin. Ms. Sulsberger reported an emergency and informed 911 that her sister [Holly Davis] had been choked the previous weekend by her ex-boyfriend [Robert Timothy Spriggs] resulting in a restraining order being issued. During the Q & A with Operator Baldwin, Ms. Sulsberger also reported that her sister's [Holly Davis] ex-boyfriend [Robert Timothy Spriggs] was calling Holly's cell phone repeatedly from Ms. Sulsberger's father's [Greg Davis'] cell phone leading Ms. Sulsberger to believe that Spriggs had Greg Davis. According to Ms. Sulsberger,

Spriggs was telling Holly Davis to meet him. During the phone call, Ms. Sulsberger requested that someone come to her residence because he [Spriggs] knew where she lived. After 7 minutes and 48 seconds of conversation between Ms. Sulsberger and Operator Baldwin, Ms. Sulsberger was placed on hold. At 16:45:39, Operator Baldwin called the Floyd County Board of Education in an attempt to see if Greg Davis was still at work; however the Board of Education was closed and no contact was made. At 16:47:18, Operator Baldwin resumed the telephone call with Ms. Sulsberger. When the call resumed, Ms. Sulsberger told Operator Baldwin that her husband [Scott Sulsberger] was now on the phone with Spriggs, and Spriggs was telling Scott Sulsberger that if Spriggs doesn't talk to Holly in ten seconds he was going to kill her dad and that he has her dad. During this time, Operator Baldwin asked a county investigator to call her. At approximately 16:48:04 Operator Baldwin placed Ms. Sulsberger on hold while she spoke with Investigator Holbrook. Operator Baldwin relayed to Investigator Holbrook the parties involved, and reported Spriggs' threat to Scott Sulsberger via Mr. Greg Davis' phone that Spriggs would harm Mr. Davis if Holly Davis did not meet with Spriggs. Operator Baldwin also relayed to Investigator Holbrook the addresses of Spriggs' parents, Greg Davis, and the Sulsbergers. Operator Baldwin did not report to Investigator Holbrook that anyone other than Mr. Davis might be in danger. During this conversation Investigator Holbrook asked Operator Baldwin if the call could be tracked. Operator Baldwin stated that she has not gotten that far yet. Baldwin then asked Holbrook if he just wanted to call these people and lead them through what to say to Spriggs. The phone call between Operator Baldwin and Investigator Holbrook ended at approximately 16:50:24. At that point, Operator Baldwin resumed the phone conversation with Ms. Sulsberger. Ms. Sulsberger then informed Operator Baldwin that, "we need the police here now. We need the closest person. He said he [Spriggs] knows where we are." Operator Baldwin tells Ms. Sulsberger that she needs to hang up and an investigator is going to call her. Operator Baldwin then tells Ms. Sulsberger that "*we are going to get a patrol officer on the way to your house.*" Investigator Holbrook did not call Ms. Sulsberger due to the call of the shooting at 4565 Old Dalton Rd. being dispatched less than one minute after he disconnected with Operator Baldwin.

At 16:51:23 Floyd County Officers are dispatched to 4565 Old Dalton Rd. to a reported shooting with the victim down in the front yard. Responding officers are advised that the shooter is still on the scene. Investigator Holbrook is told by 911 Operator Gray that *"this is what Renee [Operator Baldwin] was talking to you about."* Holbrook advised that he was en route to Old Dalton Rd. At 16:56:05 responding County Units were advised that the suspect may have left the scene in a yellow Jeep with no direction of travel.

At 16:56:58 Operator Baldwin telephoned Ms. Sulsberger. During this phone call Operator Baldwin asked Ms. Sulsberger what kind of vehicle Spriggs drove. Ms. Sulsberger advised Operator Baldwin that Spriggs drove a newer model hard-top Jeep Wrangler gold or champagne in color. Ms. Sulsberger also told Operator Baldwin that her dad [Greg Davis] drove an older model blue GMC Jimmy. The phone conversation was paused. The information about the Jeep Wrangler and physical description of Robert Spriggs was broadcast to all tacs by Operator Baldwin. During this update, Operator Baldwin advised City Units (RPD) that "the girlfriend that he [Spriggs] is upset with is at 127 East Clinton. He has threatened to go to that location. He might go to the graveyard behind Rome Cinemas where his mother is buried." This is the first notification to any Rome Police Unit that Mr Spriggs may go to East Clinton Drive.

At 17:01:24 Operator Baldwin resumed the phone conversation with Ms. Sulsberger. 46 seconds into this portion of the phone call Ms. Sulsberger hears that there have been shots fired on Old Dalton Rd. At this point Scott Sulsberger gets on the phone and asks Operator Baldwin *"why is there not a police officer here now, we called twenty minutes ago?"* Shortly after Scott speaks, a female is heard in the background and contact is lost with everyone at 127 East Clinton Drive. This phone call ended at approximately 17:02:54.

At 17:01:44, FCPD Officer Minter arrived on scene at 4565 Old Dalton Rd.  
(Approximately 9 minutes, 41 seconds after call is dispatched)

At 17:03:10 Rome Police Department Units 98,97,86,35 were dispatched 10-18 (hurry) to 128 East Clinton Drive by 911 Operator Nichole Askew. At 17:03:49 FCPD Captain Lemming was advised by Operator Gray about losing contact with the people at East Clinton Drive and that there was a lot of screaming. She further advised that city units were en route. Operator Baldwin attempted three return calls to Ms. Sulsberger's cell phone but only received the voice mail greeting.

At 17:06:17 Rome Police Officer Lee Bowden (#35) arrived on the scene at East Clinton Drive. (Approximately 3 minutes, 7 seconds after call is dispatched).

At 17:06:23 FCPD Lt. Dana Collum activated SWAT.

At 17:06:55 Rome Police Officer Bowden advised that he has someone shot on East Clinton. In the background of Officer Bowden's radio traffic, Scott Sulsberger can be heard saying "I'm shot, I'm shot". Rome Police Officer Vaughn arrived on the scene to assist Officer Bowden as did FCPD Sergeant Danny Logan. Shortly after, Officer Bowden radioed that Scott Sulsberger and two other people jumped from the porch at 127 East Clinton Drive, and Bowden said that he [Bowden] is going to get them. A short time later, Scott Sulsberger was placed in the back of a truck by the responding officers and carried to the ambulance that had staged at the community swimming pool. Rome Officer Bowden advised that there were still small children in the house. Sgt. Logan advised that the suspect had a handgun and a shotgun and that he [Spriggs] was still in the residence and that there were still at least 2 other people in the residence at 127 East Clinton.

FCPD Sgt. George Lemming advised that he was on the phone with someone known as "Mo" and that Mo was telling him that he was talking to Spriggs and that he believed Spriggs was running through the woods. Captain Lemming further advised that Mo said that Spriggs was real agitated and said for everyone to quit calling him. Captain Lemming said that Spriggs may have lied about being in the woods, and he [Spriggs] may still be inside holding those people in the house. FCPD Chief Shiflett advised Capt.

Lemming to attempt to determine the type of cell phone in order to possibly get a GPS Tracking of the phone. At 17:32:35 911 Operator Baldwin made contact with the AT&T Call Compliance Center to initiate a GPS Tracking of Spriggs phone.

At approximately 17:47:57 The S.W.A.T. Team arrived at East Clinton. By 18:02:48 the S.W.A.T. Team had made entry into 127 East Clinton and advised that they were coming out with two hostages. Mr. Spriggs was not located inside during the search of the residence.

At approximately 17:40: FCPD Sgt. Investigator Jeff Jones received a call from Robert Spriggs, Sr. in reference to his son who stated "I know he did wrong but I don't want y'all to kill him." Spriggs Sr. stated that he thought that Spriggs Jr. may already have been shot. Shortly after that, Jeff Jones had a phone conversation with Sheriff Tim Burkhalter. Sheriff Burkhalter told him that Spriggs Jr. wanted to turn himself in to either Jones or Burkhalter. Burkhalter was in Savannah at the time of this incident. A few minutes after Jones conversation with Burkhalter, Spriggs Jr. called Jones and said "I need some help, I don't want to get hurt, please don't kill me." Jones asked him where he was, and Spriggs said he didn't know. Spriggs Jr. explained how he had run when he left the residence. From that information Sgt. Jones accompanied by Major Tommy Shiflett travelled to a residential area off of Wilkerson Road in an attempt to locate Spriggs Jr. Sgt. Jones continued talking with Spriggs on his cell phone trying to locate the wooded area where Spriggs was. Eventually, through the use of Major Shiflett's siren, Spriggs was able to locate them and came out of the woods. Jones and Shiflett saw him [Spriggs] come out of the woods. They exited their car and approached Spriggs. They ordered him to lie on the ground. At approximately 18:13:40 Robert Timothy Spriggs Jr. was taken into custody and transported to the Floyd County Police Department.

## Findings

In regards to 127 East Clinton Drive, there was a delay in Police Officers arriving on the scene. This delay was caused by the failure of 911 Operator Baldwin to notify Police in a timely manner of the potential danger posed to the residents at 127 East Clinton Drive. At approximately 16:41:46 (4:41 P.M.) Tiffany Sulsberger asked for someone to come to her residence because Robert Timothy Spriggs, Jr. knew where she lived. Again at approximately 16:50:24 (4:50 P.M.), Ms. Sulsberger very excitedly, told Operator Baldwin *"We need the police here now. We need the closest person. He said he knows where we are."* Operator Baldwin's response to this was that she was going to have a county investigator to call her and *"we are going to get a patrol officer on the way to your house."* Operator Baldwin did not dispatch or cause a Rome Police Unit to be dispatched to Ms. Sulsberger's address at that time. Investigator Holbrook never made the phone call to Ms. Sulsberger due to receiving the radio call of the shooting at 4565 Old Dalton Road less than 1 minute after completing the phone call with Operator Baldwin. Investigator Holbrook was never informed by Operator Baldwin that the individuals at 127 East Clinton feared that they were in danger. Investigator Holbrook was only informed of a concern about the safety of Mr. Greg Davis. At approximately 17:01:04 (5:01 P.M.) Operator Baldwin broadcasted a "lookout" to all tacs concerning Mr. Spriggs and his vehicle. During this broadcast she advised Rome Police Units that the girlfriend [Holly Davis] that he [Spriggs] is upset with was at 127 East Clinton Drive, and he [Spriggs] has threatened to go to that location. This is the first notice to Rome Police relating to 127 East Clinton Drive. During the final phone conversation between Operator Baldwin and Ms. Sulsberger, Scott Sulsberger took the phone and asked *"why is there not a police officer here, we called twenty minutes ago."* Contact is then lost with the Sulsberger residence at approximately 17:02:54 (5:02 P.M.). Only then are Rome Police Units dispatched to 127 East Clinton Drive at 17:03:10 (5:03 P.M.). Rome Police Officer Lee Bowden arrived at the East Clinton address in just over three minutes from the time the call is dispatched. However, Officer Bowden's arrival was almost 26 minutes after Ms. Sulsberger's initial call to 911.

During an interview, Operator Baldwin acknowledged that she did not think that the immediate danger was at East Clinton but that the immediate danger was wherever the dad was. In regards to Ms. Sulsberger saying "we need someone here now," Operator Baldwin responded "at that point I had an Investigator on the way." When Operator Baldwin was asked what could have been done differently, she replied "send a city unit to her [Ms. Sulsberger's residence], send a county unit to go check on dad [Mr. Greg Davis], a lot of whole different stuff."

In regards to 4565 Old Dalton Rd, Officer Tim Minter arrived on scene in 10 minutes and 21 seconds from the time the call of the shooting was dispatched. His response was slowed somewhat by a house fire in the 1400 block of Old Dalton Rd. Due to Old Dalton Rd being blocked in the 1400 block, Officer Minter left the house fire incident and backtracked to cross over to Hwy. 27-N. Officer Minter travelled on 27-N to Hwy 140. He then took Hwy 140 to Old Dalton Road. Officer Minter stated that during his response there was very heavy rainfall. Officer Minter, who was the first public safety officer on the scene, stated that Greg Davis was deceased upon his arrival. Although Operator Baldwin received information that Mr. Davis' residence was located at 4565 Old Dalton Road four minutes into the initial conversation with Ms. Sulsberger which began at 16:37:35 (4:37 P.M.), Operator Baldwin did not relay this information to any Floyd County Police Officer until her phone call with Investigator Holbrook at approximately 16:48:04 (4:48 P.M.). However, information about Spriggs from the onset of the original E911 call by Ms. Sulsberger was received by Operator Baldwin via conversations Holly Davis received from phone calls from Spriggs who was utilizing Greg Davis' cell phone. The hang up call from Mr. Greg Davis' cell phone at 16:34:51 (4:34 P. M.) and Spriggs utilization of Mr. Davis' cell phone from the beginning of the initial call by Ms. Sulsberger at 16:37:35 (4:37 P.M.) indicate that Mr. Davis may have already been a victim of the shooting by the time that Tiffany Sulsberger called 911.