

IN THE SUPERIOR COURT OF CANDLER COUNTY  
STATE OF GEORGIA

LIONEL SEABROOKS, as  
Administrator of the Estate  
of Fanecia Holloway, deceased  
& as Conservator of Adrianna  
Seabrooks, a Minor Child,  
CIVIL ACTION NO.  
Plaintiff,  
16CV161  
vs.

METTER, GEORGIA and  
CHARLIE MINCEY,  
Defendants.

VIDEOTAPED TELEPHONIC DEPOSITION OF  
CHIEF ROB SHORE  
March 28, 2018  
1:28 p.m.  
690 South Lewis Street  
Metter, Georgia

Thomas J. Dorsey, RPR, CCR-2781

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11	22	Internet article entitled 6
12		Rob Shore to be sworn in
13		today as police chief

(Original Plaintiff's Exhibits A and 22  
have been attached to the original transcript.)

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(Reporter disclosure made pursuant to  
Article 10.B. of the Rules and Regulations of the  
Board of Court Reporting of the Judicial Council of  
Georgia.)

(Plaintiff's Exhibit A was marked for  
identification.)

MR. BUTLER: This will be the deposition  
of Chief Rob Shore --

THE WITNESS: Correct.

MR. BUTLER: -- taken pursuant to notice  
and agreement. It's taken pursuant to the Civil  
Practice Act for all purposes permitted by the  
act including use at trial.

I've marked as Exhibit A a copy of the  
notice of deposition.

All right. Let's go on video unless  
there's any objection to that.

MR. MULLENS: No problem.

THE VIDEOGRAPHER: Going on video  
March 28th, 2018, 1:28 p.m.

Court reporter, will you swear in the  
witness, please?

CHIEF ROB SHORE,  
having first been duly sworn, was examined and  
testified as follows:

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1 EXAMINATION  
 2 BY MR. BUTLER:  
 3 Q. Chief Shore, my name is Jeb Butler. I  
 4 know we've just met. I'll be asking you some  
 5 questions today.  
 6 A. Yes, sir.  
 7 Q. If I ask you a question that doesn't make  
 8 any sense let me know and I'll rephrase it.  
 9 A. Okay.  
 10 Q. Have you ever given a deposition before?  
 11 A. No.  
 12 Q. This won't be long. I'm sure you've  
 13 testified in court many times before.  
 14 A. Yes, sir.  
 15 Q. And it's very similar to that except  
 16 really less formal because there ain't no judge here.  
 17 A. Right.  
 18 Q. If you do answer a question I'll assume  
 19 that you understood it. Is that fair?  
 20 A. That's fair.  
 21 Q. And then if you ever need a break at any  
 22 time for any reason let us know and we'll take one.  
 23 A. No problem.  
 24 Q. When did you become the chief of the  
 25 Metter Police Department?

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1 A. January of this year.  
 2 Q. And what did you do before then?  
 3 A. I was the captain at the Metter Police  
 4 Department.  
 5 Q. What's the captain do?  
 6 A. What's the captain do?  
 7 Q. Right.  
 8 A. Supervise -- mainly supervise patrol and  
 9 assist the chief in his duties.  
 10 Q. How long --  
 11 A. Basically assist the chief.  
 12 Q. How long were you the captain?  
 13 A. October of 2016.  
 14 Q. Were you with Metter Police Department  
 15 before then?  
 16 A. No, sir.  
 17 Q. So you joined Metter in October 2016 as a  
 18 captain?  
 19 A. Correct.  
 20 Q. Stayed a captain and then became the chief  
 21 January 2018?  
 22 A. Correct.  
 23 (Plaintiff's Exhibit 22 was marked for  
 24 identification.)  
 25 Q. (By Mr. Butler) All right. I was trying

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1 to do some research on you before I got here  
 2 yesterday and I pulled this article off the Internet  
 3 and it just gives some background information. I  
 4 want to ask you if everything in it is right, because  
 5 I know not everything on the Internet is.  
 6 So I'm going to hand you what's been  
 7 marked as Plaintiff's Exhibit 22.  
 8 A. Okay.  
 9 Q. And it is a newspaper article. Give it a  
 10 skim and let me know if what it says is correct,  
 11 please.  
 12 A. That's correct.  
 13 Q. Was January 15, 2018 the day you became  
 14 chief, if you remember? I guess that you were sworn  
 15 in?  
 16 A. It was prior to that, but I was sworn in  
 17 that day. That's correct.  
 18 Q. Okay. It says sworn in on the 16th. Do  
 19 you remember which of those days it was?  
 20 A. I guess it was the 16th I got sworn in,  
 21 but I was actually made official probably a week or  
 22 two before that.  
 23 Q. Okay. Right at the beginning of the year?  
 24 A. Right at the beginning of the year.  
 25 That's correct.

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1 Q. All right. Do you still live in  
 2 Reidsville?  
 3 A. Yes, sir.  
 4 Q. And I noted in that article it said you  
 5 were with the Candler County Sheriff's Office for  
 6 some period of time.  
 7 A. Correct.  
 8 Q. When was that?  
 9 A. It was probably January of 20 --  
 10 somewhere -- it was maybe the middle of 2015 or maybe  
 11 2014, one of them.  
 12 What it was is I was at Tri-Circuit Drug  
 13 Task Force and I was employed by them. When they  
 14 made the new concept with the GBI to a regional drug  
 15 unit my position was then transferred to the  
 16 Candler County Sheriff's Department at some time in  
 17 there and then I was actually paid by them, so I was  
 18 actually employed by them but fully detached to the  
 19 GBI.  
 20 Q. Employed by Candler County but --  
 21 A. I was fully detached to the Georgia Bureau  
 22 of Investigation.  
 23 Q. Okay. All right. As you know, this case  
 24 is about a police chase, a pursuit.  
 25 A. Yes, sir.

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1 Q. Do you believe that there are some  
 2 situations where an officer should not chase someone  
 3 at high speeds?  
 4 **A. Yes, sir.**  
 5 Q. What are those?  
 6 **A. What are those? Well, basically you have**  
 7 **to weigh it out and what the gravity of public safety**  
 8 **versus the need to catch somebody.**  
 9 Q. Okay. Do you think there are some  
 10 situations in which an officer should discontinue or  
 11 stop a high-speed pursuit?  
 12 **A. Yes, sir.**  
 13 Q. And what reasons would an officer have to  
 14 discontinue or stop a high-speed pursuit?  
 15 **A. Public safety becomes an issue, other**  
 16 **people's lives become endangered by the chase and**  
 17 **then that -- weighing that against whatever the**  
 18 **charges may be at the time.**  
 19 Q. Uh-huh.  
 20 **A. Vehicle condition and the manner in which**  
 21 **the person's driving. There's several factors. I**  
 22 **don't think it's one particular thing. It would be a**  
 23 **combination of things.**  
 24 Q. I think I heard you say that one of the  
 25 reasons an officer might decide to discontinue a

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1 high-speed chase is other peoples' lives become  
 2 endangered by the chase?  
 3 **A. Correct.**  
 4 Q. Did I get that right?  
 5 **A. Correct.**  
 6 Q. Okay. Some people say that if an officer  
 7 discontinues a chase all that does is it teaches  
 8 other criminals to run away so that the officer will  
 9 discontinue the next chase. What do you -- how do  
 10 you respond to that argument?  
 11 **A. I don't -- don't really -- it doesn't**  
 12 **bother me about what other people say. It's about**  
 13 **what -- doing the right thing. And so each**  
 14 **individual chase it's on its own merits, so it's --**  
 15 **you know, I don't -- don't worry about what other**  
 16 **people think.**  
 17 Q. If it's the right thing to do, should an  
 18 officer discontinue a chase even if it might  
 19 theoretically encourage that criminal to run again  
 20 the next time?  
 21 MR. MULLENS: Object to the form. You can  
 22 answer.  
 23 THE WITNESS: Just restate the question  
 24 again.  
 25 Q. (By Mr. Butler) Well, I'm going to try.

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1 If it's the right thing to do, should an  
 2 officer discontinue a chase even if it might  
 3 theoretically encourage that criminal or another  
 4 criminal to run again the next time?  
 5 MR. MULLENS: The same.  
 6 THE WITNESS: Correct. Yeah, correct.  
 7 Q. (By Mr. Butler) Okay. I -- I think  
 8 you -- well, let me just ask this way: Do you agree  
 9 that a high-speed chase can endanger the lives of  
 10 others?  
 11 **A. Yes.**  
 12 Q. So do you agree that in order to engage in  
 13 a high-speed chase the offenses that the fleeing  
 14 person is suspected of having committed need to be  
 15 serious?  
 16 **A. Not necessarily.**  
 17 Q. What do you disagree with about that?  
 18 **A. Well, there's a reason why somebody flees,**  
 19 **so you have to take into consideration a lot of**  
 20 **different things. Some people just refuse to stop.**  
 21 **Some people drive in a reckless manner. They were**  
 22 **driving in a reckless manner before the chase**  
 23 **started.**  
 24 **That changes the complexion of the whole**  
 25 **thing all together, in my opinion. So it just --**

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1 **it's a set of circumstances that an individual person**  
 2 **is given and to make that decision.**  
 3 Q. Do you think a high-speed pursuit can be  
 4 justified if the person being chased at high speed  
 5 has done nothing violent?  
 6 **A. Sure.**  
 7 Q. You do?  
 8 **A. I think that there still could -- there's**  
 9 **a possibility that you could have a pursuit too.**  
 10 Q. Well, do you agree that when an officer  
 11 decides whether to initiate or continue a high-speed  
 12 pursuit an officer should balance or weigh the danger  
 13 to the public created by the suspect versus the  
 14 danger created by the chase itself?  
 15 **A. I'll agree with that.**  
 16 Q. Which was more dangerous in this case?  
 17 **A. Couldn't even begin to tell you. I don't**  
 18 **really know the case.**  
 19 Q. Well, that was going to be my next line of  
 20 questioning. I was going to ask what you know about  
 21 the case.  
 22 **A. The only thing that I've heard and it's**  
 23 **just -- of course, it's all rumor, is that the**  
 24 **officers had gone around near the park down here by**  
 25 **the pond. They had a call about a suspicious**

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1 **vehicle. When they got there the vehicle took off at**  
 2 **a high rate of speed, that they tried to get in a**  
 3 **close proximity to see what was going on and a wreck**  
 4 **occurred.**  
 5 **As far as I know, no other vehicle was**  
 6 **involved, just the -- the suspect vehicle was the**  
 7 **only vehicle that was involved, and that's pretty**  
 8 **much all I know. I know there was a wreck and**  
 9 **somebody got ejected and there was a death.**  
 10 Q. Okay. Do you have an opinion as to  
 11 whether or not officer Adrian Montevalvo who was  
 12 involved in the chase should have stopped or  
 13 discontinued the pursuit?  
 14 **A. I -- from what I understand in listening**  
 15 **to everything, I think that he was fully justified in**  
 16 **what he did and that he didn't put anybody else at**  
 17 **risk. The time of day and everything else like that,**  
 18 **I don't believe that he necessarily needed to**  
 19 **discontinue the -- the chase.**  
 20 Q. Okay. Tell me what your sources -- I  
 21 thought you -- tell me what your sources of  
 22 information are for having learned about what  
 23 happened. The reason I'm asking is, I think I  
 24 remember you saying something earlier about a rumor  
 25 or something like that.

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1 **A. Well, just people talking. I mean, not**  
 2 **anybody in particular but, you know, different people**  
 3 **have talked about it over the years. And, you know,**  
 4 **I'm close to everybody around here. I mean, I've**  
 5 **worked with everybody around here, so you hear**  
 6 **bits and -- hard for anything not to go on that you**  
 7 **don't hear things from. So there's no one**  
 8 **particular -- I didn't get a briefing or nothing like**  
 9 **that. It was just people listening to people talk.**  
 10 Q. All right. Let me ask some -- ask about  
 11 some particular things.  
 12 Have you personally investigated the  
 13 collision and the crash and the chase that we're here  
 14 about today?  
 15 **A. No, sir.**  
 16 Q. Have you reviewed the police accident  
 17 report?  
 18 **A. No, sir.**  
 19 Q. Have you reviewed Metter's Police  
 20 Department case file which has been marked in some  
 21 other deposition as Plaintiff's Exhibit 11?  
 22 **A. No, sir. The only thing I might have**  
 23 **done, I might have helped in the discovery of**  
 24 **gathering the -- the paperwork, but I don't know to**  
 25 **what capacity that was. It was just whatever I was**

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1 **asked to do in that case.**  
 2 Q. Have you reviewed the deposition of the  
 3 Metter Police Department under Rule 30(b)(6) where  
 4 Mack Seckinger testified?  
 5 **A. I have maybe seen parts of it before.**  
 6 Q. All right.  
 7 **A. I haven't reviewed it like from front to**  
 8 **back.**  
 9 Q. Did you look at it in preparation for this  
 10 deposition?  
 11 **A. No, sir.**  
 12 Q. When did you review it and why?  
 13 **A. It was when Mack was there. Mack was**  
 14 **showing me a few things in the deposition in**  
 15 **preparing the new policy we were doing.**  
 16 Q. All right. I was going to ask about that  
 17 too.  
 18 Have you -- if you had to give a  
 19 percentage -- I'm trying to figure out. You said you  
 20 didn't read the 30(b)(6) deposition front to back but  
 21 I know you read parts of it. Do you feel like you  
 22 read 50 percent of it? 25? 75?  
 23 **A. Maybe 25, if that.**  
 24 Q. All right. Have you reviewed the  
 25 deposition of Adrian Montevalvo?

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1 **A. No, sir.**  
 2 Q. Have you reviewed the deposition of  
 3 Dr. Geoffrey Alpert?  
 4 **A. I don't even know who that is.**  
 5 Q. Okay. Have you talked with a fellow named  
 6 Ken Katsaris?  
 7 **A. Don't know who that is either.**  
 8 Q. All right. Have you heard anything about  
 9 Ken Katsaris?  
 10 **A. No, sir.**  
 11 Q. Never heard of him before?  
 12 **A. No, sir.**  
 13 Q. All right. I got his name because he's  
 14 someone mentioned by the defense lawyers in this case  
 15 representing the City.  
 16 To the best of your knowledge, has anyone  
 17 at the Metter Police Department ever talked with  
 18 Ken Katsaris?  
 19 **A. Not to my knowledge.**  
 20 Q. Have you reviewed the Metter Police  
 21 Department policies that this case is about?  
 22 **A. No, sir, not really. I have looked**  
 23 **briefly through some of it, but I don't remember what**  
 24 **parts.**  
 25 Q. All right. So if asked to give an opinion

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1 about whether Montevalvo was right or wrong to  
 2 initiate or continue this chase, what facts would you  
 3 be basing your opinion on?  
 4 **A. Hearsay.**  
 5 Q. All right. I think you said you had not  
 6 personally investigated. Do I remember that right?  
 7 **A. Correct.**  
 8 Q. Have you ever been a patrol officer?  
 9 **A. Yes, sir.**  
 10 Q. I want to ask you some questions that are  
 11 obviously related to this case but, strictly  
 12 speaking, they're hypothetical questions.  
 13 **A. Okay.**  
 14 Q. And here they are. There's going to be a  
 15 series of them.  
 16 Would you continue a high-speed pursuit  
 17 based on traffic violations; that is, where the  
 18 suspect had committed only traffic violations if the  
 19 fleeing vehicle reached 80 miles an hour inside  
 20 Metter city limits?  
 21 MR. MULLENS: Object to the form. You can  
 22 answer.  
 23 THE WITNESS: Yes, sir.  
 24 Q. (By Mr. Butler) Would you continue a  
 25 pursuit based on traffic violations after the fleeing

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1 vehicle passed several other vehicles illegally?  
 2 MR. MULLENS: Hold on. Jeb, why don't I  
 3 do a standing objection to all these  
 4 hypotheticals to save time and keep your flow  
 5 and let him answer. Does that work for you?  
 6 MR. BUTLER: What's the basis of your  
 7 standing objection?  
 8 MR. MULLENS: I don't think I'm required  
 9 to do that in a discovery deposition, so I'm  
 10 just going to leave that as is.  
 11 MR. BUTLER: It's taken pursuant to the  
 12 Civil Practice Act for all purposes permitted by  
 13 the act including use at trial, so if I need to  
 14 cure it, let me know. So I'm asking what the  
 15 basis of your objection is.  
 16 MR. MULLENS: It's a hypothetical. You're  
 17 not giving a full fact pattern and you're making  
 18 him speculate, so those would be some of the  
 19 objections I'd like to log in right now.  
 20 MR. BUTLER: You can log those. If  
 21 there's any others you need to say them.  
 22 MR. MULLENS: That's all I have for right  
 23 now.  
 24 MR. BUTLER: Okay. You've got a standing  
 25 objection along those lines to all the

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1 hypothetical stuff I'm about to ask.  
 2 MR. MULLENS: I do?  
 3 MR. BUTLER: Yes, you do.  
 4 Q. (By Mr. Butler) I'm going to restart that  
 5 question --  
 6 **A. Okay.**  
 7 Q. -- now that that little exchange is  
 8 complete.  
 9 Would you continue a high-speed pursuit  
 10 based on traffic violations after the fleeing vehicle  
 11 passed several other vehicles illegally?  
 12 **A. Depends on the circumstances.**  
 13 Q. What circumstances does it depend on?  
 14 **A. Where the location is, the volume of**  
 15 **traffic, time of day, weather conditions. All those**  
 16 **would be factors.**  
 17 Q. All right. For all of these questions I'm  
 18 asking you to assume that it's in the middle of --  
 19 it's daylight. Traffic is moderate and the weather  
 20 is clear and dry.  
 21 MR. MULLENS: And Jeb, pursuant to your  
 22 request earlier, I'd like to add lack of  
 23 foundation and assuming facts not in evidence,  
 24 but please continue to answer.  
 25 Q. (By Mr. Butler) All right. So based on

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1 that, Mr. Shore, Chief Shore, would you continue a  
 2 high-speed pursuit based on traffic violations after  
 3 the fleeing vehicle passed several other vehicles  
 4 illegally?  
 5 **A. Depends on the street. There's -- there's**  
 6 **so many factors. I'd hate to say yes and no because**  
 7 **it's a -- it's a tossup at that time.**  
 8 Q. Okay. Well, under what -- and are there  
 9 any circumstances -- well, strike that.  
 10 Here's my question: Do you think that  
 11 absent extraordinary circumstances an officer should  
 12 continue a high-speed pursuit based only on traffic  
 13 violations after the fleeing vehicle reaches 80 miles  
 14 an hour, passes several other vehicles illegally,  
 15 runs at least four cars off the road and reaches a  
 16 hundred miles an hour?  
 17 **A. I would consider discontinuing at that**  
 18 **point.**  
 19 Q. Okay. Would you likely discontinue it at  
 20 that point?  
 21 **A. At right now under the facts that you gave**  
 22 **me, probably 60 percent.**  
 23 Q. 60 percent you would?  
 24 **A. Uh-huh.**  
 25 Q. Okay. I understand.

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1 Is that the decision you would want your  
 2 patrol officers to make?  
 3 **A. I think they would.**  
 4 Q. You think they would discontinue the  
 5 pursuit?  
 6 **A. Uh-huh.**  
 7 Q. Is that a yes?  
 8 **A. No. What I'm saying is I think the same**  
 9 **thing: 60 percent that they would feel the same way.**  
 10 Q. Okay. So you would expect your patrol  
 11 officers under those circumstances to discontinue  
 12 that pursuit 60 percent of the time or to be 60  
 13 percent -- let me rephrase that, because I've mangled  
 14 that question.  
 15 **A. I think that just like I stated before, at**  
 16 **60 percent there would be a 60 percent probability**  
 17 **that I would discontinue, and I would feel that the**  
 18 **officers would feel the same way.**  
 19 Q. That's a better way to put it, 60 percent  
 20 probability.  
 21 I'm going to ask it again just because of  
 22 the way our record works.  
 23 **A. I understand.**  
 24 Q. It's the -- because it will end up in  
 25 motions.

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1 So you would expect under those  
 2 circumstances for your patrol officers to have a 60  
 3 percent probability of discontinuing the pursuit --  
 4 the pursuit under those circumstances?  
 5 **A. Yes, sir.**  
 6 Q. Do you agree it's important for a police  
 7 department to have a policy on police pursuits?  
 8 **A. Yes, sir.**  
 9 Q. Why?  
 10 **A. I think it gives -- governs and gives a**  
 11 **standard for the officers in which to perform their**  
 12 **actions, so...**  
 13 Q. It gives guidance for that decision, I  
 14 guess?  
 15 **A. Correct.**  
 16 Q. Do you agree it's important for the  
 17 officers to be trained on and be familiar with that  
 18 pursuit policy?  
 19 **A. Yes, sir.**  
 20 Q. And one reason is that high-speed pursuit  
 21 chases can be dangerous?  
 22 **A. Yeah. They're high liability.**  
 23 Q. Do you agree they can be dangerous?  
 24 **A. Yes, sir.**  
 25 Q. High speed chases can put the lives of

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1 officers and others at risk, right?  
 2 **A. Yes, sir.**  
 3 Q. I'm going to show you a document marked as  
 4 Plaintiff's Exhibit No. 5, and this is -- was marked  
 5 in a previous deposition. This is something that the  
 6 City's lawyers produced to us or -- or gave us during  
 7 this case. Have you seen that before? Probably not  
 8 bound in that way.  
 9 **A. No, not bound in this way, but I've seen**  
 10 **bits and pieces of it.**  
 11 Q. Well, look through it if you will and my  
 12 question's going to be whether that is the standard  
 13 operating procedures of the Metter Police Department?  
 14 **A. That would be correct.**  
 15 Q. Okay. You mentioned a new policy a minute  
 16 ago, I think.  
 17 **A. Yes. Yes, sir.**  
 18 Q. So I gather from that that policies are  
 19 different now? Have you changed a policy or  
 20 something?  
 21 **A. Yes, sir.**  
 22 Q. Tell me about that.  
 23 **A. We've rewritten the whole policy.**  
 24 **Basically we're starting the process of state**  
 25 **certification, and so the policies have been updated**

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1 **all the way from front to back.**  
 2 Q. Meaning that whole like all the policies  
 3 or just vehicle pursuit?  
 4 **A. No, all the policies.**  
 5 Q. When did that process start?  
 6 **A. Probably January of 2017.**  
 7 Q. If I call those the new policies will that  
 8 make sense to you?  
 9 **A. Yeah, that makes sense.**  
 10 Q. Are the new policies officially in effect  
 11 yet?  
 12 **A. Yes. Everybody has read them and has**  
 13 **signed off on them. We're in the process of now**  
 14 **letting the city manager review them, city attorney**  
 15 **review them and then we'll have them adopted at some**  
 16 **point by the -- the city council. But for right now**  
 17 **they're in place and that's the standards that we're**  
 18 **using.**  
 19 Q. All right. Let's walk through the steps  
 20 again. So for the -- to put new policies in place  
 21 the first thing y'all did was, I guess, draft them?  
 22 **A. Correct.**  
 23 Q. Who helped in drafting them?  
 24 **A. Myself and Chief Seckinger at the time.**  
 25 Q. And what was the next step?

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1 **A. The next step, they were actually**  
 2 **forwarded to the city manager and the officers read**  
 3 **the policies and signed off on the policies.**  
 4 Q. Who's the city manager?  
 5 **A. Mandi Cody.**  
 6 Q. C-o-d-y?  
 7 **A. Yeah.**  
 8 Q. All right, draft for the city manager.  
 9 Officers read and sign off?  
 10 **A. Yes, sir.**  
 11 Q. Where do they sign off?  
 12 **A. It's done electronically through a -- a**  
 13 **program called PowerDMS.**  
 14 Q. And what happens next --  
 15 **A. What happens next?**  
 16 Q. -- with regard to these new policies?  
 17 Right.  
 18 **A. Once -- if there's any revisions that the**  
 19 **city attorney or city manager find then we'll make**  
 20 **revisions and have them sign off on it and then**  
 21 **they'll be adopted by city council.**  
 22 Q. The city manager and I think you said the  
 23 city attorney?  
 24 **A. Yes, sir.**  
 25 Q. Is that Brent Carter?

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1 **A. Yes, sir.**  
 2 Q. And then the city council adopts them?  
 3 **A. Correct.**  
 4 Q. Okay. Why do you go through that process?  
 5 **A. State certification was the main thing.**  
 6 Q. So is there a step at the end where after  
 7 the city council adopts them the State has to certify  
 8 the policies?  
 9 **A. No. It's actually -- state certification**  
 10 **is basically like an inspection. They come down and**  
 11 **they'll certify our agency as complying with, you**  
 12 **know, the normal practices by law enforcement**  
 13 **agencies throughout the United States. And so the**  
 14 **policy is -- it's all driven around the policy.**  
 15 **What we do is we take the policies and**  
 16 **then we'll -- what we'll do is show proofs that we're**  
 17 **complying with the policies that are in there.**  
 18 Q. So in order to get state certification you  
 19 have to prove that the Metter Police Department is  
 20 complying with the Metter Police Department's own  
 21 policies?  
 22 **A. Correct. And they're -- they're kind of a**  
 23 **standardized. There's certain things that you have**  
 24 **to -- right there that you have to meet in there.**  
 25 Q. What happens if you don't get certified by

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1 the State?  
 2 **A. Nothing. You just try again, I guess.**  
 3 **It's basically what it does, it's a**  
 4 **reduction in liability insurance. It gives you a**  
 5 **reduction in that and it just kind of gives you a**  
 6 **notoriety, I guess you would say, with the community**  
 7 **saying that you're following good practices.**  
 8 Q. All right. That's a good question.  
 9 Was Metter -- were Metter's Police  
 10 Department state certified when Seckinger was the  
 11 chief?  
 12 **A. No, sir.**  
 13 Q. Has Metter -- has the Metter Police  
 14 Department policies -- have they -- well, strike  
 15 that.  
 16 Have the Metter Police Department policies  
 17 ever been state certified, to your knowledge?  
 18 **A. No. And there -- I don't think there's**  
 19 **any certification for the policy itself. Basically**  
 20 **the policy stands at itself as part of the**  
 21 **certification process, so you don't actually certify**  
 22 **your policies.**  
 23 Q. What do you certify? The department?  
 24 **A. Certify the department, that's correct.**  
 25 Q. Has the Metter Police Department ever been

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1 certified, to the best of your knowledge?  
 2 **A. No, sir.**  
 3 Q. All right. Has the police pursuit policy  
 4 been changed?  
 5 **A. Yes, sir, it has.**  
 6 Q. All right. Changed to -- well, hold on.  
 7 Let me pull it out. Is it changed to something  
 8 called 5-3?  
 9 **A. No, sir.**  
 10 Q. Does that ring a bell? No?  
 11 **A. No.**  
 12 Q. Okay. I thought I had that pulled out.  
 13 Yeah. Let me see if I can find it in my stuff here.  
 14 Are you familiar with a policy that -- a  
 15 pursuit policy draft that says 5-3 at the top? Does  
 16 that ring a bell to you at all?  
 17 **A. No, sir.**  
 18 MR. BUTLER: It may not. I'm going to see  
 19 if I can find it in my bag and show it to you.  
 20 MR. MULLENS: Jeb, if you want we can take  
 21 a short break.  
 22 MR. BUTLER: No. I thought I had it in my  
 23 stack of documents here. Here it is.  
 24 Q. (By Mr. Butler) Let me make sure I'm  
 25 handing you something that -- this is right, yeah.

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1 Okay. I'm handing you what's already been  
 2 marked as Plaintiff's Exhibit 6 to a previous  
 3 deposition and this is what I was trying to refer to.  
 4 You can see it says 5-3 at the top of it?  
 5 **A. Yes, sir.**  
 6 Q. Were you familiar with this, this being  
 7 Plaintiff's Exhibit 6?  
 8 **A. I have seen this somewhere before. I**  
 9 **don't remember where.**  
 10 Q. Okay. Anyway, did you ever like sign  
 11 off --  
 12 **A. Oh, no, sir.**  
 13 Q. -- on Plaintiff's Exhibit 6?  
 14 **A. No, sir.**  
 15 Q. All right. What does the new police  
 16 pursuit policy say?  
 17 **A. It's basically officer discretion taking**  
 18 **in the totality of the circumstances, time of day,**  
 19 **the weather conditions, vehicle conditions, the**  
 20 **officer's knowledge, the officer's training. It**  
 21 **factors in a bunch -- usually it leaves it to the**  
 22 **officer discretion to the risk-reward, I guess, so to**  
 23 **speak --**  
 24 Q. Right.  
 25 **A. -- of risk the safety of the public and**

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1 **versus the need to catch the person.**  
 2 Q. Have y'all got that some place handy, the  
 3 new version of the pursuit policy?  
 4 **A. I don't.**  
 5 Q. Not right this minute.  
 6 **A. No. Yeah, but yeah. I mean, I can pull**  
 7 **it up electronically.**  
 8 MR. BUTLER: I'm just asking you this so  
 9 that I can then turn to Mr. Mullens and say,  
 10 would y'all produce a copy of that, please?  
 11 MR. MULLENS: And we certainly would.  
 12 MR. BUTLER: Okay. There you go. That's  
 13 all.  
 14 THE WITNESS: Okay.  
 15 MR. BUTLER: There's these song and dances  
 16 you've got to go through.  
 17 THE WITNESS: I can understand.  
 18 MR. MULLENS: Just so I'm clear and not  
 19 produce a whole mountain of things, do you just  
 20 want the pursuit policy?  
 21 MR. BUTLER: That is correct unless Jones  
 22 tells me something different. He likes  
 23 whispering. Yes, Mr. Jones.  
 24 MR. JONES: I'm sorry, man. I'm sorry.  
 25 MR. BUTLER: No. It's all right. I'm

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1 just picking on you.  
 2 MR. JONES: I'm like tugging on his coat.  
 3 I'm sorry.  
 4 MR. MULLENS: I'll give you plenty of  
 5 paper if you want plenty of paper.  
 6 MR. BUTLER: Okay. How is that different  
 7 from the old policy?  
 8 MR. MULLENS: I'm not trying to be  
 9 difficult, but I would object on the basis that  
 10 he testified earlier he hadn't read the old  
 11 policy, so it would call for speculation and no  
 12 foundation and lack of facts in evidence.  
 13 MR. BUTLER: Well, that's a good  
 14 objection.  
 15 Q. (By Mr. Butler) To the extent that you  
 16 know, how is the new policy different from the old  
 17 one?  
 18 **A. I think that the other policy is more**  
 19 **restrictive, and that's based on what Mack was**  
 20 **telling me during the whole process.**  
 21 Q. All right. And that would be the policy  
 22 that was in place when this collision occurred that  
 23 he was talking about?  
 24 **A. Correct.**  
 25 Q. All right. I want to ask you a little bit

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1 more about this process for putting the new policy,  
 2 that is, the one that you're putting in in January of  
 3 2017, that started in January of 2017, in place.  
 4 **A. Uh-huh.**  
 5 Q. These steps include drafting the policy,  
 6 forwarding to the city manager, having the officers  
 7 read and sign for it, getting input from the city  
 8 manager, input from the city attorney and then  
 9 getting the city council to adopt it, right?  
 10 **A. Correct.**  
 11 Q. Why are those things important?  
 12 **A. Why are they important?**  
 13 Q. Right.  
 14 **A. I think that it's transparency, in my**  
 15 **opinion.**  
 16 Q. Yeah.  
 17 **A. And what I want to do is make sure that**  
 18 **we're as transparent as we can be and that -- that**  
 19 **involves, you know, letting them know what we're**  
 20 **doing so that they're aware of it.**  
 21 Q. It's transparency with the people of  
 22 Metter too, I guess, isn't it?  
 23 **A. Correct, correct.**  
 24 Q. And the city council's elected folks so  
 25 allowing them to adopt the policy gives the people of

Page 33

1 Metter a voice, I guess?

2 **A. Correct.**

3 Q. I don't know which parts of that 30(b)(6)

4 deposition of Chief Seckinger you reviewed, but were

5 you aware that he testified that Montealvo's actions

6 violated Chapter 12 of the standard operating

7 procedures that were formally in place at the time of

8 this collision or this crash?

9 **A. No, sir, I'm not. I don't remember.**

10 **He -- he could have told me or I might have read it,**

11 **but I don't recall.**

12 Q. Would you have any reason to dispute that?

13 **A. No, sir.**

14 Q. Do you agree that Chapter 12 was violated?

15 MR. MULLENS: Object to the form. He said

16 he hadn't read it.

17 THE WITNESS: I don't know. Don't know.

18 MR. BUTLER: All right. I tell you what,

19 Justin. If you get something that's urgent

20 whisper in my ear. If it's not, make a note.

21 MR. JONES: Sorry.

22 MR. BUTLER: That's all right. You're

23 doing great.

24 Q. (By Mr. Butler) I want to ask you about

25 training on a police department's pursuit policy.

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1 Does the new policy, the new policy

2 meaning the one that was in place or started to come

3 in in January of 2017, does that address training on

4 a pursuit policy?

5 **A. I can't remember if it directly does or**

6 **not, but part of state certification will require us**

7 **to do an annual training on pursuit policy.**

8 Q. That's what I wanted to ask about.

9 Do you agree that officers should attend

10 vehicular pursuit training on the Metter Police

11 Department policy at least once a year?

12 **A. Yes, sir.**

13 Q. Do you agree that that annual vehicle --

14 vehicular pursuit training should include

15 familiarization with the Metter Police Department's

16 procedures as they relate to pursuits?

17 **A. Yes, sir.**

18 Q. And should also include training on the

19 practices and policies as they relate to pursuits?

20 **A. Yes, sir.**

21 Q. Do you agree that POST training does not

22 include training on the Metter Police Department

23 pursuit policy?

24 **A. That's correct.**

25 Q. Do you agree that POST training does not

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1 include training on when to start and when to stop a

2 high-speed chase?

3 **A. Correct.**

4 Q. Before -- at least as before today did the

5 Metter Police Department provide annual training to

6 its officers on its own pursuit policy?

7 **A. No, sir.**

8 Q. Before today did -- well, strike that.

9 Is that something the Metter Police

10 Department is going to start doing?

11 **A. Yes, sir.**

12 Q. Pull out -- you've still got in front of

13 you Plaintiff's Exhibit 6 which is that document 5-3,

14 and I think you said earlier that you didn't sign off

15 on that?

16 **A. No, sir.**

17 Q. Did any other officers, to your knowledge,

18 sign off on that?

19 **A. Hang on a minute. Let me look through the**

20 **whole paper there.**

21 Q. Yeah.

22 **A. In what you've given me there's nothing**

23 **there that indicates anybody signed off on it.**

24 Q. So, to the best of your knowledge, nobody

25 signed off on the 5-3 draft that's marked as

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1 Plaintiff's Exhibit 6?

2 **A. That's correct.**

3 Q. How do high speed chases usually end?

4 **A. Most of the time, my experience,**

5 **eventually you get them to stop eventually. Most of**

6 **them ended in a stop in the ones I've been involved**

7 **in.**

8 Q. Really?

9 **A. Blocking them and... Or we just wait**

10 **until the troopers get there and let the troopers**

11 **handle it.**

12 Q. And the troopers take over the chase?

13 **A. Yeah. That's most of the time. We just**

14 **had one this morning. We weren't involved --**

15 Q. A high-speed chase?

16 **A. Yeah. We weren't involved. We blocked**

17 **the interstate, but the trooper --**

18 Q. You're about to get a run of questions on

19 that.

20 **A. Oh, yeah. Nah.**

21 Q. Do you agree that a high-speed chase can

22 really only end in two ways, either the fleeing

23 vehicle stops or it crashes?

24 **A. That's about right.**

25 Q. Are there times in a chase where an

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1 officer should conclude that the fleeing vehicle is  
 2 unlikely to stop?  
 3 **A. Yes, sir.**  
 4 Q. What are some of those circumstances?  
 5 **A. They just don't stop. They just keep**  
 6 **going. I mean...**  
 7 Q. Things like driving a hundred miles an  
 8 hour would be a clue that the fleeing vehicle's not  
 9 going to stop. Do you agree?  
 10 **A. Sometimes. I've had people at that speed**  
 11 **and then once you get up to them they'll -- they'll**  
 12 **pull over. I've had that happen before. I've had**  
 13 **them throw contraband out of the window at a hundred**  
 14 **miles an hour and when they got rid of the contraband**  
 15 **then they'll pull over.**  
 16 Q. Huh.  
 17 **A. So that's not always the case.**  
 18 Q. Well, let's go with your answer then  
 19 instead of me trying to spoon-feed them.  
 20 Tell me, you mentioned something like one  
 21 clue that they're not going to stop is when they just  
 22 don't stop, I think is what you said?  
 23 **A. Right.**  
 24 Q. What kinds of things would constitute not  
 25 stopping to you?

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1 **A. Well, they'll take evasive actions a lot**  
 2 **of times. They'll get off the interstate and get**  
 3 **back on the interstate. They'll make a bunch of**  
 4 **series of turns, just a culmination of a bunch of**  
 5 **things. They'll pass in the median and go around**  
 6 **vehicles that are not designed for a vehicle to go.**  
 7 **Those are really good indicators that somebody's not**  
 8 **going to stop.**  
 9 Q. Is illegal passing a good indicator that  
 10 someone's not going to stop?  
 11 **A. Not necessarily illegal passing.**  
 12 **But now, if they're going off the road to**  
 13 **pass and things like that that's -- that's a really**  
 14 **good indication. But I've had people pass in no**  
 15 **passing zones before that, you know, once you get up**  
 16 **there to them and they make a right turn and throw**  
 17 **the contraband out -- and, you know, a lot of my**  
 18 **experience was with narcotics, so, you know, a lot of**  
 19 **times they'll make a couple turns, throw the dope out**  
 20 **and then they'll pull over. So that happens quite a**  
 21 **bit too.**  
 22 Q. What about speeding and taking sharp turns  
 23 to get away from an officer on residential streets?  
 24 Would that be an indication that someone was probably  
 25 not going to stop?

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1 **A. Not necessarily, because that's used a lot**  
 2 **in the dope world of making a turn so they don't see**  
 3 **the car so they can throw a weapon or whatever else**  
 4 **out, so...**  
 5 Q. Okay. If a suspect starts running 80  
 6 miles an hour through town after an officer turns on  
 7 his blue lights, illegally passes vehicles left and  
 8 right, runs four vehicles off the road, reaches a  
 9 hundred miles an hour and over a distance of over a  
 10 mile, never throws anything out of the car, would it  
 11 be reasonable to conclude that that suspect is not  
 12 going to stop?  
 13 **A. I think that would be a fair conclusion.**  
 14 Q. Do you know Fanecia Holloway or did you  
 15 know Fanecia Holloway?  
 16 **A. No, sir.**  
 17 Q. Oh. If an officer concludes that a  
 18 fleeing suspect is not going to stop, that indicates  
 19 the officer should discontinue the chase unless the  
 20 person's committed a violent crime. Would you agree?  
 21 **A. No, I don't agree with that.**  
 22 Q. Why?  
 23 **A. It still goes back to the officer**  
 24 **discretion on what they're seeing at the time. It's**  
 25 **hard to -- it's hard to paint it in a box and say --**

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1 **and -- and have an absolute. A lot of times it's up**  
 2 **to the officer and what they're seeing at the time**  
 3 **what's going on.**  
 4 Q. Did you know anything about Fanecia  
 5 Holloway?  
 6 **A. No, sir.**  
 7 Q. Do you know who she is when I mention her  
 8 name?  
 9 **A. I think she was the decedent in the case**  
 10 **maybe.**  
 11 Q. That's right.  
 12 Do you have any reason to think that she  
 13 did anything wrong on December 5th, 2015, the day of  
 14 this crash?  
 15 **A. Not that I'm aware of.**  
 16 Q. Okay. What do you know about Charlie  
 17 Mincey?  
 18 **A. I think he may have been the driver.**  
 19 Q. That's right.  
 20 **A. And I know that he's been to court and**  
 21 **he's pled guilty on his charges, vehicular homicide**  
 22 **and some other charges. But other than that...**  
 23 Q. Had you ever heard of him before or met  
 24 him before?  
 25 **A. No, sir, not that I'm -- I mean, I...**

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1 MR. MULLENS: Is Karsten on, just to  
 2 confirm?  
 3 MR. BUTLER: Are you there, Karsten?  
 4 MR. BICKNESE: Yeah, I'm right here.  
 5 MR. MULLENS: Okay.  
 6 MR. BUTLER: Okay. Bobo wanted to make  
 7 sure you were since I was talking about your  
 8 client.  
 9 MR. MULLENS: Looking out for you,  
 10 Karsten.  
 11 MR. BICKNESE: That caught my attention.  
 12 THE WITNESS: But not -- I don't know  
 13 where we were at.  
 14 Q. (By Mr. Butler) I had asked you if you  
 15 knew anything about Charlie Mincey.  
 16 **A. Not that I recall. I mean, I've arrested**  
 17 **a bunch of people, so I don't.**  
 18 Q. Yeah.  
 19 **A. I could have run across him, but I'm not**  
 20 **aware.**  
 21 Q. Do you know of any violent crimes that  
 22 Charlie Mincey has ever committed?  
 23 **A. I don't recall anything about him.**  
 24 Q. Okay. All right. So you don't know  
 25 anything about any criminal history he might or might

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1 not have because you don't know anything about him?  
 2 **A. I don't recall him at all. I don't even**  
 3 **recall the name other than that little bit I've**  
 4 **heard.**  
 5 Q. Did you meet with the City's lawyers  
 6 before this deposition?  
 7 **A. I met with him.**  
 8 MR. MULLENS: Chief, I'll take this  
 9 opportunity to state that you're instructed not  
 10 to answer to any substance of our interactions  
 11 or conversations.  
 12 Q. (By Mr. Butler) I'm not going to ask you  
 13 what you --  
 14 **A. I did meet with them.**  
 15 Q. -- said to your lawyers and they said to  
 16 you.  
 17 Have you met -- so by the City's lawyers  
 18 I'm referring to the ones I know. It could be  
 19 Brent Carter who obviously you've met with some.  
 20 **A. (Nods head.)**  
 21 Q. Paul Threlkeld and Mr. Bobo Mullens who's  
 22 seated to your right.  
 23 **A. Correct.**  
 24 Q. Did you meet with any of those folks  
 25 before this deposition?

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1 **A. Yesterday.**  
 2 Q. Yesterday?  
 3 **A. Yes.**  
 4 Q. Where?  
 5 **A. Right here.**  
 6 Q. Here being Brent Carter's office?  
 7 **A. Correct.**  
 8 Q. For how long?  
 9 **A. 15 minutes.**  
 10 Q. Who all was here at the meeting?  
 11 **A. Me, Mr. Threlkeld and Bobo there.**  
 12 Q. All right. Did you review any documents  
 13 in that meeting?  
 14 **A. I don't recall. I might have.**  
 15 Q. Do you recall any document that you might  
 16 have reviewed?  
 17 MR. MULLENS: If I might suggest a  
 18 rewording. Did you review any documents  
 19 yesterday for your deposition?  
 20 THE WITNESS: No.  
 21 Q. (By Mr. Butler) Answer his question.  
 22 Okay. The answer was no?  
 23 **A. Correct.**  
 24 Q. All right. Before yesterday had you met  
 25 with Mr. Mullens?

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1 **A. First time I saw him was yesterday.**  
 2 Q. Before yesterday had you met with Paul  
 3 Threlkeld?  
 4 **A. No, sir.**  
 5 Q. Before yesterday had you met with Brent  
 6 Carter about this case?  
 7 **A. About this case, no, sir.**  
 8 Q. What was Brent Carter's involvement in the  
 9 policies that you were putting into effect?  
 10 **A. I think Mack sent them to him just for**  
 11 **review of the -- of our new policies.**  
 12 Q. And did he have -- did Carter have any  
 13 revisions?  
 14 **A. I don't -- I don't recall. Mack was doing**  
 15 **that at the time and he was still here.**  
 16 Q. All right. Do -- do you know of any  
 17 revisions that Carter had to the policies?  
 18 **A. Not that I'm aware of.**  
 19 Q. Okay. You mentioned you might have helped  
 20 in discovery in this case.  
 21 **A. Yes, sir.**  
 22 Q. Tell me about that.  
 23 **A. I remember that there were some open**  
 24 **records or something that was going on. Then I was**  
 25 **asked to help find some documents. What I found and**

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1 **what I gave to him I don't know. I mean, I don't --**  
 2 **I don't recall. We do Open Records all the time**  
 3 **so --**  
 4 Q. Sure.  
 5 **A. -- it's not...**  
 6 Q. Was this when you were captain or chief?  
 7 **A. Yeah. I was captain.**  
 8 Q. All right. Why did Seckinger leave?  
 9 **A. It was a personnel issue with the City, I**  
 10 **guess, with the city manager.**  
 11 Q. That was Mandi Cody?  
 12 **A. Yeah.**  
 13 Q. Were they just not getting along or what?  
 14 **A. No. He probably did something unethical.**  
 15 Q. Who did?  
 16 **A. Mack.**  
 17 Q. What?  
 18 **A. He -- he was working with the sheriff's**  
 19 **department and took an inmate to a funeral and then**  
 20 **he allowed that inmate to have sex with somebody**  
 21 **else.**  
 22 Q. Sex with somebody at the funeral?  
 23 **A. That's -- I think it was the wife maybe**  
 24 **while he was in custody.**  
 25 Q. I've got no comments on that nor any more

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1 questions.  
 2 Were there any issues related to this case  
 3 that tie into Seckinger's departure from his  
 4 position?  
 5 **A. No.**  
 6 Q. All right. Did you interview for the job?  
 7 Or how did it come about that you became the chief?  
 8 **A. Pretty much I was doing a good job so took**  
 9 **over interim and they said they'd just leave it in**  
 10 **place.**  
 11 Q. Who was it that appointed you? I just  
 12 don't --  
 13 **A. Mandi.**  
 14 Q. -- know how the process works. Mandi did?  
 15 **A. Mandi did. That's right.**  
 16 MR. BUTLER: Let's take a break. I'm  
 17 going to look over my papers.  
 18 THE WITNESS: Okay.  
 19 MR. BUTLER: Usually when I do this I have  
 20 a few other questions but not many.  
 21 THE WITNESS: Okay.  
 22 THE VIDEOGRAPHER: Going off the video  
 23 2:13 p.m.  
 24 (Recess taken from 2:13 p.m. to 2:24 p.m.)  
 25 THE VIDEOGRAPHER: Back on video at 2:24

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1 p.m.  
 2 Q. (By Mr. Butler) You didn't talk about  
 3 this deposition over the break, did you?  
 4 **A. Talk about a deposition?**  
 5 Q. This deposition.  
 6 **A. Talked a little bit about it.**  
 7 MR. BUTLER: Well, what did you say?  
 8 MR. MULLENS: Wouldn't that be privileged  
 9 if it's his attorney?  
 10 MR. BUTLER: The witness is under oath, so  
 11 you can't coach him or discuss the deposition  
 12 during a break. So, if that's occurred, I've  
 13 got to ask into it.  
 14 MR. MULLENS: I've not coached him.  
 15 MR. BUTLER: All right. Well, you're not  
 16 supposed to discuss a deposition or what answers  
 17 have been or will be during a break. I can ask  
 18 you. Did that happen?  
 19 MR. MULLENS: We did not ask -- I did not  
 20 ask him to review any prior answers and did not  
 21 speculate as to what you would ask.  
 22 MR. BUTLER: All right. What did you say?  
 23 What did you talk about?  
 24 MR. MULLENS: Well, if you want to ask  
 25 this line of questioning, go ahead and ask it.

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1 Q. (By Mr. Butler) Okay. What did y'all  
 2 talk about during the break?  
 3 **A. He asked me a few questions that he'll ask**  
 4 **me in a few minutes.**  
 5 Q. So during the break Mr. Mullens told you  
 6 about questions that he intended to ask you in a few  
 7 minutes?  
 8 **A. Correct.**  
 9 Q. All right. Did you tell him what your  
 10 answers were going to be?  
 11 **A. Yes, sir.**  
 12 Q. All right. What questions did he say he  
 13 was going to ask?  
 14 **A. I don't even remember, to be honest with**  
 15 **you. He asked about -- I don't even remember, to be**  
 16 **honest with you.**  
 17 MR. MULLENS: Can we go off the record  
 18 real quick?  
 19 MR. BUTLER: Yeah.  
 20 (Discussion off the record.)  
 21 THE VIDEOGRAPHER: Back on.  
 22 MR. MULLENS: All right. So what I was  
 23 about to ask Mr. Butler is some kind of case  
 24 cite or hard law that I can look at to feel  
 25 comfortable about the rule he's invoking being

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1 true, because otherwise I will instruct the  
 2 witness not to answer.  
 3 MR. BUTLER: Okay. I've already -- we've  
 4 already -- that ship has sailed, I believe,  
 5 because you have asked the questions. I -- I've  
 6 never had to look up a case officially. Imagine  
 7 being at trial, right? You can't pull a witness  
 8 off the stand in the middle of an examination  
 9 and then go through your redirect with that  
 10 witness. That would -- that would be, I think,  
 11 obviously improper. If you disagree then you  
 12 disagree. I don't have a case cite with me.  
 13 MR. MULLENS: I'm not trying to be  
 14 difficult; I'm just very unaware of this rule  
 15 you're citing and trying to apply here. So,  
 16 because of that, if you can cite something  
 17 specific or educate me, that would be fine, but  
 18 I will instruct him not to answer further --  
 19 MR. BUTLER: Yeah.  
 20 MR. MULLENS: -- just based on that  
 21 discomfort.  
 22 MR. BUTLER: Mr. Mullens, I -- I think  
 23 what you just -- just did is sanctionable,  
 24 honestly. So, I don't really know how you're  
 25 going to handle that. If you want to walk out

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1 the door with me and talk about it we can.  
 2 MR. MULLENS: Okay.  
 3 MR. BUTLER: Or we can just go forward,  
 4 but I'm going to leave that up to you right now.  
 5 MR. MULLENS: Might we discuss?  
 6 MR. BUTLER: All right. Let's go off  
 7 again.  
 8 THE VIDEOGRAPHER: Off.  
 9 (Recess taken from 2:29 p.m. to 2:32 p.m.)  
 10 THE VIDEOGRAPHER: Back on?  
 11 MR. BUTLER: Back on, yes, thank you.  
 12 THE VIDEOGRAPHER: Go.  
 13 Q. (By Mr. Butler) Chief Shore, do you know  
 14 what happened as a result of this crash to Charlie  
 15 Mincey?  
 16 A. **I think that he went to court and he**  
 17 **got -- pled guilty maybe.**  
 18 Q. You said that earlier and I -- I meant  
 19 something else. I didn't clarify. Like medically  
 20 do you know what happened to him as a result of the  
 21 crash?  
 22 A. **No, sir.**  
 23 Q. Do you know anything about the  
 24 relationship between Charlie Mincey and Fanecia  
 25 Holloway?

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1 A. **No, sir.**  
 2 Q. Any idea why they were together on the day  
 3 of this crash?  
 4 A. **I think it was the he -- he-ing and**  
 5 **she-ing.**  
 6 Q. What's your basis for saying that?  
 7 A. **Just hearing rumor.**  
 8 Q. Okay. Just rumor?  
 9 A. **After the fact, yeah. I think they**  
 10 **learned that after the fact after the crash.**  
 11 Q. Is your source of that information  
 12 after-the-fact rumor?  
 13 A. **It is rumor.**  
 14 Q. Okay. Do you -- do you use the same  
 15 computer that Chief Seckinger used?  
 16 A. **Maybe. I'm not sure.**  
 17 Q. Where is his old computer?  
 18 A. **It's still there at the PD.**  
 19 Q. All right. Is that where the SOPs are  
 20 stored?  
 21 A. **No. They were stored on an external.**  
 22 Q. External hard drive?  
 23 A. **Well, no, on the network, on a network**  
 24 **drive.**  
 25 Q. Are they still there?

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1 A. **Probably.**  
 2 Q. Has anyone changed them, to the best of  
 3 your knowledge?  
 4 A. **No, sir. I think maybe one of -- maybe --**  
 5 **they -- I don't know if one or both of them were. I**  
 6 **think we had a hard time finding one of the -- if I**  
 7 **remember right, finding one of the electronic ones,**  
 8 **but I know that one of them was on there and maybe**  
 9 **one of them wasn't.**  
 10 Q. Did you eventually find the one that was  
 11 hard to find?  
 12 A. **I didn't.**  
 13 Q. Do you know if anybody did?  
 14 A. **No. I don't know.**  
 15 Q. Is that network drive still at the Metter  
 16 Police Department?  
 17 A. **It was at the sheriff's office. It was --**  
 18 **there had been a file transfer and there's been some**  
 19 **other things done as far as computer does, but it was**  
 20 **transferred to the police department.**  
 21 Q. To the police or to the sheriff?  
 22 A. **To the police department. It was at the**  
 23 **sheriff's office.**  
 24 Q. Oh.  
 25 A. **There was a shared network with the**

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1 **sheriff's department before. Since then that's been**  
 2 **severed and now we have our own network within the**  
 3 **police department -- within the city, so to speak.**  
 4 Q. I guess I'm ask -- clarify my time frame.  
 5 I'm start -- I'm really asking about -- well, it  
 6 would be the time the earliest you know, which I  
 7 suppose is whenever you started with the Metter  
 8 Police Department. At that time do you know where  
 9 the policies were located, were saved?  
 10 **A. I'm not sure.**  
 11 Q. All right. And what did you tell me about  
 12 knowing where Seckinger's computer is?  
 13 **A. I think it's the same one I'm using now.**  
 14 Q. All right. If there are any policies  
 15 saved on it, have you messed with them in any way?  
 16 **A. No, sir.**  
 17 Q. Okay. I don't know if it's going to  
 18 become necessary, but if it does, would you mind if  
 19 we took a look at the policies saved on that  
 20 computer?  
 21 **A. I -- if you can find out how to get it,**  
 22 **because I don't know how to get to it.**  
 23 Q. If we can find out how to get to it would  
 24 you mind?  
 25 **A. No, sir.**

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1 MR. BUTLER: Would y'all mind,  
 2 Mr. Mullens?  
 3 MR. MULLENS: I don't believe so.  
 4 MR. BUTLER: Okay.  
 5 THE REPORTER: Just a second, please. I  
 6 lost my feed. Go ahead.  
 7 Q. (By Mr. Butler) Do you expect your  
 8 officers, Chief Shore, to put important details in  
 9 their reports?  
 10 **A. I try to. I try to get them to do that.**  
 11 **It's a hard job.**  
 12 Q. If -- something like the reasons for  
 13 engaging in a high speed -- in a high-speed chase  
 14 should be in the police reports. Would you agree  
 15 with that?  
 16 **A. Oh. Yes, sir. Yes, sir.**  
 17 Q. All right. Have you ever had in your time  
 18 at the Metter Police Department any problems with  
 19 body cameras or dash cameras or anything like that?  
 20 **A. No. Yeah, that's kind of a broad thing.**  
 21 **I mean...**  
 22 Q. It's really broad, isn't it?  
 23 **A. Yeah.**  
 24 Q. Well, have you ever had to deal with body  
 25 cameras or dash cameras not recording when they

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1 should?  
 2 **A. Oh, yeah.**  
 3 Q. Really?  
 4 **A. Right.**  
 5 Q. What's -- how do y'all handle dash  
 6 cameras?  
 7 **A. Now, a lot of the dash cameras we didn't**  
 8 **have until recently. They were all antiquated. They**  
 9 **were outdated. They were unserviceable. Most of**  
 10 **them were unserviceable at the time.**  
 11 **The body cameras worked fairly well, but**  
 12 **there's always a hiccup with them. We've since**  
 13 **upgraded to a new system.**  
 14 Q. Have you changed your system of  
 15 downloading footage from dash cameras --  
 16 **A. Yes, sir.**  
 17 Q. -- since you've been at the department?  
 18 **A. Yes, sir.**  
 19 Q. You have? All right. What was the old  
 20 system like?  
 21 **A. I don't know, never worked when I got**  
 22 **there.**  
 23 Q. What's that?  
 24 **A. It barely, hardly ever worked, so we**  
 25 **didn't really have -- there wasn't hardly a system**

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1 **when I got there.**  
 2 Q. There wasn't hardly a system dealing with  
 3 dash --  
 4 **A. You might had -- you might have had one or**  
 5 **two cameras and they were taking a flashcard out and**  
 6 **put it in the computer. That was pretty much the**  
 7 **extent of it, but most of them did not work.**  
 8 MR. BUTLER: All right. That's all the  
 9 questions I have. Thank you.  
 10 MR. MULLENS: Pursuant to our earlier  
 11 discussion between Jeb, Justin and I, I have no  
 12 questions.  
 13 MR. BUTLER: All right.  
 14 THE VIDEOGRAPHER: Going off video --  
 15 MR. BUTLER: Mr. Bicknese might. Let's  
 16 see what he has.  
 17 MR. BICKNESE: I have no questions. Thank  
 18 you very much.  
 19 MR. BUTLER: All right. We're done.  
 20 THE VIDEOGRAPHER: I always forget.  
 21 MR. BICKNESE: Thank you, and see y'all  
 22 later.  
 23 THE REPORTER: Going off video --  
 24 MR. BUTLER: Thank you.  
 25 THE VIDEOGRAPHER: -- at 2:37 p.m.

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1 (Deposition concluded at 2:37 p.m.)  
 2 (Pursuant to Rule 30(e) of the Federal  
 3 Rules of Civil Procedure and/or O.C.G.A. 9-11-30(e),  
 4 signature of the witness has been waived.)  
 5  
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1 CERTIFICATE OF COURT REPORTER  
 2  
 3 STATE OF GEORGIA:  
 4 COUNTY OF EFFINGHAM:  
 5  
 6 I hereby certify that the foregoing  
 7 transcript was reported as stated in the caption and  
 8 the questions and answers thereto were reduced to  
 9 writing by me; that the foregoing 57 pages represent  
 10 a true, correct, and complete transcript of the  
 11 evidence given on March 28, 2018, by the witness,  
 12 CHIEF ROB SHORE, who was first duly sworn by me.  
 13 I certify that I am not disqualified  
 14 for a relationship of interest under  
 15 O.C.G.A. 9-11-28(c); I am a Georgia Certified Court  
 16 Reporter here as an employee of Gilbert & Jones, Inc.  
 17 who was contacted by Pope Reporting to provide court  
 18 reporting services for the proceedings; I will not be  
 19 taking these proceedings under any contract that is  
 20 prohibited by O.C.G.A. 15-14-37(a) and (b) or  
 21 Article 7.C. of the Rules and Regulations of the  
 22 Board; and by the attached disclosure form I confirm  
 23 that neither I nor Gilbert & Jones, Inc. are a party  
 24 to a contract prohibited by O.C.G.A. 15-14-37(a) and  
 25 (b) or Article 7.C. of the Rules and Regulations of  
 the Board.  
 This 30th day of March, 2018.  
  
 THOMAS J. DORSEY, CERTIFIED COURT  
 REPORTER, 2781

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