



Coroner In-Service Legal Updates 2013-2014

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§ 9-13-11. Direction, levy, service, and return of execution where sheriff a party

All executions, orders, decrees, attachments for contempt, and final process issued by the clerks of the courts in favor of or against any sheriff shall be directed to the **coroner** of the county in which the sheriff resides and to all and singular the sheriffs of the state, except the sheriff of the county in which the interested sheriff resides, and may be levied, served, and returned by the **coroner**, other sheriff, or constable of the county at the option of the plaintiff or the party seeking the remedy.

HISTORY: Laws 1847, Cobb's 1851 Digest, p. 517; Code 1863, § 3554; Code 1868, § 3577; Code 1873, § 3633; Code 1882, § 3633; Civil Code 1895, § 5414; Civil Code 1910, § 6019; Code 1933, § 39-114.



§ 15-11-173. (Effective until January 1, 2014) Duties

The advocate shall perform the following duties:

(1) Identify, receive, investigate, and seek the resolution or referral of complaints made by or on behalf of children concerning any act, omission to act, practice, policy, or procedure of an agency or any contractor or agent thereof that may adversely affect the health, safety, or welfare of the children;

(2) Refer complaints involving abused children to appropriate regulatory and law enforcement agencies;

(3) Coordinate and supervise the work of the Georgia Child Fatality Review Panel created by Code Section 19-15-4 and provide such staffing and administrative support to the panel as may be necessary to enable the panel to carry out its statutory duties;



§ 15-11-173. (Effective until January 1, 2014) Duties

(6) Establish policies and procedures necessary for the Office of the Child Advocate for the Protection of Children to accomplish the purposes of this article including without limitation providing the division with a form of notice of availability of the Office of the Child Advocate for the Protection of Children. Such notice shall be posted prominently, by the division, in division offices and in facilities receiving public moneys for the care and placement of children and shall include information describing the Office of the Child Advocate for the Protection of Children and procedures for contacting that office; and

(7) Convene quarterly meetings with organizations, agencies, and individuals who work in the area of child protection to seek opportunities to collaborate and improve the status of children in Georgia.

HISTORY: Code 1981, § 15-11-173, enacted by Ga. L. 2000, p. 243, § 1; Ga. L. 2008, p. 568, § 3/HB 1054.



§ 15-11-173. (Effective until January 1, 2014) Duties

(4) Report the death of any child to the chairperson of the child fatality review subcommittee of the county in which such child resided at the time of death, unless the advocate has knowledge that such death has been reported by the county medical examiner or **coroner**, pursuant to Code Section 19-15-3, and to provide such subcommittee access to any records of the advocate relating to such child;

(5) Provide periodic reports on the work of the Office of the Child Advocate for the Protection of Children, including but not limited to an annual written report for the Governor and the General Assembly and other persons, agencies, and organizations deemed appropriate. Such reports shall include recommendations for changes in policies and procedures to improve the health, safety, and welfare of children and shall be made expeditiously in order to timely influence public policy;



§ 16-11-127.1. (For effective date, see note.) Carrying weapons within school safety zones, at school functions, or on school property

(b) (1) Except as otherwise provided in subsection (c) of this Code section, it shall be unlawful for any person to carry to or to possess or have under such person's control while within a school safety zone or at a school building, school function, or school property or on a bus or other transportation furnished by the school any weapon or explosive compound, other than fireworks the possession of which is regulated by Chapter 10 of Title 25.



§ 16-11-127.1. (For effective date, see note.) Carrying weapons within school safety zones, at school functions, or on school property

(5) The following persons, when acting in the performance of their official duties or when en route to or from their official duties:

- (A) A peace officer as defined by Code Section 35-8-2;
- (B) A law enforcement officer of the United States government;
- (C) A prosecuting attorney of this state or of the United States;
- (D) An employee of the Georgia Department of Corrections or a correctional facility operated by a political subdivision of this state or the United States who is authorized by the head of such correctional agency or facility to carry a firearm;
- (E) A person employed as a campus police officer or school security officer who is authorized to carry a weapon in accordance with Chapter 8 of Title 20; and
- (F) Medical examiners, coroners, and their investigators who are employed by the state or any political subdivision thereof;

45-16-22 Medical examiners' inquiries -- Facilities, persons authorized to perform inquiries, payment of fees, jurisdiction, and clerical and secretarial assistance.

(f.1) When death occurs in a hospital as a direct result and consequence of acts or events taking place in a county other than the one in which such death occurs, the hospital shall immediately notify the coroner or the county medical examiner of the county in which the acts or events resulting in the death occurred.



Final Disposition of Bodies 2014

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- TITLE 36. LOCAL GOVERNMENT
- PROVISIONS APPLICABLE TO COUNTIES ONLY
- CHAPTER 12. SUPERVISION AND SUPPORT OF PAUPERS
- O.C.G.A. § 36-12-5 (2014)
- § 36-12-5. Interment or cremation of deceased indigents
- (a) Whenever any person dies in this state and the decedent, his or her family, and his or her immediate kindred are indigent and unable to provide for the decedent's decent interment or cremation, the governing authority of the county wherein the death occurs shall make available from county funds a sum sufficient to provide a decent interment or cremation of the deceased indigent person or to reimburse such person as may have expended the cost thereof voluntarily, the exact amount thereof to be determined by the governing authority of the county but shall not exceed the lesser of the actual costs of interment or cremation.
- (b) The Department of Corrections is authorized to reimburse the governing authority of the county where expenditures have been made in accordance with this Code section for the burial or cremation of any inmate under the authority, jurisdiction, or control of the Department of Corrections, but in no case shall the governing authority of the county be entitled to reimbursement where the decedent was in the custody of a county correctional institution or other county correctional facility.
- HISTORY: Ga. L. 1863-64, p. 60, § 1; Code 1868, § 788; Code 1873, § 786; Code 1882, § 766; Civil Code 1895, § 441; Civil Code 1910, § 556; Code 1933, § 23-2304, Ga. L. 1967, p. 438, § 1; Ga. L. 1972, p. 971, § 1; Ga. L. 1974, p. 616, § 1; Ga. L. 1978, p. 1048, § 1; Ga. L. 1980, p. 722, § 1; Ga. L. 1982, p. 2107, § 34; Ga. L. 1988, p. 3, § 27; Ga. L. 1988, p. 386, § 1; Ga. L. 1988, p. 283, § 1; Ga. L. 1991, p. 431, §§ 1, 2; Ga. L. 2013, p. 568, § 1,038

Disposition of Indigent Bodies

IN THE SUPERIOR COURT OF APPLING COUNTY
STATE OF GEORGIA

PETITION

Petition of Janet Z. Murphy, Appling County Coroner, for an Order authorizing the Final Disposition of the Body of Miguel Lopez, a deceased with no known legal next of kin.

On: 4/15/2014

In re the body of Miguel Lopez

Comes now Janet Z. Murphy, Coroner of Appling County, and makes this petition to the Superior Court of Appling County, Brunswick Judicial Circuit, for final disposition of the body of Miguel Lopez.

Facts:

1. Your Petitioner is the duly elected Coroner of Appling County.
2. Appling Healthcare System requested petitioner to assume responsibility for the body of an Hispanic male identified as Miguel Lopez, 36 years of age, with an address of 324 Howard Brown Road, Buckley, Georgia 31513.
3. Miguel Lopez died 06/26/2013 of acute liver failure in Appling County while in the hospital ward and operated by Appling Healthcare System. There is no evidence of final play found in said death and the State Medical Examiner in Savannah has declined any further autopsy or post-mortem examination and the body remains in violation of Georgia law.
4. Diligent search for legal next of kin or other persons who know the decedent that might claim said body has been made by Petitioner and by Investigator Craig Stone of the Appling County Sheriff's Office, reports attached, and there has been no identification of legal next of kin or any persons who know the decedent or the family of the decedent that might claim said body.
5. Petitioner under O.C.G.A. 45-10 Death Investigation Act, has the responsibility for the disposition of the decedent's body.
6. The Body is currently being held in the morgue of the Appling Healthcare System. The

condition of the body continues to deteriorate and impact the hospital in a negative manner.

7) Petitioner desires to authorize Milka Nobile Funeral Home to take possession of the body of Miguel Lopez and through any compromise or associate disposal of the body by cremation and retain the ashes to suit and disperse in a dignified manner and such time as they are desired or further disposition is necessary.

8. The exact cost of disposition of the body is unknown at this time, but it is known that it will be less than the sum total of four hundred (\$400.00) dollars which sum is within the policy of the Appling County Board of Commissioners to pay for the funeral of pauper.

THEREFORE, Petitioner hereby and humbly prays the Court as follows:

1. That the Court find that diligent search for legal next of kin or others that could claim the body of Miguel Lopez has been made and none found.
2. That Petitioner be authorized to proceed as stated herein to dispose of said body by cremation and to make arrangements for the ashes after cremation.
3. That the Commissioners of Appling County, Georgia be ordered to pay the cost of the disposition as required by law not to exceed four hundred (\$400.00).

Respectfully submitted,

Janet Z. Murphy
Janet Z. Murphy, Coroner
This 17th Day of July, 2014.



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3 3/4/14
3/3/14

AFFIDAVIT

Georgia, Appling County

After being placed under oath, I, the undersigned, Robert S. Highsmith, Sr., Appling County Attorney, do make the following statement to be used as evidence in the matter of the Miguel Lopez before the Appling County Superior Court. It is the policy of Appling County to pay up to four hundred (\$400) dollars for forensic of papers.

Robert S. Highsmith, Sr.
Robert S. Highsmith, Appling County Attorney

The above statement was made before me
After the affiant was duly sworn, this the
11 Day of July 2013.

[Signature]
Notary Public

Notary Public, Appling County, Georgia
My Commission Expires 07/1/2015

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STATE OF GEORGIA
COUNTY OF JEFF DAVIS

VERIFICATION AFFIDAVIT

Personally appeared before the undersigned, notary public, authorized by law to administer oaths Jared Z. Murphy, Coroner of Appling County, Georgia, who having been duly sworn deposes on oath and swears that the statements made in the attached Petition are true and correct to the best of his knowledge and belief.

Jared Z. Murphy
Jared Z. Murphy, Coroner

[Signature]
E. M. WILKES, District Judge
Brewster Judicial Circuit

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IN THE SUPERIOR COURT OF APPLING COUNTY
STATE OF GEORGIA

PETITION

Petition of Jared Z. Murphy, Appling County Coroner, for a Order authorizing the final disposition of the body of Miguel Lopez, deceased, with no known legal next of kin.

Is re the body of Miguel Lopez

ORDER

The above petition having been brought before the court and same and the attachments thereto having been read and considered,

THE COURT FINDS that diligent search for legal next of kin of Miguel Lopez, deceased, or others besides the legal next of kin who might claim his body was diligently made and no one was found to claim said body.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. The Petitioner, Coroner of Appling County, is hereby authorized to enter into contract for the cremation of the body of Miguel Lopez, deceased and make arrangements for the ashes after cremation.
2. Appling County is ordered to pay up to a maximum of four hundred dollars (\$400) to Petitioner for the cremation of said body.

SO ORDERED, This 11th day of July 2013.

[Signature]
Judge Superior Court, Appling County, Georgia

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INCIDENT REPORT

Internal Copy

Page 1

REPORTING OFFICER: []
DATE: []
TIME: []
LOCATION: []
CASE NUMBER: []
SUBJECT: []
NARRATIVE: []
OFFICER'S SIGNATURE: []
SUPERVISOR'S SIGNATURE: []
CHIEF OF POLICE'S SIGNATURE: []
INVESTIGATOR'S SIGNATURE: []
LABORATORY SIGNATURE: []
FINGERPRINT SIGNATURE: []
PHOTOGRAPH SIGNATURE: []
X-RAY SIGNATURE: []
TOOTH SIGNATURE: []
HAIR SIGNATURE: []
SKIN SIGNATURE: []
BLOOD SIGNATURE: []
URINE SIGNATURE: []
SWEAT SIGNATURE: []
TEARS SIGNATURE: []
SALIVA SIGNATURE: []
SEMI-CONDUCTOR SIGNATURE: []
ELECTRONIC SIGNATURE: []
OTHER SIGNATURE: []

EXHIBIT "A"

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INCIDENT REPORT

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SEMI-CONDUCTOR SIGNATURE: []
ELECTRONIC SIGNATURE: []
OTHER SIGNATURE: []

EXHIBIT "B"

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On Tuesday, July 9, 2013, Chief Deputy Lee Swann, Appling County Sheriff's Office, assisted Investigator Craig Stone and Coroner Jared Murphy in an attempt to facilitate a disposition of the remains identified as Miguel Lopez, who died at the Appling Healthcare Facility on June 28, 2013.

After several attempts to locate a next of kin all efforts have proved futile. In an effort to resolve this issue, Chief Deputy Swann referred to research the Georgia Death Investigation Act and the Death Body statute (O.C.G.A. 11-21-20) Item 28 which indicates that a Board for the Disposition of Cadavers had been formed. After extensive research through the Secretary of State, Composite Board of Medical Examiners, the Medical College of Georgia, Chief Deputy Swann spoke with Mr. David Adams who is director of the department which handles Cadavers for the Medical College and other medical schools. Mr. Adams indicated the board had in fact been formed and had never met and to his knowledge was disbanded. Nothing in the code section indicates the law is considered however if the Board is not in existence then no action can be taken pursuant to this statute. The responsibility then appears to have reverted to the coroner for disposition. No further action is available to be taken other than a motion to the Superior Court of Appling County for final disposition.

EXHIBIT "C"

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2013 Coroner In-service Postmortem Interval

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Terminal Performance Objective

Given a hypothetical death, students will understand the process of postmortem body examination, in accordance with the Official Code of Georgia (2012), Spitz and Fisher's Medicolegal Investigation of Death: Guidelines for the Application of Pathology to Crime Investigations, and Eliopulos' Death Investigator's Handbook.



Enabling Objectives

- Discuss the duties of coroner upon receipt of notice of a death.
- Discuss the determination of the estimated time since death.
- Discuss wound examination.
- Discuss documentation.

Questions?



Georgia Death Investigations Act

- **§ 45-16-25. Duties of coroner or county medical examiner upon receipt of notice**
- (a)(1) Upon receipt of the notice required by Code Section 45-16-24, *the coroner or county medical examiner shall immediately take charge of the body.*
- (continued)



Georgia Death Investigations Act

- If a registered professional nurse authorized to make a pronouncement of death under Code Section 31-10-16 or a qualified physician is not available, a coroner, deputy coroner, or medical examiner's investigator may make a pronouncement of death at the investigation scene if, and only if, one or more of the following conditions is met:
- (Continued)



Georgia Death Investigations Act

- (A) *The body is in a state of rigor mortis with lividity present;*
- (B) *The body is in a state of decomposition evidenced by a component of putrefaction;*
- (C) *The body is skeletonized; or*
- (D) *Death has been established by qualified emergency medical services personnel.*



Georgia Death Investigations Act

- *You shall immediately take charge of the body.*
- *You must examine the body in order to pronounce death.*



Georgia Death Investigations Act

§ 45-16-25 (2) *It shall be the duty of a coroner notified as required by Code Section 45-16-24 to summon a medical examiner and proper peace officer.*

The medical examiner cannot conduct the medical examiner inquiry if they are not summoned.



Georgia Death Investigations Act

- **§ 45-16-25 (2) (c)** *The coroner or county medical examiner shall, in the absence of the next of kin of the deceased person, take possession of all property of value found on such person, make an exact inventory thereof on his or her report, and surrender the same to the person entitled to its custody or possession.*
- (continued)



Georgia Death Investigations Act

- The coroner, medical examiner, or peace officer shall take possession of any objects, anatomical specimens, or articles which, in his or her opinion, may be helpful in establishing the cause of death, manner of death, or identification of the deceased
- Note that “circumstances of death” is missing. This is primarily a law enforcement issue and may require search warrants, arrest warrants, etc. and should be left to them.



Manners of Death

- Manners of death as defined in Spitz’s Medicolegal Investigation of Death:

1. Natural: Death caused *exclusively* by disease.



Manners of Death

2. Accident: Death caused by violent means, not due to an intentional or criminal act by another person. Traffic fatalities are an exception to the latter part of our definition, because we classify them as accidents for vital statistic purposes regardless of the potential criminal responsibility that may arise from the incident.



Manners of Death

3. Suicide: Violent death caused by an act of the decedent with the intent to kill himself.
4. Homicide: Violent death at the hand of another person. For practical purposes, we suggest that in most instances this can be refined to include deaths due to the hostile or illegal act of another person. In each of the foregoing definitions, the word *violent* is used in its broadest, generic sense to include everything but disease.



Manners of Death

5. Undetermined: The term *undetermined* is used when a reasonable classification cannot be made.

Manner-of-death determination is not always a predictable, routine function. The definitions used above will generate a variety of usages, depending on how the words disease, violence and intentional act are defined. Some usages derive purely from long-established custom.



Time Since Death

Environment, temperature, and moisture affect all deaths. This and the following information are for *approximation purposes only*.



Time Since Death

- Blood drying (periphery)
 - 30 minutes to 2 hours



Time Since Death

- Postmortem Lividity
 - When cardiac activity stops, the hydrostatic pressure of the liquid (blood) causes it to settle and distend into the dependent capillary bed. Livormortis will not usually develop where there is pressure from clothing or other objects.
 - First detectable
 - Immediate to 2 hours
 - Full setting
 - 8-12 hours



Time Since Death



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Time Since Death



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Time Since Death

- Rigor mortis
 - Muscular relaxation immediately after death is followed by the onset of gradual rigidity as glycogen in the muscle is converted to lactic acid.
 - Since this is a chemical process, it is accelerated by heat and decelerated by the cold.
 - Once someone has broken rigor, it will not reform.

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Time Since Death

- Rigor mortis
 - First detectable
 - 1-6 hours
 - Fully developed
 - 6-24 hours
 - Disappears
 - 12-36 hours

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Time Since Death



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Time Since Death



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Time Since Death

- Algor mortis
 - A person's metabolism generates heat, which is closely regulated by the body within a fairly narrow range. After death, the heat production ceases, and the body will cool to the approximate ambient temperature.
- $(98.6F - \text{measured rectal temperature}) / 1.5 =$ hours since death



Time Since Death

- Other temperatures to record
 - Ambient temperature
 - Ground temperature
 - Any special considerations
 - Body found near heat source or cooling source



Time Since Death

- Stages of Postmortem Decomposition
 - Blue-green discoloration of skin
 - Right and left area of abdomen: 24 hours
 - Entire abdomen: 36 hours
 - Bloating: 36-48 hours
 - Marbling: 2-3 days
 - Green-black discoloration in the blood vessel distribution as a result of the hemolyzed blood reacting with hydrogen sulfide: 2-3 days
 - Skin blistering: 3 days



Time Since Death

- Entire body decomposition: 60-72 hours
- Purging: 4-5 days
- Skin slippage (epidermolysis): 4-7 days
- Hair and nails loosen and shed. "Glove" formation of hands and feet: 4-7 days
- Adipocere (saponification) (adipocere is the prolonged exposure of the body to moisture): Months



Time Since Death

- Mummification (drying precedes or interrupts decomposition): weeks to years
- Skeletonization: weeks to years
- Absence of smell from bones: more than one year
- Weathering of bones depends on whether the body is buried, climate, moisture, elevation, terrain, protection, and insect and animal activity.



Time Since Death



Blunt Force Injury

- A wound produced by blunt impact tears, shears and crushes.
- Blunt trauma crushes, causing bleeding into the traumatized area, i.e., a bruise, due to tearing of small arteries and veins in the depth of the wound from which blood is literally impregnated into the area tissue.
- Bruising surrounding cuts and stab wounds is unlikely unless the hilt or handle of the knife, or the fist of the assailant, abut the skin.



Blunt Force Injury

- Blunt force trauma is probably the single most common type of trauma:
 - Falls
 - Blows with a blunt instrument
 - Hammer
 - Brick
 - Fist
 - Bat
 - Pipe



Blunt Force Trauma

- When injuries caused by blunt trauma are patterned, they may depict the outline, shape, even the structure, consistency or other characteristics of the weapon, or parts of the weapon.
- The pattern may allow matching of the injury with the object that caused it.
 - In this regard, analysis of blunt force trauma is especially challenging.



Blunt Force Trauma

- Three basic types blunt force injury are recognized:
 - Contusion
 - Abrasion
 - Laceration



Blunt Force Trauma

- A contusion (bruise) signifies a hemorrhage into the skin, tissues under the skin or organs.
- The severity of a bruise is largely dependent on the intensity and location of the impact.
- Other factors include age and the physical condition of the victim.



Blunt Force Trauma

- An abrasion is a scrape with the removal of the superficial layers of the skin.
- More infrequently, an abrasion may involve the subcutaneous tissues and rarely muscle, even bone.
- Drying of the area causes the initial pink of the exposed surface to turn pale, yellow-brown, then dark brown, even black.



Blunt Force Trauma

- Depending on the mechanism of abrasion it may be called
 - a graze, such as when a bullet side-swipes the body,
 - a scratch when caused by a sharp edge or fingernails,
 - or a brush burn, if caused by the frictional force of rubbing against a rough surface as in dragging on the ground.

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Blunt Force Trauma

- A laceration is a tear produced by blunt force trauma.
- Typical lacerations occur in the head due to the underlying supportive skull.
- The force of the impact and its direction determine the appearance and depth of the wound along with associated injuries, such as fractures.

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Blunt Force Trauma

- Two types of lacerations are common:
 - Those due to a perpendicular blow
 - Perpendicular blows are caused by objects such as a hammer, pipe or bottle, or as is frequently sustained when falling to the ground.
 - Those caused by a glancing blow.
 - A glancing blow may tear only the skin, or if deeper, may separate the skin and subcutaneous tissues from the underlying muscle fascia, creating a gaping and profusely bleeding wound.

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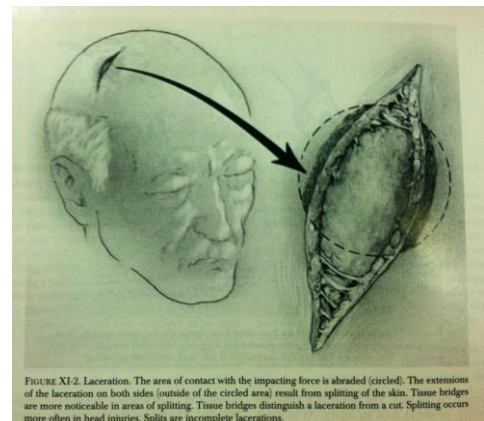


FIGURE XI-2. Laceration. The area of contact with the impacting force is abraded (circled). The extensions of the laceration on both sides (outside of the circled area) result from splitting of the skin. Tissue bridges are more noticeable in areas of splitting. Tissue bridges distinguish a laceration from a cut. Splitting occurs more often in head injuries. Splits are incomplete lacerations.

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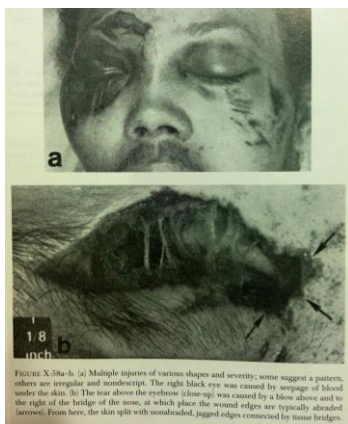


FIGURE X-34a-b. (a) Multiple injuries of various shapes and severity; some suggest a pattern; others are irregular and nondescript. The right black eye was caused by seepage of blood under the skin. (b) The tear above the eyebrow (close-up) was caused by a blow above and to the right of the bridge of the nose, at which place the wound edges are typically abraded (arrows). From here, the skin split with nonloaded, jagged edges connected by tissue bridges.

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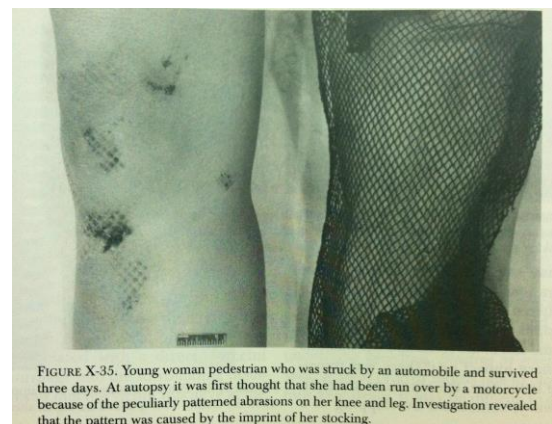


FIGURE X-35. Young woman pedestrian who was struck by an automobile and survived three days. At autopsy it was first thought that she had been run over by a motorcycle because of the peculiarly patterned abrasions on her knee and leg. Investigation revealed that the pattern was caused by the imprint of her stocking.



FIGURE X-17. Blow to the left side of the head. The hemorrhage of the left eyelids is by seepage and does not represent an independent injury.

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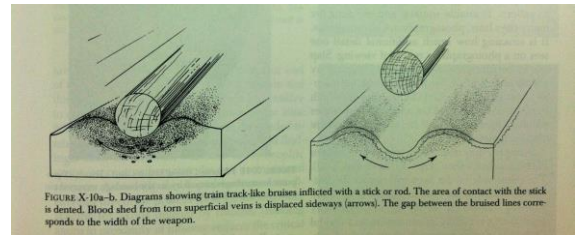


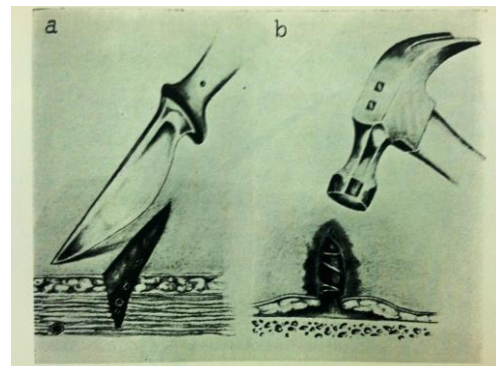
FIGURE X-10a-b. Diagrams showing train track-like bruises inflicted with a stick or rod. The area of contact with the stick is indented. Blood shed from torn superficial veins is displaced sideways (arrows). The gap between the bruised lines corresponds to the width of the weapon.

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FIGURE X-9. Injuries inflicted with a baton. Two parallel linear bruises are caused by each impact.

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FIGURES XI-1a-b. Distinction of sharp from blunt force injury. The cut shows straight, clean, non-abraded edges (a), compared to the abraded and irregular undermined margins of the laceration (b). Also, note the thin and delicate bridges of soft tissue within the laceration.

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Sharp Force Trauma

- In the U.S. cutting and stabbing are second only to gunfire as a cause of homicidal death.
- Information of considerable significance in the reconstruction of a given case may be derived from a prices analysis of a cut or stab wound.

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Sharp Force Trauma

- A cut (or incised wound) results whenever a sharp-edged object is drawn over the skin with sufficient pressure to produce an injury that is longer than it is deep.
- The wound edges may be straight or jagged, depending on the shape of the cutting instrument, but they are never abraded or undetermined.
- These features distinguish sharp force trauma from blunt force trauma.

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Sharp Force Trauma

- A distinctive characteristic of an injury produced by a sharp instrument is the absence of small, thin delicate bridges of soft tissue between the sides of the stab wound or cut.
- A sharp object cuts and divides as it penetrates, whereas a blunt impact, such as a blow, crushes and tears, often sparing small blood vessels, nerves, and strands of connective tissue.

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Sharp Force Trauma

- A stab wound results from penetration of a pointed instrument into the depth of the body, causing a wound that is deeper than its length on the skin.
 - The thrust of a knife, for example, produces such an injury.
- The lack of crushing and tearing associated with sharp force injury is the reason why the skin in the vicinity of a stab wound is usually devoid of bruising.

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Sharp Force Trauma

- If bruising is noted in proximity of a stab wound, it is most likely caused by the impact of the fist that held the weapon.
- Abrasion of the edges of a stab wound is usually absent, except when the hilt of the knife abuts the skin.
- Abrasion or bruising of the edges of a stab wound therefore suggests that the entire blade had penetrated the body

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Sharp Force Trauma

- Cuts or slashes on the upper extremities, especially the forearms and hands, are referred to as defense wounds.
- These are sustained with the victim raises his arms or grabs the knife in an effort to protect his face or chest by warding off the assailant's weapon.
- These defense wounds may also be on the lower extremities if the victim was laying on the ground and used his legs for defense.

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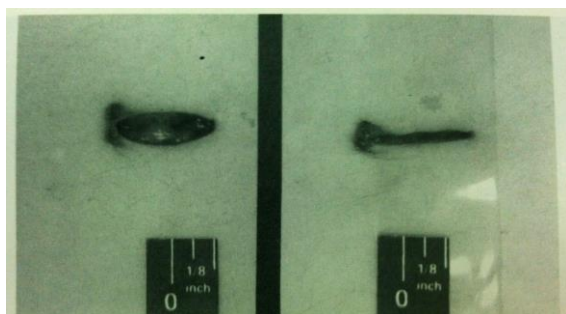


FIGURE XI-7c. Stab wound with evidence of downward thrust and distinctive handle or hilt mark. (The wound on the right has been realigned and taped, more accurately representing its dimensions.)



FIGURE XI-13. Defense cut of the wrist. A tendon is severed (arrow). Severed tendons and major nerves are disabling and should be noted in the records.

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FIGURE XI-12. Defense wounds on back of hand and wrist. The bridge of skin separating the wound across the back of the hand indicates two separate cuts. Two extensor tendons are severed.

C

Injury by Gunfire

- When a firearm is discharged, smoke containing abundant soot and gunpowder is ejected from the muzzle in addition to the bullet.
- These deposits that occur around the bullet holes in cases of close-range fire are referred to as smudging and tattooing or stippling. It is the pattern and density of these deposits which permit assessment of the range of fire.

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Injury by Gunfire

- The terminology most often used to describe the range of fire is as follows:
 - contact shot, when the weapon is fired with the muzzle in contact with the body
 - close-range shot, when gun smoke is deposited on the target
 - distant shot, when the muzzle to target distance exceeds the limits in which gun smoke is identifiable on the target.

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FIGURE XII-6. Tight contact, star-shaped wound of right temple with .38 caliber automatic pistol. The semicircular injury at 4 o'clock and the upward curved abrasion at the bottom of the eyebrow are imprints of the weapon's guide pin and housing.



FIGURE XII-11. Contact shot in mid-forehead. The wound edges are torn by the blow back and soot is deposited on the bone around the bullet hole. The weapon was a .25 caliber pistol.

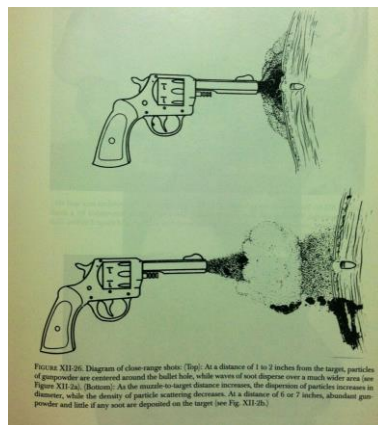


FIGURE XII-26. Diagram of close-range shots. (Top): At a distance of 1 to 2 inches from the target, particles of gunpowder are centered around the bullet hole, while waves of soot disperse over a small wider area (see Figure XII-24). (Bottom): As the muzzle-to-target distance increases, the dispersion of particles increases in diameter, while the density of particle scattering decreases. At a distance of 6 or 7 inches, abundant gunpowder and little if any soot are deposited on the target (see Fig. XII-2b).

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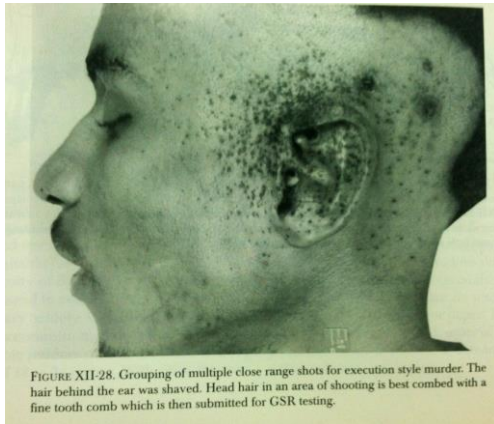


FIGURE XII-28. Grouping of multiple close range shots for execution style murder. The hair behind the ear was shaved. Head hair in an area of shooting is best combed with a fine tooth comb which is then submitted for GSR testing.

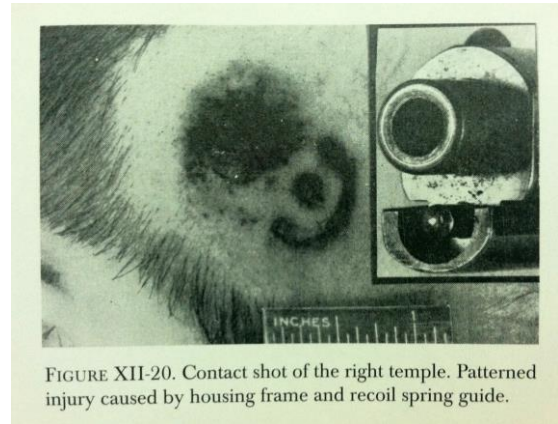


FIGURE XII-20. Contact shot of the right temple. Patterned injury caused by housing frame and recoil spring guide.

Asphyxia

- Asphyxia is a broad term encompassing a variety of conditions that result in interference with the uptake or utilization of oxygen together with a failure to eliminate carbon dioxide.
- Subnormal oxygen in the blood supply to the brain causes rapid unconsciousness.
- Because it is most sensitive to oxygen deprivation, the brain is the organ most intimately affected in all types of asphyxial death.

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Asphyxia

- For practical purposes, asphyxia falls into one of the following categories:
 - Compression of the neck, with or without blockage of the airway, as in
 - (a) hanging or
 - (b) strangulation.

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Asphyxia

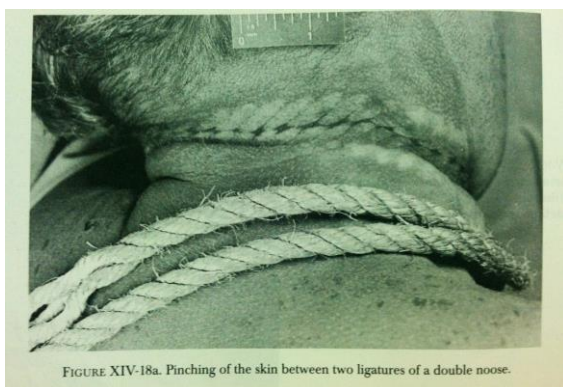
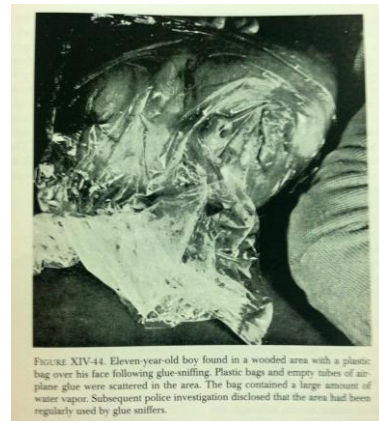
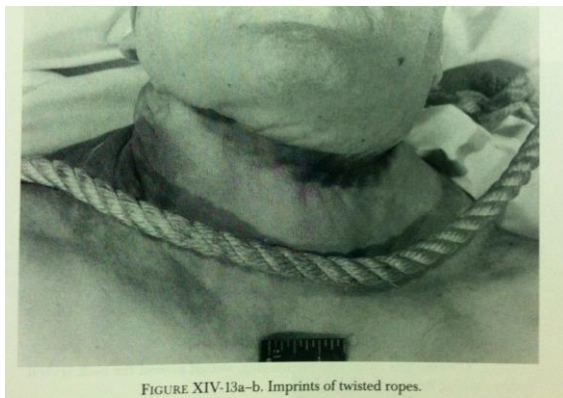
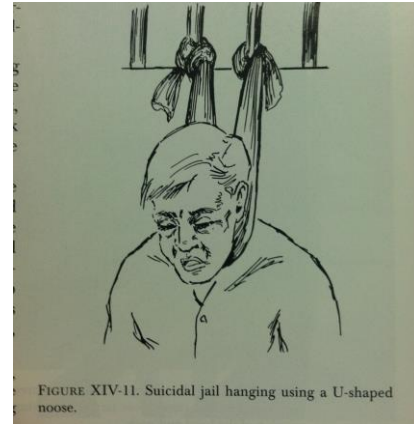
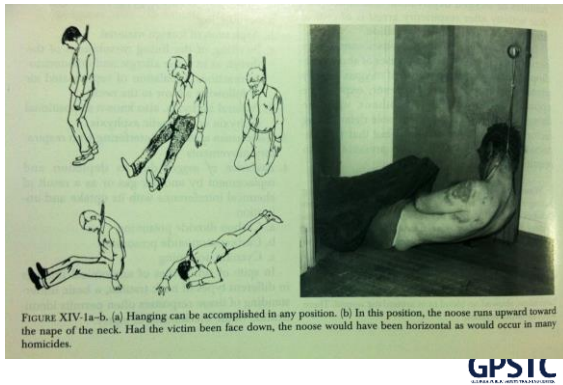
- Obstruction of the airway, as in
 - (a) smothering,
 - (b) aspiration of foreign materials,
 - (c) swelling of the lining membranes of the throat, as in certain allergic and inflammatory reactions, inhalation of superheated air or following a blow to the neck, carotid sinus stimulation, or
 - (d) postural asphyxia.

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Asphyxia

- Compression of the chest sufficient to prevent adequate respiratory movements.
- Exclusion of oxygen by depletion and replacement by another gas or by chemical interference with its uptake and utilization by the body as in
 - (a) carbon dioxide poisoning,
 - (b) carbon monoxide poisoning, or
 - (c) cyanide poisoning.

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Documentation

- Photos
- Notes
- Sketches
- Qualified personnel should perform these tasks.



Enabling Objectives

- Discuss the duties of coroner upon receipt of notice of a death.
- Discuss the determination of the estimated time since death.
- Discuss wound examination.
- Discuss documentation.



Questions?



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Terminal Performance Objective

- Given assignment as a Coroner or Deputy Coroner, the student will demonstrate the appropriate course of action needed for formulating ethical conclusions and decisions, in accordance with the information taught in class and with departmental policy and procedure.

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Enabling Objectives

- Define ethics
- Identify reasons for coroner or deputy coroner misconduct and ways to promote ethical conduct and sound decision making.
- Explain the Continuum of Compromise and positive approaches to avoid becoming a victim.
- Explain positive ways to survive emotionally and remain healthy throughout the individual's law enforcement career.

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“Keep away from people who try to belittle your ambitions. Small people always do that, but the really great make you feel that you, too, can become great.”

Mark Twain

Josephson Institute of Ethics

- “Ethics is about how we meet the challenge of doing the right thing when that will cost more than we want to pay.”
- Ethics entails action; it is not just a topic to mull or debate.

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Unethical choices

- “Whoever chases monsters should see to it that, in the process, he does not become a monster himself.”
- German philosopher, Friedrich Nietzsche

- We do what is most convenient
- We do what we must to win
- We rationalize our choices with relativism

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- It's a recession when your neighbor loses his job, but it's a depression when you lose yours. (Ronald Reagan)
- Ethics is similar
- It's always harder when I'm the one having to make the choice.

- The ways of right-living people glow with light; the longer they live, the brighter they shine. But the road of wrongdoing gets darker and darker – travelers can't see a thing; they fall flat on their faces.
- King Solomon

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Guideline to ethics

- I am always ethical.
 - I am mostly ethical.
 - I am somewhat ethical.
 - I am seldom ethical.
 - I am never ethical.
- A standard to follow.
 - A will to follow it.

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Aspects to ethics

- Ability to discern right from wrong, good from evil, and propriety from impropriety
- Commitment to do what is right, good and proper
- Ethics entails action
- How we meet the challenge of doing the right thing when it will cost more than we want to pay.

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Why the Golden Rule

- Accepted by most people.
- Is easy to understand.
- Is a Win-Win philosophy.
- Is a compass when you need direction

How do you want to be treated?

- I want to be valued
- I want to be appreciated
- I want to be trusted
- I want to be respected
- I want to be understood
- I do not want others to take advantage of me

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Public Safety Work

- Boredom
- Suffering
- Anxiety
- Danger
- Disappointment
- Challenge
- Satisfaction
- Success

Public Safety Work

- Civilization depends on people who are committed to civility and decency
- Not everyone is
- Even the best among us have weaknesses

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Trust

- Some people are downright dangerous to themselves and others
- We want police and law enforcement institutions that merit our trust, respect and confidence
- How does personal virtue figure in the fulfillment of your mission?

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Trust

- Trusting persons is a serious matter
- Trust professionals to give us their best.
- Much of daily life depends on trust in strangers
- Immaturity and self-indulgence are incompatible with the trust of public office

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Trust

- Bad habits are hard to break
- Learning and living up to high standards may be a challenge
- Not born with formed character
- Requires personal self-discipline
- Moral education, training and habituation should begin early in life

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Character excellence

- Set disposition for the best course of action
- Habits of feelings
- Acting the right way for the right reasons toward the right people
- Acquired by observation and imitation of others

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Character formation

- Acquisition of just behavior
- Temperance
- Self-control
- Courage not only physical

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Character formation

- Balanced perception
- Integrity
- Only a person who is good enough to care about behaving rightly, and not just about being caught, can become better.

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Character counts

- Character is more than talk
- Talent is a gift – character is a choice
- Character brings lasting success with people
- People cannot rise above the limitations of their character.

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Character

- Morally important vs morally problematic
- Combination of wisdom with good character
- Practice at behaving rightly

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Character

- The mission of the coroner's office can safely be entrusted only to those who grasp what is morally important and who respect integrity
- No one need choose to be a coroner unless they acquire the excellence of character necessary to live up to it
- The mission of serving the voting public is not so simple as it may appear

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Character

- Codes of ethics do not motivate all people to behave well
- Public office holders need genuinely to want to serve the public
- Must be of reasonably good character
- Must know their mission and be dedicated to it

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Character

- The only thing that is incorruptible is personal character that refuses to be corrupted
- Includes a conception of what is worthy of oneself
- Complaining that no one is incorruptible, that everyone has a price, is a time-worn excuse
- The individual seeks consolation by blaming "the system" for their own misconduct

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Character

- **Persons accepting positions of public trust take on new obligations and are free not to accept them if they do not want to live up to the higher standard.**

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Character

- Idealism becomes cynicism
- Optimistic enthusiasm becomes pessimism
- Anger creates negativity

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Character

- Job requires more time
- Becomes the central and defining aspect of the coroner's life
- Changes are not limited to emotions
- Physical fitness and positive recreation deteriorates

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Character

- Does being distrustful of human nature and motive have a purpose?
- What happens when the coroner sees everything and everybody through the same filter of distrust?

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Ways to promote professionalism

- Reward ethical acts
- Avoid making fun of honesty, dedication and being ethical
- Encourage a positive organizational culture
- **Role models are the single greatest factor that create professional attitudes or ethical views within any organization**

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Characteristics of a professional

- Having a common area or standard of knowledge
- Members meet or exceed certain standards or qualifications
- Controlled by some type of governing organization
- National standard of conduct or ethics

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Character

- With the exception of dying in the line of duty, nothing is more devastating to an officer's personal life, manager's career or an agency's credibility

Reasons for unethical behavior

- Greed
- Anger
- Lust
- Peer pressure

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Greed

- Larceny
- Fraud/forgery
- Sell of cocaine
- Sell of cannabis
- Robbery
- Bribery
- Stolen property
- Gambling

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Anger

- Battery
- Excessive force
- Weapon offenses
- Family offenses/domestic violence

Lust

- Sex offenses other than rape
- Sexual battery/rape
- Sexual misconduct
- Morals-decency crimes

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Peer pressure

- D.U. I.
- Drugs other than cocaine and cannabis
- Positive cocaine test
- Positive cannabis test

Continuum of Compromise

A Perceived Sense of Victimization can lead to the Rationalization & Justification of:

- Acts of Omission
- Acts of Commission – Administrative
- Acts of Commission – Criminal
- Entitlement verses Accountability

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Victimization

- Young officers over- invest
- Over – identify with profession
- Singular identity based upon job
- Sense of self to police role
- Loss of personal control
- “Us verses Them”
- Alienated from administration
- Idealism and trust in administration changes

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Acts of Omission

- Rationalize and justify not doing things they are responsible for
- “Even the score”
- Selective non-productivity
- Avoiding on sight activity
- Superficial investigations
- Omitting paperwork
- Lack of follow up
- Passive resistance
- Inappropriate peer loyalty

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Acts of Commission

Administrative

- Breaking small rules that appear inconsequential
- Unauthorized weapons/equipment
- Prohibited pursuits
- Drinking on duty
- Romantic interludes at work
- Not reporting accidents

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Acts of Commission

Criminal

- ✓ Engage in behavior previously not considered
- ✓ Evidence discarded
- ✓ Payroll embellished
- ✓ Using seized drug money for personal use
- ✓ “Loyalty verses Integrity”
- ✓ Criminal acts develop into conspiracies
- ✓ Misplaced loyalty

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Entitlement vs. Accountability

- Overwhelming sense of victimization
- Intense resentment toward supervisors & administration
- “We stick together”
- “We deserve special treatment”
- Feeling of impunity
- Must foster environment of accountability

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Loyalty vs. Integrity

- Internal investigations involving fellow officers
- Officer trades his/her integrity for “loyalty” to a fellow officer
- “Innocent” officers not telling the truth to protect a partner or co-worker
- Cops don’t snitch on other cops

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How to “survive”

- Employees at all levels must exhibit professional attitudes and conduct
- Professionalism must be instilled and reinforced throughout each employee’s career
- Be aware of the “organizational culture/climate”
- Remember decisions, not conditions, determine your ethics

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Sources of perceived victimization

- Favoritism
- Unfair job assignments
- Blaming-everyone blames others
- Poor communication
- Negative role modeling
- Sincerity – a lack of it is prevalent
- No mission statement
- Motivation and morale is bad

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Enabling objectives

- Define ethics
- Identify reasons for officer misconduct and ways to promote ethical conduct and sound decision making.
- Explain the Continuum of Compromise and positive approaches to avoid becoming a victim.
- Explain positive ways to survive emotionally and remain healthy throughout the recruit’s law enforcement career.

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Questions Comments?

Interviewing and Interrogation

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Terminal Performance Objective

Students will learn the techniques necessary to conduct and document interviews pertaining to death investigations.

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Enabling Objectives

- Define Interviews
- Define Interrogations
- Discuss the differences between interviews and interrogations
- Discuss formal and informal interviews
- Discuss non accusatory approaches in interviewing

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OBJECTIVES OF THE INTERVIEW PROCESS

- Obtain truthful information for victim's families
- Obtain factual information concerning medical histories
- Compile case reports supported by interviews of the investigative witnesses and team

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Characteristics of An Interview

- An interview is non-accusatory
- The purpose is to gain information
- It is normally conducted early in the investigation
- The interview may take place in a variety of environments
- They should be free flowing
- We should take notes during the interview

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OBJECTIVES OF THE INTERROGATION PROCESS

- Successful interrogation accomplishes four objectives:
 - Obtaining facts
 - Eliminating the innocent
 - Identifying the guilty
 - Obtaining a confession

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Characteristics of an Interrogation

- The interview becomes accusatory
- Involves active persuasion to tell the truth
- Purpose is to learn the truth
- Conducted in a controlled environment
- Only conducted when sure of interviewee's guilt
- Notes are taken once the interviewee has told the truth

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Interviews versus Interrogations

- | | |
|--|---|
| <u>Interviews</u> <ul style="list-style-type: none"> • Planning important • Controlling surroundings important • Privacy or semi privacy desirable | <u>Interrogations</u> <ul style="list-style-type: none"> • Planning critical • Controlling surroundings critical • Absolute privacy essential |
|--|---|

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Interviews versus Interrogations

- | | |
|--|--|
| <u>Interviews</u> <ul style="list-style-type: none"> • Establishing rapport important • Careful listening • Proper documentation | <u>Interrogations</u> <ul style="list-style-type: none"> • Establishing rapport important • Careful listening • Proper documentation |
|--|--|

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Differences between Interviews and Interrogations

- | | |
|---|--|
| <u>Interviews</u> <ul style="list-style-type: none"> • Purpose is to obtain information • Minimal or no pre-interview legal requirements; no rights warning • Cooperative relationship between interviewer and subject likely | <u>Interrogations</u> <ul style="list-style-type: none"> • Purpose to test information already obtained • Extensive pre-interrogation legal requirements; rights warning required • Adversarial or hostile relationship between interviewer and subject likely |
|---|--|

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Differences between Interviews and Interrogations

- | | |
|--|--|
| <u>Interviews</u> <ul style="list-style-type: none"> • No guilt or guilt uncertain • Moderate planning or preparation • Private or semiprivate environment desirable | <u>Interrogations</u> <ul style="list-style-type: none"> • Guilt suggested or likely • Extensive planning preparation • Absolute privacy essential |
|--|--|

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Pre-interview Concerns

- The need to develop case facts through obtaining and evaluating factual information
- Become aware of all the known facts and circumstances of the case
- Interview victim's closest confidant first
- Interview any eye-witnesses or surviving victims.
- Do not focus on estimated time of death

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Interview Concerns and Focus

- Circumstantial and Physical evidence can point at a suspect...don't second-guess
- Some witnesses may confront suspects and unwitting statements can be made by both parties at the scene
- Truthful people may given incorrect information by mistake and without intent
- Eliminate law enforcement rivalry to solve case
- Take notes and try not to interrupt

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Interview Concerns and Focus

- Continue note taking even if the interviewee contradicts an earlier statement
- Request the interviewee to sketch the location of occurrence and identify points of interest
- Be very leery of paid informant information
- Discuss suspiciously without identifying possible suspects or theories
- Minimize the event if appropriate

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PREPARATION FOR INTERVIEWS OR INTERROGATIONS

- Know as much as possible about the witness
- Know what crime or crimes were committed
- Learn as much as possible about the victim
- Evaluate what is known about the suspect

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PREINTERROGATION CHECKLIST

- Many investigators find it useful to complete a pre-interrogation checklist to assist them in adequately preparing for their meeting with the suspect.

Do You Have These Facts Regarding the Crime?	Check Here
1 The legal description of the offense	
2 The value and nature of loss	
3 Time, date, and place of occurrence	
4 Description of crime scene and surrounding area	
5 Physical evidence collected	
6 Weather conditions at time of offense	
7 Specific entry/exit points of perpetrator	
8 Approach and departure routes of perpetrator	
9 Methods of travel to and from scene	
10 The modus operandi of the perpetrator	
11 The tools or weapons used	
12 Names of persons having knowledge	
13 Possible motive	
14 Details from other case files that	
a. point to particular suspects	
b. show matching modus operandi	
c. suggest a pattern of criminality	

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CHALLENGES IN RELYING ON EYEWITNESS IDENTIFICATION

- The significance or insignificance of the event to the witness
- The length of the period of observation by the witness
- The lack of ideal conditions for the witnesses

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CHALLENGES IN RELYING ON EYEWITNESS IDENTIFICATION

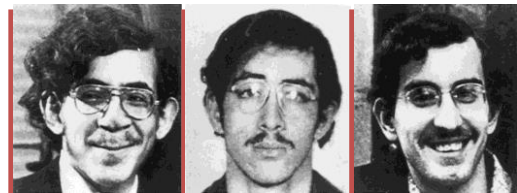
- The psychological factors internal to the witness
- The physical condition of the witness
- The expectancy of the witness

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EYEWITNESS IDENTIFICATION

- Research indicates this form of identification is often unreliable.
- Human perception and memory are selective do not make exact copies



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STEPS IN INTERVIEW PROCESS

- Interview consists of:
 - Beginning, middle, end
- Beginning should be a time:
 - When the investigator can identify himself or herself
 - When the investigator can discuss the purpose for the interview
 - When the investigator establishes rapport
- Middle
 - The investigator gathers information
- Ending
 - Thank the witness for his/her cooperation

Inbau, Fred E., Reid, John E., Buckley, Joseph P., and Jayne Brian C. (2005) Essentials of the Reid Technique: Criminal Interrogation and Confessions 4th ed. Jones and Bartlett. Bruce C. Willis, Georgia Police Academy



BASIC INTERVIEW TECHNIQUE

- Four basic techniques to elicit information
 - Asking the witness to think about the general circumstances
 - Report everything, no matter how minor or unimportant it may appear
 - Recall events in a different order
 - Change perspectives by looking at the event from the standpoint of a third person

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The Interview

Develop Investigative Information: The subject's version of events

- The details of the event – who, what, when, where,
- why and how questions
- Independent sources to corroborate the story/facts
- Possible motives and opportunity to commit the
- crime

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The Interview

Develop Behavioral Information:

- Based on the verbal and nonverbal channels of
- communication assess whether or not the subject's
- behavior symptoms fit the "profile" of a truthful or
- deceptive individual

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The Victim Interview

Develop Background Information on Victim

The investigator must keep in mind that the person they are speaking with has just been through a bad experience

The secondary victim's health and personal safety must be the investigator's primary concern.

Additional victims may be angry, afraid or even traumatized.

Intense emotions may be projected onto the investigator. (not personal)

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The Victim Interview

The victim should be asked to provide a description of what happened to them.

The investigator should ask follow-up questions to clarify points in the victim's statement.

The victim should be asked if they know the other person(s) involved in the incident and what, if any, is their relationship to them.

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The Victim Interview

In cases involving property crime the investigator should establish, in detail, what was taken or damaged.

The investigator should obtain the victim's personal information (home, work, cell and email) to facilitate follow-up conversations.

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THE IMPACT OF MIRANDA V ARIZONA AND OTHER SUPREME COURT CASES

- The Supreme Court in the 1960s established a number of legal requirements regarding interrogation of suspects
- Issues Involved Included:
 - Fifth Amendment protection against self-incrimination
 - Sixth Amendment guarantee of right to counsel
- Miranda v Arizona was the critical decision underscoring rights for suspects being interrogated

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REQUIREMENTS IMPOSED ON POLICE BY MIRANDA V ARIZONA

- The police are required to advise in-custody suspects of:
 - The right to remain silent
 - The right to be told that anything said can and will be used against him or her in court
 - The right to consult with an attorney prior to answering any questions and the right to have an attorney present during the interrogation
 - If the suspect cannot afford to pay for an attorney, the court will appoint one

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RIGHTS WAIVER FORM

- Police departments use these forms to document:
 - Rights have been given to the suspects.
 - Suspects acknowledge they understand the rights.
 - Suspect signs waiver of their rights.

The form is titled 'RIGHTS WAIVER' and contains the following sections:

- STATE PRISONER:** A section for the prisoner's name and date.
- Before we ask you any questions, you must understand your rights.** A section with the following text:
 - You have the right to remain silent.
 - Anything you say can and will be used against you in court.
 - You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.
 - If you cannot afford a lawyer one will be appointed for you before any questioning if you wish.
 - If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.
 - Do you understand these rights? ☐ Yes ☐ No
- Witnesses:** A section for the names of witnesses.
- Signature of Prisoner:** A section for the prisoner's signature.
- Signature of Officer:** A section for the officer's signature.
- Date:** A section for the date.
- Time:** A section for the time.

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THE INTERROGATION PROCESS

- Beginning the interrogation
- Composing and asking questions
- Recognizing and coping with deception
- Verbal signals and non-verbal signals
- Statement analysis

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INTERROGATION TECHNIQUES AND APPROACHES

- Logical approach
- Emotional approach
- Sympathetic approach
- Indirect approach
- "Mutt & Jeff" approach
- Playing one suspect against another suspect

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IMPORTANCE OF LISTENING DURING INTERVIEWS AND INTERROGATIONS

- Investigators can conduct a successful interview only if they are good listeners
- **Listening** is as valuable a tool as questioning
- To be effective, one must be an active listener

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Interview Considerations

- Good interviewers remove obstacles that prevent this natural occurrence.
- People are not afraid to answer questions. They are afraid to ask them.
- People often ramble and enjoy talking.



Information Gathering Intent

- Preparation for the interview
 - identify the reason for the interview
 - determine the person to interview and the order of interviews
 - perform necessary research
 - outline questions
 - Imaging



Information Gathering Interview

Getting started;

- Establish the purpose of the interview
- Develop rapport/altruism
 - The most important aspect of a conversation.
 - Exhibit sincerity and Professionalism.



Information Gathering Interview

Attempt to obtain Factual Information

- Open-ended questions
- No Interruptions
- Draw out complete responses through "encouragement phrases."
- Employ Controlled Silence



COMPARISON TYPES OF INTERVIEW DOCUMENTATION

Type	Advantages	Disadvantages
Memory	Quick and easy	Limited absorption and recall Most information lost shortly afterward
Note taking by interviewer	Sufficient in most cases Captures salient details Prevents need for re-interviewing	May distract or offend witness May preoccupy interviewer, creating appearance of inattentiveness May cause interviewer to miss nonverbal messages
Handwritten or signed statements by witness	Useful if witness cannot testify Can be used to impeach if witness changes story in court	Request may be offensive to witness Not necessary in routine statements
Sound or sound-and-visual recordings	Relatively inexpensive Some equipment portable All information recorded in witnesses' own words Does not rely on inaccuracies of memory or another's notes Does not distract Prevents unnecessary reinterviews	Not necessary except in the most important cases Generally not practical



COMPARISON TYPES OF CONFESSION DOCUMENTATION

Type	Advantages	Disadvantages
1. Video-audiotape or movie	Shows all, including fairness, procedures, and treatment Easy to do Can be relatively inexpensive	May be legal constraints Quality equipment may be costly
2. Audio recording	Can hear conversations Can infer fairness	Some words or descriptions may be meaningless without pictorial support Necessitates identifying people and things involved
3. Statement written and signed in suspect's own handwriting	Can be identified as coming directly from suspect	Can't see demeanor or hear voice inflections Suspect may not agree to procedure
4. Typed statement signed by suspect	Signature indicates knowledge of an agreement with contents of statement	Less convincing than methods described above
5. Typed unsigned statement acknowledged by suspect	Contents of confession or admission are present Acknowledgement helps show voluntariness	Reduced believability of voluntariness and accuracy of contents
6. Testimony of someone who heard confession or admission given	Contents admissible	Carries little weight with juries

CONFESIONS BY SUSPECTS AND WITNESSES

Coroner's Inquest

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Coroner's Inquest

O.C.G.A. 45-16-33

Upon the completion of the medical examiner's inquiry by the medical examiner, as provided in Code Section 45-16-24, and after verification by the division when such verification is required, the coroner shall then make an inquest into the death of such deceased person as provided in Code Section 45-16-27.

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§ 45-16-24. Notices of death to coroners or county medical examiners; orders to conduct medical examiner's inquiries (cont.)

- (8) When an inmate of a state hospital or a state, county, or city penal institution; or
- (9) After having been admitted to a hospital in an unconscious state and without regaining consciousness within 24 hours of admission,
- it shall be the duty of any law enforcement officer or other person having knowledge of such death to notify immediately the coroner or county medical examiner of the county wherein the body is found or death occurs.

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§ 45-16-24. Notices of death to coroners or county medical examiners; orders to conduct medical examiner's inquiries

- (a) When any person dies in any county in this state:
 - (1) As a result of violence;
 - (2) By suicide or casualty;
 - (3) Suddenly when in apparent good health;
 - (4) When unattended by a physician;
 - (5) In any suspicious or unusual manner, with particular attention to those persons 16 years of age and under;
 - (6) After birth but before seven years of age if the death is unexpected or unexplained;
 - (7) As a result of an execution carried out pursuant to the imposition of the death penalty under Article 2 of Chapter 10 of Title 17;

§ 45-16-24. Notices of death to coroners or county medical examiners; orders to conduct medical examiner's inquiries (cont.)

- (b) A coroner or county medical examiner who is notified of a death pursuant to subsection (a) of this Code section shall order a medical examiner's inquiry of that death.

§ 45-16-27. When inquests required;
investigation fees and costs

- (a) Coroners shall require an inquest to be conducted in their respective counties as follows:
 - (1) When any person dies under any circumstances specified in paragraphs (1) through (8) of subsection (a) of Code Section 45-16-24; provided, however, that an inquest is not required to be held, although the coroner is authorized to hold an inquest, under the following circumstances:



§ 45-16-27. When inquests required;
investigation fees and costs (cont.)

- (A) When upon the completion of the medical examiner's inquiry the peace officer in charge and the medical examiner are satisfied that, even though death resulted from violence, no foul play was involved. In this event, the peace officer in charge and the medical examiner shall make a written report of their investigation and findings to the division as set forth in Code Section 45-16-32 and upon their recommendation, the coroner shall make and file a proper death certificate;
- (B) When there is sufficient evidence to establish the cause and manner of death, even though the medical examiner's inquiry revealed that death resulted from foul play;
- (C) When no demand for an inquest is made within 30 days after the filing of the death certificate.



§ 45-16-27. When inquests required;
investigation fees and costs (cont.)

- (D) When upon the completion of the medical examiner's inquiry the medical examiner and peace officer in charge are sufficiently satisfied that death resulted from natural causes, and that medical examiner or coroner is willing to and does sign and file a proper death certificate, and no demand for an inquest is made within 30 days thereafter;
- (D.1) The coroner or medical examiner shall assist investigators from the National Transportation Safety Board or the Federal Aviation Administration as authorized by federal law;



§ 45-16-27. When inquests required;
investigation fees and costs (cont.)

- (E) When after full and complete investigation no evidence of foul play is found in cases of hidden cause of death which fall under the jurisdiction of the coroner. The coroner shall be authorized to sign the death certificate on the basis of the information given to him in the reports of the peace officer in charge and the medical examiner, provided that, in such hidden causes of death, after a complete investigation, if sufficient medical history is obtained by the coroner, the peace officer in charge, or the medical examiner to disclose the cause of death and if the attending physician will sign the death certificate, such cases shall not come under the jurisdiction of the coroner; provided, further, that, if there are sufficient competent eyewitnesses to an act in the opinion of the peace officer in charge, such cases shall not come under the jurisdiction of the coroner; or
- (F) In cases of deaths of personnel in the armed forces of the United States government resulting from airplane disasters involving airplanes of the armed forces



§ 45-16-27. When inquests required;
investigation fees and costs (cont.)

- (2) When an inmate of a state hospital or a state, county, or city penal institution dies unexpectedly without an attending physician or as a result of violence. The chief medical examiner or his or her designee, regional medical examiner, or local medical examiner shall perform all medical examiners' inquiries. The coroner, in those counties in which such office has not been replaced by a local medical examiner, shall hold an inquest after receiving the written reports as set forth in Code Section 45-16-32;
- (3) When ordered by a court in connection with a medical examiner's inquiry ordered by that court pursuant to subsection (c) of Code Section 45-16-24; or



§ 45-16-27. When inquests required;
investigation fees and costs (cont.)

- (4) Notwithstanding any other provisions of this subsection, no person shall be deemed to have died unattended by a physician when the death occurred while the person was a patient of a hospice licensed under Article 9 of Chapter 7 of Title 31.
- (b) On and after January 1, 2007, coroners shall be entitled to an investigation fee of \$175.00 where no jury is impaneled or a fee of \$250.00 where a jury is impaneled and shall be paid upon receipt of a monthly statement to the county treasury. A deputy coroner shall receive the same fee as the coroner for the performance of services in place of the coroner and shall be paid upon receipt of a monthly statement to the county treasury. Such fee shall be paid within ten days after receipt of the coroner's monthly statement by the county where the investigation or inquest is held except in counties where the coroner receives an annual salary, in which case no fee shall be imposed upon the county by such salaried coroner or deputy coroner.



§ 45-16-27. When inquests required; investigation fees and costs (cont.)

- (c) When a coroner or a medical examiner or a medical examiner from the office of chief medical examiner, as established in Code Section 35-3-153, conducts an investigation into the death of an individual, the coroner, medical examiner, or medical examiner from the office of chief medical examiner shall be authorized to issue subpoenas to compel the production of any books, records, including but not limited to medical records from hospitals, medical clinics, psychiatric hospitals, physicians' offices, chiropractors' offices, and any other health care delivery facility, or papers relevant to the cause of death including without limitation AIDS confidential information as defined by Code Section 31-22-9.1. Any books, records, or papers received by the coroner, medical examiner, or medical examiner from the office of chief medical examiner pursuant to the subpoena must be regarded as confidential information and privileged and not subject to disclosure under Article 4 of Chapter 18 of Title 50.



§ 45-16-27. When inquests required; investigation fees and costs (cont.)

- (1) The spouse of the deceased if living;
- (2) If there is no living spouse of the deceased, an adult child of the deceased;
- (3) If there is no living spouse or adult child, a parent of the deceased;
- (4) If there is no living spouse, adult child, or parent, a sibling of the deceased;
- (5) If there is no living spouse, adult child, parent, or sibling of the deceased, a grandparent of the deceased;
- (6) If none of the above are living, an uncle of the deceased;
- (7) If none of the above are living, an aunt of the deceased; or
- (8) If none of the above are living, a first cousin of the deceased.



§ 45-16-27.1. When autopsies required

- (a) Where a coroner or county medical examiner has been notified pursuant to paragraph (6) of subsection (a) of Code Section 45-16-24 of the death of any person after birth but before seven years of age whose death is unexpected or unexplained, the medical examiner's inquiry required by Code Section 45-16- 25 shall include an autopsy unless that inquiry shows that such death was expected or explainable with a reasonable degree of medical certainty.



§ 45-16-27. When inquests required; investigation fees and costs (cont.)

- (d) Autopsy photographs shall not be subject to disclosure pursuant to Article 4 of Chapter 18 of Title 50; provided, however, that this subsection shall have no application to the disclosure of such photographs to law enforcement agencies and prosecutors for law enforcement purposes or, in closed criminal investigations, to medical schools, medical facilities, and physicians for medical purposes; to individuals who have secured a written release from the deceased's next of kin; or to the next of kin. It shall be the responsibility of the next of kin to show proof of the familial relationship. For purposes of securing a written release or when access to the photographs is requested by the next of kin, the deceased's next of kin shall be:



§ 45-16-27. When inquests required; investigation fees and costs (cont.)

- A superior court may, in closed criminal investigations, order the disclosure of such photographs upon findings in writing that disclosure is in the public interest and that it outweighs any privacy interest that may be asserted by the deceased's next of kin. In any such action, the court shall review the photographs in question in camera and may condition any disclosure on such measures as the court may deem necessary to accommodate the interests of the parties before it.



§ 45-16-27 (b.1). When inquests required; investigation fees and costs (cont.)

(b.1) A local Act providing for the compensation of a coroner shall remain in full force and effect, except as otherwise provided in this subsection. In those instances where such local Act provides for a salary in an amount less than the amount of compensation such coroner would be entitled to pursuant to subsection (b) of this Code section, the coroner may, elect to be compensated pursuant to subsection (b) of this Code section in lieu of the compensation provided for by local Act.



**§ 45-16-27 (b.1). When inquests required;
investigation fees and costs (cont.)**

- The coroner shall provide written notice to the county governing authority of such election no later than October 1 of any year to be effective January 1 of the next calendar year.



**§ 45-16-34. Attendance and oath of witnesses;
subpoenas for production of books, records, or papers**

(b) When a coroner conducts an inquest into the death of an individual, he shall be authorized to issue subpoenas to compel production of any books, records, or papers relevant to the cause of death. Any books, records, or papers received by the coroner pursuant to the subpoena must be regarded as confidential information and privileged and not subject to disclosure under Article 4 of Chapter 18 of Title 50. The actual costs of copying any books, records, or papers for the purpose of responding to a coroner's subpoena under this subsection shall be paid out of county funds to the person or entity required to respond to that subpoena, and the governing authority of the county of which that coroner is a public officer shall pay those costs within 30 days after a bill therefor is submitted to the county; provided, however, that the county shall not be responsible for duplication costs under § 25.00.



§ 45-16-36. Jury; fees

The coroner shall summon and impanel five jurors and one alternate juror to hold an inquest, which jurors shall decide the verdict by a majority vote. The first grand jury impaneled at the fall term of the superior courts of the several counties shall fix the compensation of said jurors for the next succeeding year but such compensation shall not be less than \$ 5.00 nor more than \$ 25.00 per diem. It shall be the duty of the coroner or other person discharging the duties of the coroner to give a certificate of the fact of such service to each juror. Upon presentation of such certificate to the proper fiscal authority of the county in which the inquest is held, such fiscal authority shall pay the juror for his services.



**§ 45-16-34. Attendance and oath of witnesses;
subpoenas for production of books, records, or papers**

- (a) The coroner shall issue subpoenas to or otherwise compel the attendance of witnesses; and he shall administer to such witnesses the following oath:
- “The evidence that you shall give this inquest on behalf of the state concerning the death of _____ (or a person unknown, as the case may be) shall be the truth, the whole truth, and nothing but the truth, so help you God.”



**§ 45-16-35. Recognizances of witnesses to appear in
court; warrant for arrest of suspected person**

If the inquest discloses facts which lead or may lead to the prosecution of any person for the homicide of the person for whom the inquest is held, the coroner shall require all witnesses who testify to facts material to the issues involved in such prosecution to enter into a recognizance to appear in the superior court of the county in which the inquest is held and to give evidence against the defendant in such prosecution; and he shall also petition for the issuance of a warrant for the arrest of the person suspected of the homicide, which warrant shall be returnable as other warrants.



**§ 45-16-37. No coroner's jury impaneled until
investigation complete; jury not required to view body**

- No coroner's jury shall be impaneled until the investigation is completed and copies of the reports of the medical examiner and the peace officer in charge are received by the coroner. The jury is not required to view the body.



§ 45-16-38. Summoning jury; form of precept; duty of sheriff

Whenever a coroner receives notice of the death of any person within the limits of the county of which he is coroner, which death occurred under circumstances which make it his duty, under the law, to hold an inquest, he shall make out a precept directed to the sheriff or any constable of the county having jurisdiction requiring him to summon a jury of inquest selected from the grand jury or traverse jury lists of the last excused term of the superior court of such county to appear before the coroner at the time and place mentioned in the precept, which precept may be in the following form:



§ 45-16-38. Summoning jury; form of precept; duty of sheriff (cont.)

State of Georgia
 _____ County
 To the sheriff or any lawful constable of said county,
 Greeting:
 You are required immediately to summon six persons of said county, chosen from the lists of grand jurors and traverse jurors of the last excused term of the superior court of said county, to be and appear before me, the undersigned, coroner of the county aforesaid, at _____, in said county, on the _____ day of _____ at _____, M. of that same day, then and there to inquire of, do, and execute all such things as in behalf of the state shall be given them in charge concerning the death of _____ (or a person unknown, as the case may be), and be you then and there with this precept to certify what you have done in the premises and further to do whatsoever else may in behalf of the state be enjoined upon you.
 Given under my hand and seal, this the _____ day of _____, in the year of our Lord _____, _____ Coroner (L.S.)



§ 45-16-39. Oath of foreman and other jurors

- (a) The following oath shall be administered to the foreman of the jury by the coroner:
- "You, as foreman of the inquest, shall diligently inquire and true presentment make, on behalf of the State of Georgia, how and in what manner _____ (or a person deceased, unknown, as the case may be) came to his death and of such other matters relating to the same as shall be lawfully required of you, according to evidence, so help you God."



§ 45-16-39. Oath of foreman and other jurors (cont.)

- (b) The remainder of the jury shall be sworn by the coroner as follows:
- "The same oath which the foreman of this inquest has taken on his part each of you shall observe and keep upon your part, so help you God."



§ 45-16-40. Charge to jury as to findings; authority of jury in absence of charge

- (a) The coroner shall charge the jurors to declare, and they shall so declare, whether the person for whom the inquest is held died by:
- (1) Homicide;
- (2) Suicide;
- (3) Accident;
- (4) Natural causes; or
- (5) Undetermined causes
- and all of the circumstances relating to the death.



§ 45-16-41. Penalty for juror failing to attend inquest

- Any juror failing to attend and serve on a coroner's inquest after being duly summoned may be fined by the coroner in a sum not exceeding \$ 100.00 to be levied and collected by execution issued by the coroner unless such defaulting juror shall file in the office of the judge of the probate court a good and sufficient excuse for the default to be judged by the next probate court held thereafter.



§ 45-16-42. Results of medical examiner's inquiry as evidence

- In all inquests the results of the medical examiner's inquiry performed shall be offered in evidence either by oral testimony of the medical examiner or by introduction of a copy of the report filed with the director of the division, as verified in the cases requiring verification. The jury shall be free to reach a verdict in accord or discord with such evidence but in all cases such evidence must be presented to them for their consideration.



§ 45-16-44. Disposition of body after medical examiner's inquiry and inquest

- After the medical examiner's inquiry and inquest have been completed, the dead body shall be delivered to the person legally entitled thereto for burial. If no person claims the body, it shall be turned over to the coroner of the county where death occurred for disposition as provided by law. If the deceased has an estate out of which burial expenses can be paid, either in whole or in part, such estate shall be taken for such purpose before any expense under this Code section is imposed upon any county.



Questions?



§ 45-16-43. Reports of medical examiners' inquiries as evidence in courts or other proceedings

- Reports of medical examiners' inquiries performed as provided in this article and copies of records, photographs, laboratory findings, and reports in the office of the director of the division, when duly attested by said director, shall be received as evidence in any court or other proceeding for any purpose for which the original could be received without any proof of the official character of the person whose name is signed thereto.



§ 45-16-45. Disinterment of bodies

- In order to implement this article, coroners are authorized to disinter any body already buried and, like a sheriff, to command the power of the county for that purpose. Medical examiners, other than local medical examiners, may likewise exercise such authority in any case wherein such authority is granted by an order of the judge of the superior court of the county. Such orders may be granted by judges of the superior courts, in their discretion, upon petition of any medical examiner other than a local medical examiner.



Considerations before the Coroner's Inquest

- A death occurs
- Coroner responds pursuant to the Georgia Death Investigation Act
- POST examination completed
- A decision is made to hold an inquest



Considerations before the Coroner's Inquest

- Case File Review
 - Statements
 - Medical Records
 - Photographs
 - Autopsy Report/Crime Lab Reports
- Consult with law enforcement, medical examiners office, and prosecutors



Considerations before the Coroner's Inquest

- Meet with Prosecutor
 - Review complete file with prosecutor
 - Discuss the potential witness list
 - Discuss protocol of the inquest
 - Meet within 30 days of the inquest
- Jury Selection
 - Pull at least 12 potential jurors from past traverse jury pool



Considerations before the Coroner's Inquest

- Allow Sheriff to review potential jurors
- Prepare juror summons
- Go to Clerk and set tentative date and location of inquest
- Set up controlled courtroom, limit access, arrange for bailiffs
- Clerk completes paperwork and summons for jurors
- Prosecutor obtains witness subpoenas



Considerations before the Coroner's Inquest

- Review process again with ADA on day of Inquest
- Go by Official and Legal protocol for Inquest
- Insure the Clerk has the checks for the jurors
- Release checks as jurors are dismissed
- Reminding 6 jurors will receive their checks after inquest
- Fees are paid through the Clerk's Office



Considerations before the Coroner's Inquest

- Give enough time for jurors to respond to summons
- Meet with Sheriff to discuss court process and security
- Notify family of decedent of inquest date. Time, and location



Questions?



Order of Inquest

- Enter the Courtroom behind Bailiff
- Direct all present to be seated after taking bench.
- Declare the inquest to be convened;
 "In accordance with Official Code of Georgia Annotated, Title 45, chapter 16, Section 27; It is now ordered this Coroner's inquest into the death of _____ who died on _____ in _____ County Georgia, to be convened."



Order of Inquest

- Ask the bailiff to bring in the jury
- Direct the bailiff to call the list of witnesses and request them to come before you.
- Swear all potential witnesses.
- Consider Sequestration. (Please do this)
- After witnesses have left the courtroom and Bailiff has returned, Select the first six of the traverse jury in attendance. (Five Jurors and an Alternate)



Order of Inquest

- Dismiss remaining jurors subject to recall and advise of payment
- Identify the alternate juror, last chosen, and instruct the jury to enter the juror room and select a foreman, notifying the bailiff by knocking when selection completed
- Administer oath to foreman individually
- Administer oath to remaining jurors



Order of Inquest

- Charge the Jury as to what is expected of them. You may read formal definitions of manners but at a minimum give instructions.
 "You the jurors shall declare the cause of death and whether _____ died by homicide, suicide, natural causes, accident, or in an undetermined manner:"
 Can provide definition here if desired, but most wait until evidence presented.



Order of Inquest

- Have the bailiff call the first witness
- Remind witnesses he/she have been sworn
- Ask witness to state his or her name and occupation
- Advise him or her to speak clearly and loud for jury
- At the conclusion of their testimony; ask the Jury if they have any questions of this witness. If so, ask any questions you feel necessary



Order of Inquest

- Upon completion, ask Bailiff to escort witness to the witness room, or excuse the witness subject to recall.
- After all witnesses have testified, ask the jury if they wish to recall any witnesses, if so recall the witness.
- After all witness, give any or part of the charge you feel necessary for the case (OCGA 45-16-40). Define each manner.... Then state...



Order of Inquest

"You the jurors shall declare the cause of death and whether _____ died by homicide, suicide, natural causes, accident, or in an undetermined manner." **Define each manner** ...You are to consider all the evidence presented during this inquest and base your decision solely on the evidence by law. The Foreman, upon returning to the juror room, you will, by designation or ballot, name one person as an alternate juror. This procedure is to insure five jurors decide this verdict. If you have no questions you are to retire to the juror room for deliberations."



Order of Inquest

- Upon completion of charge ask bailiff to escort the jury and provide any reports/evidence.
- Give the precept to the foreman/forelady. Advise him to fill in the findings of the jury and each member to sign the verdict and to sign their oaths. When a decision is reached, notify the bailiff.
- While jury is out, sign the jury pay vouchers.



Order of Inquest

- Recess until a verdict is reached
- Upon receiving word from the bailiff that a verdict has been reached, ask the bailiff to ask all witnesses to re-enter for a reading of the verdict
- Ask the bailiff to escort the jury into the courtroom
- Ask foreperson if verdict reached.



Order of Inquest

- Ask the bailiff to retrieve the precept.
- Review for corrections and return to the foreperson.
- Ask the foreperson to read the verdict aloud.
- Thank the members of the jury at this time and have the bailiff escort and the jury from the jury room



Order of Inquest

- After Jury has left the courtroom, declare the inquest adjourned and state
"The inquest into the death of _____ is now adjourned."
- Go to the Jury Room and thank the jurors.
Provide them with their pay vouchers



Considerations before the Coroner's Inquest

Total prep time approximately 2 months!

Decision to hold Inquest is your decision and should be discussed with other interested parties....ME, Law Enforcement, Prosecutor.....





Terminal Performance Objective

Budgeting 2014

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- Given the need to understand and prepare budgets, the student will understand the fundamentals of budgeting.

Enabling Objectives

- Identify the functions of a budget
- Identify performance indicators needed to prepare a budget
- Identify two facets of budgeting politics
- Identify steps in the budget cycle



Budget / Functions

A financial plan	- Plan expressed in dollars for a specific time - Plan for how much we spend and on what - Allocates resources
A policy statement	- Action of a legislative body - Translates goals and objectives of the community - Sets program and project priorities - Lays out a plan for providing services
An operations guide	- Reflects type of budget - Sets procedural matters - Provides baseline for expected performance to measure actual performance
A communications device	- Informs citizens of spending intent - Communicates spending limits to divisions - Provides opportunity for input



Purpose of Budgeting

- Encompasses comprehensive review of organizations activities
- Specifies limits of the department
- Mandates economic conditions
- Sets goals
- Enacts new programs / changes existing ones
- Improves upward/downward flow of information
- Statutorily required



Features of an Effective Budget

- Accurate forecasting
- Based on organizational goals
- Information is timely and accurate
- Formed with multilevel input
- Regular reviews are built-in



Problems with Budgeting

- The process is too long
- There is a lot of game playing
- Business decisions change but the budget does not
- People in charge of budget are held accountable in areas where they have no responsibility
- Have no say in budgeting process
- Does not encompass unforeseen expenses

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Budget Laws, Regulations, and Principles

O.C.G.A.

- 36-81-5 and 36-81-6: Advertising and conducting public hearings for local...
- 50-10-70: Open Records Act
- 48-5-32: Requirements for setting millage rates, ... Taxpayer's Bill of Rights
- 36-81-3: Establishment of fiscal year; requirement of annual balanced budget; adoption of budget ordinances or resolutions generally; budget amendments; uniform chart of accounts.
- 36-81-3(d): Requirement to adopt a resolution or ordinance to approve a budget amendment.
- 36-81-4: Appointment of budget officer; performance of duties by governing authority in absence of appointment; utilization of executive budget.

GAAP (Generally Accepted Accounting Principles)

- Failure to report using GAAP will result in a qualified or adverse audit opinion.

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Local Government Fund Types

Governmental Funds

- General Funds
- Special Revenue Funds
- Debt Service Funds
- Capital Projects Funds
- Special Assessment Funds
- Drug Forfeiture Funds

Proprietary Funds

- Water and Sewer Funds
- Electric
- Gas

Fiduciary Funds

- Pension Funds/Insurance Plans (ACCG)

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Types of Budgets

- Line Item or "Traditional"
- Performance Budgeting
- Program Budgeting
- Program and Planning Budgeting (PPB)
- Zero Based Budgeting (ZBB)

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Line Item Budgeting

**Most Widely used because of simplicity
Introduced as a means to reform uncontrollable spending**

Advantages

- Holds Divisions Accountable
- High Degree of Control
- Funds have specific limitations on use
 - Line Item Specific
 - Limited approved amounts
- Budgets by organizational unit/consistent with lines of authority
- Can be used in Trend analysis

Account	2010 Actual	2011 Estimated	2012 Proposed
Personal Svcs.	500,000	496,000	500,000
Office Supplies	10,091	11,123	12,000
Utilities	996	1,112	1,200
Equipment	0	500	0
Computers	1,000	0	0
Total	512,087	508,735	513,200

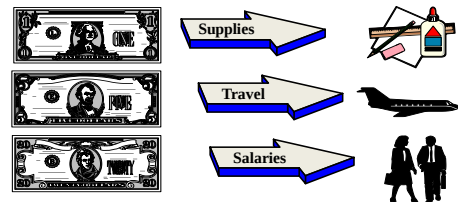
Disadvantages

- Funds cannot be redistributed without amendment process
- Frequently becomes an administrative burden
- Limited ability as a management tool
- Invites micromanagement of expenditures
- Tendency to put off expenditure increases until a later time
- Cannot relate to objectives /accomplishments
- Levels of service, organizational structure and methods become permanent
- Ignores long term goals by focusing on short term allocation of resources
- "use it or lose it" mentality of spending

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A Line-Item Budget Emphasizes:

The relationship between money budgeted and what will be acquired or purchased with it.



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PPB Examples

FY 2012 Program Budgets

Department Budget Summary	FY 2011 Current Budget	Changes	FY 2012 Recommendation
State General Funds	\$60,411,421	(\$669,778)	\$59,741,643
TOTAL STATE FUNDS	\$60,411,421	(\$669,778)	\$59,741,643
Federal Funds Not Itemized	\$6,478,333	(\$3,300,272)	\$3,178,061
TOTAL FEDERAL FUNDS	\$30,478,333	(\$3,300,272)	\$27,178,061
Federal Recovery Funds Not Itemized	6,132,772	(6,132,772)	0
TOTAL FEDERAL RECOVERY FUNDS	\$6,132,772	(\$6,132,772)	\$0
Other Funds	\$19,405,240	\$497,889	\$19,903,129
TOTAL OTHER FUNDS	\$19,405,240	\$497,889	\$19,903,129
Total Funds	\$116,427,766	(\$9,604,933)	\$106,822,833

Bureau Administration	
Purpose: The purpose of this appropriation is to provide the highest quality investigative, scientific, information services, and resources for the purpose of maintaining law and order and protecting life and property.	
Recommended Change:	
1. Reflect an adjustment in the Workers' Compensation premium.	(\$4,343)
2. Reflect an adjustment in telecommunications expenses.	(\$1,915,722)
3. Increase funds to reflect an adjustment in the employer share of the Employees' Retirement System.	26,738
4. Reduce funds for telecommunications due to the completion of the Unisys Migration ahead of schedule.	(800,000)
5. Reduce funds for personal services by not filling vacancies due to retirement.	(\$9,140)
6. Replace state funds with other funds for Criminal Justice Coordinating Council administrative support.	(104,760)
7. Reduce funds for personal services by outsourcing payroll functions to the State Accounting Office's Shared Services Initiative.	(44,880)
Total Change	(\$4,897,207)

PPB Continued

Advantages

- Emphasis on decision making
- Establishes goals and objectives after observation
- Assigns alternatives to accomplishing objectives
- Predicts consequences
- Works towards achieving objectives

Disadvantages

- Tendency to centralize decision making
- Development of alternatives is not made at lower level
- Goal setting is difficult – We do not know what we are trying to accomplish
- Assumes administrators are analytical
- Difficult to administer since expenses may cross organizational units

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Zero Based Budgeting (ZBB)

(1970's)

- Newest Budgetary Approach, Introduced by Jimmy Carter while Governor
- All programs must be justified annually
- Designed to promote objective comparisons among diverse programs based on merits
- Three steps
 - 1 – Identify a decision unit (a discrete activity)
 - 2 – Define a decision package (set priorities)
 - 3 – Develop appropriations requests based on rankings of units

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ZBB Continued

Advantages

- Continued evaluation of program activity
- Helps facilitates assigning cuts
- Helps set priorities
- Focuses on minimum levels to operate
- Builds from ground up instead of incremental
- Promotes searching for alternatives

Disadvantages

- Users are threatened by need for programs to be re-evaluated annually
- Potential to overwhelm managers
- More paperwork
- Hard time ranking apples to oranges
- Priorities decided in a vacuum
- No knowledge of how interrelated programs are affected

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Stages in the Budgeting Process

- Development/Preparation
 - Unit level
 - Division level
 - Agency level
 - Executive level
- Adoption/Legislative
- Implementation/Execution
- Audit/Review

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The Budget Cycle

- The budget message
 - Instructions provided to departments
 - Distribution of budget forms
- Preparation by departments
- Staff review
- Chief Executive review and interim approval
- Review by governing body
- Citizen input obtained
- Approval by governing body

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Who Should be Involved in Developing Plans

- County Commission Chairman
- County Manager
- County Commission
- County Clerk
- County CFO's
- Department Heads



What Will Affect Your Timetable?

- Need for legislation
- Status of strategic planning efforts
- Agency familiarity and experience with performance measurement
- Sophistication of existing data systems



Review/Develop Strategic Plans

Strategic planning addresses four major questions:

1. Where are we now?
2. Where do we want to be in the future?
3. How will we get there?
4. How will we measure our progress?
5. Will I have unforeseen expenditures? Inquests?



Components of a Strategic Plan

Mission	• Define the necessity of your respective Office... Eg • Why are there so many professional, competent and safety within the ranks of Georgia's Public Safety Community by developing, delivering, facilitating and supporting training which exceeds our customer's needs
Vision	• How am I viewed? How do I want my office to be perceived? • Be recognized by the Georgia Public Safety Community as providing the highest quality public safety training in the nation.
Core Values	• Ethics and Professionalism in all facets of our jobs. • We believe the following employee values, trait or characteristics are critical to accomplishing our core business, achieving our mission and reaching our vision: Exhibiting Personal Integrity through impeccable ethical conduct, Displaying Professionalism
Goals	• What is our purpose and how do we attain it? • Promote safety in Georgia by increasing the availability and accessibility of advanced specialized training for our public safety customers
Measurable Objectives	• Establish, maintain, and... • Over the next 3 years develop "standard" course packages for public safety trainers to deliver throughout GA either regionally or departmentally
Strategies	• How to show the public what you are accomplishing • Lower rejection rate • Meet all courses • On-time delivery



Types of Data for Measurements

Area Characteristics	Department Resources	Work Load	Activities
• Population • Daytime Population • Geographic Population • Square Miles • Street Miles • # Licensed Drivers	• Number of Officers • Number of Units • Total Employees • Special Equipment	• Calls for Service • Court Appearances • Traffic Accidents • Fires • Required Training • Administrative Demands	• Service Calls • Preventative Patrols and Inspections • Court • Investigations



Efficiency Measures

- a. Employment efficiency – hours spent “in service” divided by total duty hours
- b. Coroners assigned to cases divided by total time assigned to cases. (“Bang for the buck”)



Productivity Measures

- a. Cases per Coroner by month and year
- b. Death Certificates
- c. Full reports by coroner
- d. Responses to assistance
- e. Inquests



Analysis Formulas

- Case index (Homicide, Accidental, Natural, Suicide, Undetermined)
- Call rate
- Percentage change
- Jurisdictional analysis and comparison
- Graphic representation
- Per capita expenditures
- Percentage of total
- Work day analysis
- Manpower analysis and allocation



Monitor Performance and Report Results

- Are expected results being achieved?
- Does trend data show improved performance, or, is performance deteriorating?
- How does departmental or program performance compare with standards, targets, or the performance of others?
- What outside factors may be affecting performance?
- What is being done to bring performance back on track?
- Peer review case files.



Steps to Effective Forecasting

- Start with last year's budget
- Start with an exact repeat of last year
- Adjust for one-time unique occurrences
- List all assumptions that could impact next year's budget
- Assess the percentage likely of each assumption actually happening
- Quantify only those assumptions that could impact next year's budget
- Adjust the baseline



How to Control Your Budget

1. Monitor the actual with the budgeted numbers
2. Make comparisons
3. Communicate to appropriate staff
4. Do department performance reviews
5. Make changes
6. Document the cause of deviation in actual vs. budget



Common Mistakes

- Losing sight of real objectives
- Budgeting above 100% of last year, unless facts substantiate otherwise
- Getting rich on paper
- Accepting arbitrary changes
- Believing bigger is better
- Depending heavily on statistics (time element per case)
- Keeping inaccurate budgets in effect
- Accepting responsibility without authority



Checking Variances

- Understand the reason for the differences
- Prepare a more accurate budget in the future
- Evaluate budget goals
- Isolate problems
- Identify weak areas
- Motivate managers
- Communicate with all levels
- Forecast



Potential Rewards

- Increase agency funding overall.
- Increase budgetary flexibility.
- Exempt agency from certain reporting requirements.
- Allow agency to retain any cost savings.
- Publicly recognize agency for its achievements.
- Provide employee bonuses.
- Expand agency responsibilities.



Potential Sanctions

- Order a management audit/develop a remedial plan.
- Reduce or restrict agency funding.
- Withhold or eliminate agency funding.
- Cut employee's salary.
- Transfer agency responsibilities.
- Place an agency in receivership by replacing county personnel or creating an oversight body.



Don't be Surprised by Resistance

- Elected officials who are reluctant to relinquish control over line items
- Managers who fear that this will be nothing more than a paperwork burden
- Managers who fear that information will be used to reduce their budgets/eliminate staff
- Elected officials who fear that information will be misinterpreted by the public



Other Potential Barriers Include:

- Dissimilarities between performance reporting and accounting systems
- Short legislative sessions, small staffs, and need to respond to constituent priorities inhibit legislators' ability to use performance information
- Budget schedules often allow insufficient time to analyze and validate data



How to understand a budget

- **Budget Message**
 - Narrative Preface
 - Highlights
 - economic climate
 - Community service priorities
 - Special circumstances
 - Changes in budget
 - Signed by chief executive
- **Summary Schedule**
 - Several schedules summarizing the budget
- **Detailed Schedules**
 - Can be detailed by Program, Organization, or Object of expenditure
- **Supplemental Data**
 - Anything to be added that does not fit into other sections



Preparing Budgets

- Reader should have a good idea what the program is about just by reviewing the budget and narrative-be direct
- Puts "meat on the program bones;" represents how you are really going to spend money.
- Errors, sloppy presentation, unexplained expenses tell the reader you have not thought the budget through.
- Accuracy is a must
- Provides basis for funder to set up your budget: wrong categories in original budget can create big problems later in your financial reports!
- Should be in a format consistent with the funder's recommendations
- Break down by each project year, and provide a summary budget for all years of the project.
- Start development early!



Preparing Budget Request

Background	• History • Type of Project (multi year, ongoing, pilot, capitol) • Priority • Location, Section, Org Unit • Source of Cost estimate
Description and Scope	• "What does this project consist of?" • Size- Property needed, personnel needed, etc. • Relationship to Strategic Plan • Why should the project be funded • Operating impact, impact on other units, Cost benefit
Cost Summary	• Detailed breakout of all costs associated • Provide by year • Any other funds available to cost share • Ensure costs are accurate, complete, and credible
Supporting Documentation	• Site Plans • Photos • Vendor estimates • Other agencies statement papers



Budget Narratives

- Brief sentences, by line item, that explain each cost.
- Don't assume the reader will remember the justification from the narrative.
- Provide calculations if you did not do so in the line item budget. Keep in your notes while presenting.
- Provide a separate narrative for funder budget items, match...etc.



Final Touches

- Make sure the budget is reviewed by your organization's lead executive or program manager before submitting
- Bold face category headings, subtotals, totals
- Provide all amounts rounded off whole numbers
- Make sure numbering and sequencing is accurate
- Make sure numbers from budget are not transposed when typing on funder's cover sheets
- Discuss desires with commissioners openly before submittal-don't blind side them!



Categories: Personnel

	Salary	FICA	Retirement	HE	Total
Filled Positions	378	16,588,939	1,364,955	2,465,487	22,429,371
Vacant Positions	38	1,387,859	105,189	157,844	1,650,791
Total Positions	416	17,976,770	1,371,124	2,623,331	24,081,255
Adjustments to Projections	-	-	-	-	-
Total Adjusted Projection	416	17,976,770	1,371,124	2,623,331	24,081,255
Overtime	-	-	-	-	500,000
Shift Differential	-	-	-	-	-
Nonres. Agent Retirement	-	-	-	-	-
Career Path Promotions	-	-	-	-	93,000
Salary Encumbrances	-	-	-	-	213,944
Terminal Leave	-	-	-	-	149,817
Temporary Help	-	-	-	-	275,000
Liability Insurance	103	42,848	-	-	42,848
Workers Compensation	478	189,848	-	-	189,848
Unemployment	18	7,488	-	-	7,488
Ment System Assessment	147	61,152	-	-	61,152
Employee Drug Testing	-	-	-	-	9,550
Time Limited Positions	-	-	-	-	-
Subtotal	389,339	-	-	-	3,540,617
FY2002 Pay for Performance	-	-	-	-	-
Net Personal Services	-	-	-	-	25,825,974
Lease	7.5%	-	-	-	(1,621,956)
Total Personal Services	-	-	-	-	24,204,018
Base PS 2003	-	-	-	-	24,944,303
3% Budget Reduction	-	-	-	-	(200,124)
Personal Liability	-	-	-	-	(42,740)
Cost Rates Transfer	-	-	-	-	(429,259)
Total FY 2003 Personal Services	-	-	-	-	24,700,180



Personnel Details

SUMMARY OF SPECIAL ASSISTANT ATTORNEY GENERALS (SAAG) PAYMENTS BY WORK CLIENT FY 2002-FY 2004						
Agency	FY2002	FY2003	FY2004	3-Year Average of SAAG Payments FY 2002-2004	3-Year Average of Billable Hours	Cost per hour
Department of Human Resources	\$13,030,645	\$12,951,208	\$13,454,992	\$12,778,948	142,923	\$89.31
Department of Transportation	\$6,862,853	\$6,121,336	\$6,456,997	\$6,480,392	68,185	\$126.92
Department of Administrative Services	\$1,691,539	\$2,268,954	\$2,344,124	\$2,034,866	26,703	\$97.99
Department of Corrections	\$1,669,773	\$1,492,124	\$1,590,346	\$1,584,081	17,835	\$77.34
Legislative	\$1,269,116	\$1,067,458	\$1,169,658	\$1,135,077	16,472	\$172.07
Department of State	\$1,051,070	\$950,355	\$1,151,751	\$1,051,059	4,361	\$174.08
Others	\$6,093,492	\$3,335,643	\$5,238,432	\$4,889,191	23,585	\$207.16
Total	\$27,334,429	\$26,669,631	\$31,336,499	\$28,847,183	273,343	\$105.04
Department of Law Attorneys	106	106	106			
OPB RECOMMENDATION - 10 ADDITIONAL ATTORNEYS FOR THE DEPARTMENT OF LAW						
Total salary with fringes for 10 attorneys	\$646,180				Billable hours for FTE	1,860
Operating costs for 10 full-time attorneys	\$25,000				Number of Attorneys	10
Total Expenses for 10 additional full-time attorneys	\$671,180				Total billable hours	18,600
Average cost per billable hour	\$36.08					
OPB RECOMMENDATION - 10 ADDITIONAL ATTORNEYS FOR THE DEPARTMENT OF LAW						
Agency	Billable Hours	Payments to the Department of Law	Reduction related to savings			
Department of Administrative Services	9,300	\$335,000	\$13,774			
Department of Corrections	9,300	\$335,000	\$13,682			
Total	18,600	\$671,180	\$27,456			



Operating Expenses

- Can provide as a lump sum or as an estimated monthly/per item cost
- Specific supplies: try to itemize as much as possible
- Telephone, fax, long distance, internet access
- Printing and duplicating
- Postage
- Local training, conferences
- Rentals, leases



Computer Charges

SCHEDULE 4 OF COMPUTERS CHARGES - OTHER FISCAL YEAR 2003				Class \$0.01 Year 2003
Department/College (i.e. <u>General Purpose of Institution</u>)				
Academic/Functional Budget <u>General Clinic Management</u>				
SGD# Number	Description (if this purchase is rental of equipment, include terms of agreement)	FY 2003 Expenditure	FY 2003 Contribution	FY 2003 Budget Balance
720000		\$0.00		
720001		\$0.00		
720002		\$0.00		
720003		\$0.00		
720004	Refill personal computers 12 units @ \$1,500	18,000		18,000
720005	Refill personal computers 12 units @ \$1,500	18,000		18,000
720006	Refill personal computers 10 units @ \$2,500	25,000		25,000
720007	Refill personal computers 10 units @ \$2,500	25,000		25,000
720008	Refill personal computers 10 units @ \$2,500	25,000		25,000
720009	Refill personal computers 10 units @ \$2,500	25,000		25,000
720010	Refill personal computers 10 units @ \$2,500	25,000		25,000
720011	Refill personal computers 10 units @ \$2,500	25,000		25,000
720012	Refill personal computers 10 units @ \$2,500	25,000		25,000
720013	Refill personal computers 10 units @ \$2,500	25,000		25,000
720014	Refill personal computers 10 units @ \$2,500	25,000		25,000
720015	Refill personal computers 10 units @ \$2,500	25,000		25,000
720016	Refill personal computers 10 units @ \$2,500	25,000		25,000
720017	Refill personal computers 10 units @ \$2,500	25,000		25,000
720018	Refill personal computers 10 units @ \$2,500	25,000		25,000
720019	Refill personal computers 10 units @ \$2,500	25,000		25,000
720020	Refill personal computers 10 units @ \$2,500	25,000		25,000
720021	Refill personal computers 10 units @ \$2,500	25,000		25,000
720022	Refill personal computers 10 units @ \$2,500	25,000		25,000
720023	Refill personal computers 10 units @ \$2,500	25,000		25,000
720024	Refill personal computers 10 units @ \$2,500	25,000		25,000
720025	Refill personal computers 10 units @ \$2,500	25,000		25,000
720026	Refill personal computers 10 units @ \$2,500	25,000		25,000
720027	Refill personal computers 10 units @ \$2,500	25,000		25,000
720028	Refill personal computers 10 units @ \$2,500	25,000		25,000
720029	Refill personal computers 10 units @ \$2,500	25,000		25,000
720030	Refill personal computers 10 units @ \$2,500	25,000		25,000
720031	Refill personal computers 10 units @ \$2,500	25,000		25,000
720032	Refill personal computers 10 units @ \$2,500	25,000		25,000
720033	Refill personal computers 10 units @ \$2,500	25,000		25,000
720034	Refill personal computers 10 units @ \$2,500	25,000		25,000
720035	Refill personal computers 10 units @ \$2,500	25,000		25,000
720036	Refill personal computers 10 units @ \$2,500	25,000		25,000
720037	Refill personal computers 10 units @ \$2,500	25,000		25,000
720038	Refill personal computers 10 units @ \$2,500	25,000		25,000
720039	Refill personal computers 10 units @ \$2,500	25,000		25,000
720040	Refill personal computers 10 units @ \$2,500	25,000		25,000
720041	Refill personal computers 10 units @ \$2,500	25,000		25,000
720042	Refill personal computers 10 units @ \$2,500	25,000		25,000
720043	Refill personal computers 10 units @ \$2,500	25,000		25,000
720044	Refill personal computers 10 units @ \$2,500	25,000		25,000
720045	Refill personal computers 10 units @ \$2,500	25,000		25,000
720046	Refill personal computers 10 units @ \$2,500	25,000		25,000
720047	Refill personal computers 10 units @ \$2,500	25,000		25,000
720048	Refill personal computers 10 units @ \$2,500	25,000		25,000
720049	Refill personal computers 10 units @ \$2,500	25,000		25,000
720050	Refill personal computers 10 units @ \$2,500	25,000		25,000
720051	Refill personal computers 10 units @ \$2,500	25,000		25,000
720052	Refill personal computers 10 units @ \$2,500	25,000		25,000
720053	Refill personal computers 10 units @ \$2,500	25,000		25,000
720054	Refill personal computers 10 units @ \$2,500	25,000		25,000
720055	Refill personal computers 10 units @ \$2,500	25,000		25,000
720056	Refill personal computers 10 units @ \$2,500	25,000		25,000
720057	Refill personal computers 10 units @ \$2,500	25,000		25,000
720058	Refill personal computers 10 units @ \$2,500	25,000		25,000
720059	Refill personal computers 10 units @ \$2,500	25,000		25,000
720060	Refill personal computers 10 units @ \$2,500	25,000		25,000
720061	Refill personal computers 10 units @ \$2,500	25,000		25,000
720062	Refill personal computers 10 units @ \$2,500	25,000		25,000
720063	Refill personal computers 10 units @ \$2,500	25,000		25,000
720064	Refill personal computers 10 units @ \$2,500	25,000		25,000
720065	Refill personal computers 10 units @ \$2,500	25,000		25,000
720066	Refill personal computers 10 units @ \$2,500	25,000		25,000
720067	Refill personal computers 10 units @ \$2,500	25,000		25,000
720068	Refill personal computers 10 units @ \$2,500	25,000		25,000
720069	Refill personal computers 10 units @ \$2,500	25,000		25,000
720070	Refill personal computers 10 units @ \$2,500	25,000		25,000
720071	Refill personal computers 10 units @ \$2,500	25,000		25,000
720072	Refill personal computers 10 units @ \$2,500	25,000		25,000
720073	Refill personal computers 10 units @ \$2,500	25,000		25,000
720074	Refill personal computers 10 units @ \$2,500	25,000		25,000
720075	Refill personal computers 10 units @ \$2,500	25,000		25,000
720076	Refill personal computers 10 units @ \$2,500	25,000		25,000
720077	Refill personal computers 10 units @ \$2,500	25,000		25,000
720078	Refill personal computers 10 units @ \$2,500	25,000		25,000
720079	Refill personal computers 10 units @ \$2,500	25,000		25,000
720080	Refill personal computers 10 units @ \$2,500	25,000		25,000
720081	Refill personal computers 10 units @ \$2,500	25,000		25,000
720082	Refill personal computers 10 units @ \$2,500	25,000		25,000
720083	Refill personal computers 10 units @ \$2,500	25,000		25,000
720084	Refill personal computers 10 units @ \$2,500	25,000		25,000
720085	Refill personal computers 10 units @ \$2,500	25,000		25,000
720086	Refill personal computers 10 units @ \$2,500	25,000		25,000
720087	Refill personal computers 10 units @ \$2,500	25,000		25,000
720088	Refill personal computers 10 units @ \$2,500	25,000		25,000
720089	Refill personal computers 10 units @ \$2,500	25,000		25,000
720090	Refill personal computers 10 units @ \$2,500	25,000		25,000
720091	Refill personal computers 10 units @ \$2,500	25,000		25,000
720092	Refill personal computers 10 units @ \$2,500	25,000		25,000
720093	Refill personal computers 10 units @ \$2,500	25,000		25,000
720094	Refill personal computers 10 units @ \$2,500	25,000		25,000
720095	Refill personal computers 10 units @ \$2,500	25,000		25,000
720096	Refill personal computers 10 units @ \$2,500	25,000		25,000
720097	Refill personal computers 10 units @ \$2,500	25,000		25,000
720098	Refill personal computers 10 units @ \$2,500	25,000		25,000
720099	Refill personal computers 10 units @ \$2,500	25,000		25,000
720100	Refill personal computers 10 units @ \$2,500	25,000		25,000



Per Diem and Contracts

FISCAL YEAR 2003

Time 0000

Department/Budget Year: [Georgia Bureau of Investigation](#)

Activity/Functional Block: [Georgia Crime Information Center](#)

Type of Net Demand For	Purpose	FY 2001 Expenditures	FY 2002 Current Budget	FY 2003 Budget Request
Consideration	To pay for various consultation services to enhance protection of agency's IT storage	25,245		
Other Fees	To pay for various background checks and data entry services	877,234	710,000	710,000
400	To pay for services of an interpreter	400		
Temporary Services	To pay for temporary employment services	728,271	728,000	728,000
Instructions	To pay for instructional services to assist in background checks		1,000	1,000
Contracts	Contract program services to assist GIC in meeting NCJ 2000 standards	300,000		
Totals:		1,788,850	1,439,000	1,439,000



Regular Operating Expenses

SCHEDULE OF REGULAR OPERATING EXPENSES (SUB-OBJECTS)		Date: 01/01/2011		
FISCAL YEAR 2009		Time: 00:00		
Department/Budget Unit: <u>Georgia Bureau of Investigation</u>				
Activity/Functional Group: <u>Georgia Bureau, Information Center</u>				
Sub-Object Class	Explanation	FY 2003 Expenditures	FY 2002 Current Budget	FY 2003 Budget
620000 - Motor Vehicle Expenses	To pay for gasoline and maintenance for GBI assigned vehicles.	308,000	308,000	308,000
620000 - Printing and Publications	To pay for printing of forms, letters, manuals, news letters, business cards, etc....	38,000	38,000	38,000
620000 - Supplies and Supplies	To pay for office, computer, and building supplies and to pay for MS Postal Service expenses.	1,142,000	85,000	85,000
620000 - Repairs and Maintenance (Non-Adm)	To pay for repairs and maintenance to equipment and for subcontract services.	308,000	308,000	308,000
620000 - Equipment not included on state inventory	To pay for small office and computer equipment.	1,142,000	78,000	78,000
620000 - Other than fleet/Bus	To pay for other than fleet/Bus.	1,142,000	1,142,000	1,142,000
620000 - Insurance and Bonding	To pay automobile insurance and employee's blanket bond.	7,428	3,240	3,240
620000 - Freight	To pay for shipping charges.	250	250	250
627000 - Other Operating Expenses	To pay for membership dues, registrations, and subscriptions.	36,275	27,000	27,000
Totals		2,977,200	1,026,250	1,026,250



Travel

- Break down by type of expense:
 - airfare/train fare
 - meals and expenses (daily rate, i.e. \$38/day x 3 days)
 - hotel (nightly rate, ie. \$100/nt x 3 nts)
 - taxi, commuter train, subway (daily rate)
 - Mileage
 - use federal per diem/hotel rates when possible



Capital Expenditures

[illegible]

Monthly Financial Review

Financial Speedometer

- How fast revenue is collected
- How fast money is spent

- Report to governing board
- At least once a month

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Example of Formal Expense Report

	ADJ. ACB	EXPENDITURES	BALANCE	YTD PCT EXP.
GEORGIA FIRE ACADEMY				
State Funds	\$952,964	\$716,542	\$186,422	75%
Revenues/Other Funds	\$76,097	\$42,737	\$33,360	56%
Federal Funds	\$1,171,109	\$674,589	\$296,521	75%
FIRE ACADEMY - TOTAL FUNDS	\$2,199,170	\$1,433,868	\$415,303	76%
GEORGIA POLICE ACADEMY				
State Funds	\$1,250,342	\$953,261	\$297,081	77%
Revenues/Other Funds	\$209,133	\$117,243	\$91,890	49%
Federal Funds	\$1,079,727	\$629,964	\$449,763	49%
POLICE ACADEMY - TOTAL FUNDS	\$2,539,199	\$1,699,468	\$839,734	59%
GEORGIA PUBLIC SAFETY TRAINING CENTER				
State Funds	\$7,045,258	\$6,109,143	\$1,936,115	77%
Revenues/Other Funds	\$3,446,513	\$2,967,496	\$1,379,017	69%
Federal Funds	\$0	\$0	\$0	0%
GPSTC - TOTAL FUNDS	\$10,491,771	\$9,076,639	\$3,315,132	72%
TOTAL STATE FUNDS	\$10,095,564	\$7,768,946	\$2,326,170	77%
TOTAL REVENUE/OTHER FUNDS	\$3,446,513	\$2,967,496	\$1,379,017	59%
TOTAL FEDERAL FUNDS	\$0	\$0	\$0	0%
TOTAL FUNDS	\$13,542,077	\$10,734,142	\$3,705,187	72%

1. Through April of FY 2011, GPSTC's total state fund expenditure is 77% of Amended Budget of \$10,095,564.

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Example of Working Expense Report

B	C	E	G	H	I	J	K
Descr	Obj	Budget Total	Total Expense	% Year to Date Spent	Balance	Projected Expenses	% Remaining
REGULAR SALARIES	700	880,788.00	512,703.74	58%	46,903.26	1,027,791.26	(194,747.00)
TEMPORARY/CASUAL LABOR	700	30,000.00	12,650.00	42%	23,350.00	2,000.00	97%
ICA	700	76,400.00	32,015.46	42%	26,455.54	157,789.91	201%
RETIREMENT	700	136,525.00	62,797.86	46%	77,727.14	11,812.24	22,862.76
HEALTH INSURANCE	700	147,627.00	72,610.08	51%	69,999.92	147,627.00	(6,595.52)
UNEMPLOYMENT INSURANCE	700	1,686.00	2,460.00	146%	(774.00)	2,460.00	(774.00)
ASSESSMENTS BY HEAT SYSTEM	700	2,224.00	1,470.00	66%	1,764.00	2,224.00	294.00
LAPSE FACTOR/BOGEYMAN ACCOUNT	700	0.00	0.00	0%	(12,119.00)	(12,119.00)	0.00
Subtotal PS	700	1,381,255.00	795,868.43	21%	676,186.57	1,406,138.00	(183,893.00)
MOTOR VEHICLE EXPENSE	700	2,000.00	9,000.00	70%	5,000.00	2,000.00	0.00
PRINTING & PUBLICATIONS	700	10,100.00	1,011.80	10%	5,888.19	5,888.00	5,100.00
SUPPLIES & MATERIALS	700	2,200.00	6,886.53	268%	(1,684.53)	16,200.00	(7,544.00)
REPAIRS & MAINTENANCE	700	1,500.00	363.83	24%	1,136.07	720.00	772.00
EQUIPMENT - NOT CAPITALIZED	700	911.00	388.45	43%	526.55	700.00	160.00
RENTS OTHER THAN REAL ESTATE	700	1,600.00	621.00	39%	1,020.00	2,400.00	(1,770.00)
INSURANCE - BOOKING	700	2,000.00	1,480.00	74%	1,560.00	2,000.00	0.00
FREIGHT	700	0.00	9.99	#N/A	(9.99)	0.00	0.00
OTHER OPERATING EXPENSES	700	0.00	2,735.14	#N/A	(2,735.14)	5,504.00	(5,504.00)
Subtotal FIDE	700	47,600.00	38,794.87	81%	8,805.13	61,000.00	(13,363.00)
TRAVEL	700	6,800.00	3,426.13	50%	5,563.87	9,000.00	0.00
EQUIPMENT	700	800.00	800.00	100%	0.00	800.00	0.00
COMPUTER BUILDINGS - GTA	700	6,800.00	6,116.46	90%	3,683.54	18,400.00	(1,500.00)
COMPUTER BUILDINGS - NOT CAPITALIZED	700	3,600.00	1,334.89	37%	1,723.01	3,670.00	(202.00)
EQUIPMENT - NOT CAPITALIZED	700	6.00	1,674.00	279%	(1,674.00)	1,674.00	(1,674.00)
REAL ESTATE RENTALS	700	46,000.00	46,000.00	100%	0.00	46,000.00	0.00
TELECOMMUNICATIONS - OTHER	700	30,400.00	22,371.86	74%	18,102.96	44,440.00	(6,000.00)
PER DIEM & FEES	700	16,400.00	2,238.88	14%	14,261.12	7,000.00	9,400.00
CONTRACTS	700	380,200.00	380,200.00	100%	0.00	380,200.00	0.00
Total	700	1,933,839.00	1,267,828.35	65%	726,810.65	2,051,948.00	(118,206.00)
Other Funds	700	27,600.00	26,864.14	97%	2,935.86	111,275.00	(83,540.00)
Federal Funds	700	1,874.00	1,874.00	100%	(1,874.00)	1,874.00	0.00
State Funds	700	1,961,243.00	1,300,890.21	66%	725,891.65	2,165,097.00	(144,650.31)

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Questions / Comments

Open Records Act

- 50-18-70
- Records subject to access
- 50-18-71
- Inspection/Fees (\$.25 per page)
- 50-18-72
- Closed records
- 50-18-73
- Enforcement
- 50-18-74
- Misdemeanor fines

Media Relations

Bruce Willis
Georgia Police Academy
478-993-4479

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Records Open to Disclosure

- Documents
 - Incident/Accident reports
- Maps
- Photos
- Papers
- Books
- Tapes
- Letters
- Computer Records



Original Closed Records



- Wreck reports
- Incomplete Coroner Investigative files
- IA files
- Active criminal investigation
- Domestic Violence reports
- CI info
- Autopsy pics
- SSNs
- Financial account numbers
- References



NEW Closed Records

- Records the Feds want confidential
- Medical/Veterinary records that would compromise privacy
- SSN's, insurance or medical info (can be redacted) from personnel records
- ID theft information
- Info re: children under 12 from athletic or recreational records (state or division of state)



New Closed Records, cont'd

- Anything compromising security against sabotage, criminal or terrorist acts which need to be kept confidential to protect life, safety or public property.
 - Security plans for public utilities, technology infrastructure, building, facility, function or activity
 - Anti-terrorism plans
 - Anything related to security devices (anti-terrorist or other attack)
 - Any plan or blueprint which could compromise security
 - If sued, courts can look at documents *in camera*
 - See section on "activity"



Public Safety Exemptions

- Medical records
- SSNs ...
- Home telephone
- Insurance info
- Home address
- School/daycare info



The Rape Shield Laws

- Naming sex assault victims is illegal ...



• WRONG!

- Ga. Supreme Court said the statute was unconstitutional!
 - Dye v. Wallace, 2001



The Loophole

- Doe v. Board of Regents (1994)
 - Not overturned
 - Allows for redaction of information not releasable.



Juvenile Offenders (13+)

- Seven Deadlies
- 2nd possession of handgun
- Kidnapping
- Arson, 1st or 2nd degree
- Aggravated assault
- Aggravated battery
- Robbery
- Battery on teacher or school personnel
- Attempted murder
- Attempted kidnapping
- Hijacking a motor vehicle
- Possession or manufacturing destructive device



Any Juvenile

- Carrying/possession of weapon on school property
- 2nd or more charge of possession of hoax destructive device
- Drug trafficking
- Criminal racketeering
- Participation in criminal street gangs
- Escape, if previously adjudicated of designated felony
- Theft of motor vehicle



They're ALWAYS there ...

Can you make them leave?

Not from public places



- Streets
- Parks
- Public buildings



Reporters have rights!



- But not special ones
- Same freedom of movement as anyone else



Public but not open places:

- Public school classrooms
- Hospital/doctor exam rooms/areas
- Courtrooms that are closed
- An area being used for a confidential interview



The Home



- Most private place
- Once asked to leave, they have to leave
- Hotel rooms
- Rented rooms
- Rented homes
- Trailers
- Knocking is usually OK

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Raids and Warrants



- The media cannot go with police when they execute search or arrest warrants unless they are actually assisting in the action

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FIRE SCENES



- The media can *accompany* firefighters or investigators into a *burned out* home



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Any Questions?

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Press Releases

Importance:

- Impacts public perception of your office
- Positive Exposure
- Influential, credible and powerful access to public
- Satisfies curiosity within your community
- Provides minimal information on complex cases

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Consequences of Poor Media Relations

- Poor public image
- Poor media coverage presently and in future
- Increases media scrutiny
- May increase opposition to budgetary concerns
- Gives unprofessional impression

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Appoint Spokesperson

Plans, Coordinates and maintains public relations
 Establishes media contacts and plans events
 Handles release of information
 Acts as the leader (but may not be) of the office



Establish a Policy

Formally adopt a media relations policy
 Should become part of your Standard Operating Procedure
 Assures appropriate and consistent release of information. (Do not say no comment)



Understanding the Media

Observation Media (know the reporter)
 They focus on hard news and features
 Focus area is local or state
 Commonly address Health issues
 Commonly take photographs at scenes



Develop a Media List

Mail or e-mail list (not social media)
 Phone and fax number with names and listings
 Public Service announcements (mass fatality)
 News submission policies and formats
 Demographics
 Editorial Style
 Update regularly



Follow-up with Media

Plan before release of information with investigative group
 Discuss appropriate commentary
 Determine the message to be conveyed
 Determine your audience
 How can you reach your target audience
 What do I want the media to do
 What can I give the media



Involve the Media

Allow media ride-along when appropriate
 Offer the media to attend Commission meetings and budget planning meetings with you
 Allow participation in training exercises/drills



Using a Printed News Release

What is it
 When do I use it
 Who is writing the release
 What do I include in the release
 How specific do I become
 Do I provide remedies for questions (phone or e-mail)



Public Service Announcements

May be:
 Radio, Television, or by newspaper
 Pre-recorded
 Locally developed and disseminated
 Op-Eds and letters in a specific forum
 Featured in periodical or magazine



Steps in Press Briefing

Determine whether to contact or not
 Planning/timing
 Preparation
 Conducting the event
 Follow-up



Negative Media Coverage

"Bad news sells"
 Crisis and conflict
 Catastrophe
 Crime and Corruption
 Bad Government



Planning

Plan before negative incident occurs
 Have media policy in place
 Have public information officer serve as the single source
 Do not respond to select media



Managing the Negative News

Contact media first if possible
 Continuously gather and release new information (clear first)
 Be truthful and never lie
 Stick to facts and do not embellish (I don't know or remember)
 Report incident to all concern agencies



Managing the Negative News

Emphasize your corrective action.

Have standard information packet ready

Include positive facts

Don't defensive over minor errors

Don't blame media for problems

