



Darrell Dix  
Sheriff

## *Spalding County Sheriff's Office*

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Tony Thomason  
Chief Deputy

February 12, 2020

Honorable Governor Brian Kemp,  
Governor of Georgia  
203 State Capitol  
Atlanta, GA 30334

Governor Kemp,

On Monday February 3, 2020, Spalding County Deputies conducted a welfare check at the residence of Spalding County Commissioner Don Hawbaker located on Satilla Drive in the Sun City Community of Spalding County. The request was made by one of Mr. Hawbakers sons after he learned that Hawbaker and his wife Gayle had been involved in a domestic dispute. Spalding County Deputies responded to the residence and were able to see Mr. Hawbaker sitting inside on a couch. When they knocked on the door, Hawbaker refused to meet them and threatened to shoot anyone that entered. At this point we had received no call from Mrs. Hawbaker to report the earlier incident and she was safely away from the residence at a secondary location. Seeing that Hawbaker was alone, alive, and responsive, the Deputies left the residence. It should also be noted that earlier that same night at the regularly scheduled Spalding County Board of Commissioner's meeting, Mr. Hawbaker appeared to me, other officials, and citizens, as being under the influence of alcohol.

On Tuesday February 4, 2020, my investigators met with Gayle Hawbaker and based on her statements and text messages, warrants were obtained for the arrest of Don Hawbaker. At the same time Mr. Hawbaker called the Spalding County Sheriff's Office multiple times and verbally assailed several of my employees including at least three female civilian employees. In all, 4 misdemeanor arrest warrants were obtained on behalf of Gayle Hawbaker and my civilian staff.

Knowing his agitated and intoxicated state, along with threats of shooting Mrs. Hawbaker and my Deputies, it was decided to call him away from his residence and arrest him at a secondary location to lessen the chances of an armed confrontation. As a back-up plan, I had my SWAT team stage in the area of the Hawbaker residence. I personally called Mr. Hawbaker

multiple times and he stated to me, "Anyone that comes in my house better be prepared. They will be met with a hail of gunfire."

Based on the threats, I sent officers in marked and unmarked units to the residence to inform him of the warrants, call him out via loudspeaker, and allow him to surrender. As they arrived and began to exit their vehicles, Spalding County Commissioner Don Hawbaker opened fire on my Deputies from deep inside the house where he was not in view. Unlike in a drive by shooting, Officers do not have the luxury of spraying rounds at a house in an attempt to hit someone inside that we cannot see. Also unlike in a drive by shooting, or in this case, Don Hawbaker, we are accountable for every round we fire. This neighborhood is densely populated, people were out and about, and gunfire had to be controlled. My Deputies took cover, the Spalding County Sheriff's Office SWAT team responded and set up a perimeter. We then began evacuating and/or notifying residents nearby to shelter in place.

Multiple attempts were made to negotiate with Hawbaker, and he continually stated that he would shoot anyone who came in or attempted to arrest him and the only way he would come out is if we killed him.

For the next 3 hours we negotiated with Spalding County Commissioner Don Hawbaker via telephone and injected multiple rounds of chemical agents into the residence in an effort to force him to surrender. Hawbaker refused to come out and during this time period we could detect no movement from him in the residence.

Near the end of the standoff, Spalding County Commissioner Don Hawbaker appeared in a rear window. One of my perimeter SWAT Officers saw him with a gun in his hand and my Deputy began giving him verbal commands. Hawbaker raised his weapon and pointed it at my Deputy causing him to fire 3 rounds at Hawbaker. Hawbaker disappeared from sight.

Believing Hawbaker was struck by the rounds, I ordered my SWAT team to enter his residence by driving our armored personnel carrier through the front of his house. Hawbaker was on the couch with the pistol lying next to him. When they approached, he tried to fight but was quickly taken into custody. He received a cut to his head and scuff marks on the side of his face but refused medical treatment. Hawbaker was then transported to the Spalding County Jail where he was housed temporarily in our medical unit for observation.

The Georgia Bureau of Investigation responded to the scene and the investigation has been turned over to them.

On Wednesday February 5, 2020, Spalding County Commissioner Don Hawbaker appeared in Court in front of Spalding County Chief Magistrate Judge Rita Cavanaugh, Hawbaker has been charged with Simple Assault under the Georgia Family Violence statute, three counts of Disorderly Conduct for the "vile and egregious" calls to my civilian staff members, and four counts of Aggravated Assault on Law Enforcement Officers for firing shots at my Deputies.

According to the attorney representing Hawbaker at his hearing, "We are not going to argue the facts of the case" and it was requested by his counsel that he be released on bond to seek treatment at a substance abuse treatment facility. Spalding County Commissioner Don Hawbaker was denied bond after arguments in opposition were presented by Spalding County Chief Assistant District Attorney Marie Broder. He is currently being housed in the Spalding County Jail in a housing unit with other criminals just like him.

Spalding County Commissioner Don Hawbaker pointed a gun at his wife, shot at and attempted to murder my Deputies, pointed a gun at another Deputy causing that Deputy to shoot at him in fear of his own life, and showed belligerent behavior to my civilian staff. He believes, that in this incident and as demonstrated by past his behavior, that he is above the law and not accountable to anyone for his actions. That ended on February 4, 2020 and he should be held accountable just as anyone else would without the crutch of claiming intoxication or need of rehabilitation.

I have been a law enforcement officer for 33 years and in my opinion, Don Hawbaker is a threat to the community and a menace to society. His actions are worse than the actions of a gang member. He is held to a higher standard as an elected official. He is entrusted with the governing of our community by the voters and taxpayers, and he tried to murder my Deputies.

Whether Spalding County Commissioner Don Hawbaker was intoxicated or not makes no difference and is not an adequate excuse for his behavior. If he would have killed one of my Deputies, I would be the one tasked with delivering that news to my Deputy's family. When I deliver that message, the family would not care if the perpetrator was drunk or not, or whether or not his marriage was in crisis causing him to act out or not. Cause or reason does not lessen the fact or the degree of death, nor does it make it more acceptable to a murdered Officers family and community. It does not lessen the severity of Don Hawbaker's actions on February 4, 2020.

I am asking that you, in your capacity as Governor of the great state of Georgia, take steps to remove Donald Hawbaker from his position as a Spalding County Commissioner as soon as possible. He has violated the trust of the people and violated the law in the most egregious ways imaginable.

Your swift attention to this matter will be greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be "Darrell Dix", enclosed within a large, loopy oval flourish.

Sheriff Darrell Dix  
Spalding County