

**MINUTES**  
**CITIZENS LAW ENFORCEMENT ADVISORY BOARD**  
**MAKE-UP MEETING FROM 11/19/15**  
**AND REGULAR MEETING COMBINED**

**February 10, 2016**

**6:30 PM**

**Ormond Beach Police Department**  
**Conference Room**  
**170 W. Granada Blvd.**  
**Ormond Beach, Florida 32174**

**1) Call to Order**

Chairman Kevin Tilley called the meeting to order at 6:34 p.m.

Members present: Kevin Tilley, Jeremy Buckmaster, Matthew Pittman and Ed Shumaker.

Staff present: Chief Henry Osterkamp, Captain James Crimins, Sergeant Mills, Sergeant Elkins and Recording Secretary Sandy Smith.

Guests present: Mr. Stan Driscoll and Ms. Cynthia Shedd.

**2) Guest Comments**

Mr. Driscoll introduced himself and acknowledged he is interested in becoming a member of this Board.

Ms. Shedd introduced herself and acknowledged she wanted the Board to hear her concerns regarding Case #SR15-018.

**3) Administrative Matter**

Chairman Tilley noted tonight's agenda includes a make-up meeting from November 19, 2015, our regular scheduled meeting and Election of Officers. The committee agreed to begin the meeting with Ms. Shedd's concerns regarding Case #SR15-108 so as not to detain her for the entire evening. She stated that the ticket her son received while a passenger in her car for not wearing his seatbelt was not her complaint. Her complaint is what transpired afterward.

Ms. Shedd wanted the Board to know that she did not have a positive experience regarding three (3) different individuals of the Ormond Beach Police Department and she felt the series of events that had occurred triggered issues of unprofessional behavior.

#1 On October 16, 2015, as she was driving slowly past an accident scene on south A1A, Officer K. Labrie yelled rather loudly "seatbelt", into the passenger side window of her car for her adult son to put on his seatbelt. Not more than a half minute later, Officer LaBrie pulled her car over and issued her son a ticket for not wearing his seatbelt. Ms. Shedd thought it was very unprofessional and not safe protocol for an officer to yell into the window of a moving vehicle and felt this could be very distracting to a driver.

#2 Ms. Shedd later the same day came in to the Police Department to speak to Sergeant Bandell who is Officer LaBrie's immediate supervisor. After waiting in the lobby for Sergeant Bandell to arrive, a female officer inquired as to what her concern was. Ms. Shedd said Officer LaBrie did such and such and as soon as I mentioned his name, the female officer rolled her eyes. Ms. Shedd said she thought this was unprofessional and that the rolling of the eyes usually doesn't give someone credibility.

When investigated, the female officer said she did not remember rolling her eyes during the conversation and that she has been accused of that action in the past and it must just be something she does without knowing. This officer also noted that if she did roll her eyes, it was not in reference to anything said by Ms. Shedd.

#3 Ms. Shedd then spoke with Sergeant Bandell and explained what had transpired earlier with Officer LaBrie. She wanted to know how she could contest the citation given to her son for the seatbelt violation. Sergeant Bandell provided erroneous information to Ms. Shedd telling her she could immediately go down to the courthouse and receive a court date to contest the citation. Ms. Shedd left the Police Department and went down to the courthouse as suggested. Unfortunately, she found out that was not the case. She said the Clerk's office could not set a court date because the citation had not yet been entered into the system and this misinformation caused her more wasted time. After leaving the courthouse, she called Sergeant Bandell back and said, "You told me to do this and I couldn't do it." She again mentioned to Sergeant Bandell that an officer yelling in to a moving vehicle was distracting. Sergeant Bandell asked Ms. Shedd, "Did you have an accident?" Ms. Shedd replied, "No, I didn't". Sergeant Bandell said, "I guess then it wasn't distracting." After the series of these incidents throughout the day – officer yelling in to the window of her car, the female officer rolling her eyes and the misinformation provided to her, she began to question, "what the heck is going on?"

Captain Godfrey contacted a Supervisor at the courthouse to clear up the misinformation that had been provided to Ms. Shedd. The Supervisor advised Captain Godfrey, a citation can be paid on the same day it is received regardless of whether it has been entered in to the system or not. However, neither, the Supervisor or her employees can set a court date to contest any citation until the issuing agency has entered it into the system.

Chief Osterkamp apologized to Ms. Shedd for the inaccurate information that was provided to her and noted this incident has been handled as a *TRAINING* issue for department members outlining the correct process for contesting a traffic citation in order to avoid future incidents like this from happening again.

Mr. Tilley asked the Board if they had any comments.

Mr. Shumaker asked Ms. Shedd about the officer's demeanor when he approached her vehicle. She replied a little arrogant. Mr. Shumaker stated seatbelt laws are designed for safety and only recently has law enforcement been given the authority to write a citation on this violation alone. Seatbelts save many lives. Mr. Shumaker noted perhaps the officer was yelling out a warning.

Mr. Pittman stated there is a professionalism that all officers uphold and there is always going to be personality conflicts. He noted that being a member of this Board, the Ormond Beach Police Department always does a really good part here in Ormond Beach and felt this could be a personality conflict. He asked Ms. Shedd if this was such a big issue and the

ticket was written to her son, why wasn't he here to complain. She replied he was just visiting.

Mr. Buckmaster inquired as to why Sergeant Bandell would be the one to complete the investigation on Ms. Shedd's complaint when he was also part of the complaint.

Chief Osterkamp stated that Sergeant Bandell received the initial complaint regarding Officer Labrie and the female officer but the complaint against Sergeant Bandell was reviewed by Captain Godfrey.

Ms. Shedd stated she was not looking for any punitive punishment on any of these officers and was pleased with the corrective action taken with regard to Sergeant Bandell but not pleased with the actions of Officer Labrie and the female officer.

Board members thanked Ms. Shedd for sharing her concerns and even though the adjudication regarding Officer LaBrie and the female officer were UNFOUNDED, they all agreed the case was well investigated and noted the officers involved received the message of discourteous behavior observed by a citizen.

Chief Osterkamp noted the case is closed unless other evidence provided to the Board would indicate the findings were incorrect.

Mr. Tilley agreed and said he would like to think this was an unfortunate series of events that occurred all within a short timeframe. He felt this complaint was addressed at the level it need to be and Board members agreed.

Ms. Shedd thanked the Board and noted she is a happy Ormond Beach resident.

Ms. Shedd and Mr. Driscoll left the meeting.

#### **APPROVAL OF MINUTES – August 19, 2015**

Mr. Buckmaster made a motion to approve the minutes as written; seconded by Mr. Shumaker. All were in favor; motion carried unanimously.

#### **REVIEW OF FILES – November 19, 2015**

Pending Internal Affairs Investigations – IA#13-004 – Board had no questions.

Internal Affairs Investigations - None

Supervisory Inquiries (Reviews) – SR#15-005, 009; 010; 011; 012; 013

Mr. Shumaker made a motion to accept all as presented; seconded by Mr. Pittman. All were in favor; motion carried unanimously.

Use of Force Cases – UF#15-033; 034; 035; 036; 037; 038; 039; 040; 041; 042; 043; 044; 045; 046; 047

Mr. Shumaker made a motion to accept all as presented; seconded by Mr. Buckmaster. All were in favor; motion carried unanimously.

Vehicle Pursuits - None

Professional Standards Inquiry – PSI#15-007 – to be discussed at a later date.

Sergeant Mills left the meeting.

**Moving on to the February 10, 2016 Agenda**

**ELECTION OF OFFICERS**

Mr. Buckmaster moved to nominate Kevin Tilley as Chairman of the Board for the Citizens Law Enforcement Advisory Board, seconded by Mr. Pittman. The motion passed unanimously.

Mr. Tilley called for nominations for Vice-Chairman. Mr. Buckmaster moved, seconded by Mr. Shumaker to nominate Mr. Pittman as Vice-Chairman of the Citizens Law Enforcement Advisory Board. The motion passed unanimously.

**REVIEW OF FILES – February 10, 2016**

Internal Affairs Investigations - IA15-004

Mr. Pittman stated the officer involved was on a "no duty status" and requested clarification and why the reduced suspension.

Chief Osterkamp stated the no duty status means officers can take no police action, can't wear a uniform, can't carry his badge, can't have his firearm with him, etc.

As to the reduced suspension, officer took responsibility and admitted to making a bad decision.

Mr. Tilley noted this officer has been disciplined in the past and wanted to be sure a clear message has been sent to the officer regarding progressive discipline.

Chief Osterkamp acknowledged same.

No other comments.

Supervisory Inquiries (Reviews) – Mr. Pittman made a motion to accept all as presented including SR 15-018 (Shedd); seconded by Mr. Shumaker. All were in favor; motion carried unanimously.

Use of Force Cases – Mr. Pittman made a motion to accept all as presented; seconded by Mr. Buckmaster. All were in favor; motion carried unanimously.

Vehicle Pursuits - None

Professional Standards Inquiry – PSI15-007 – to be discussed at a later date.  
PSI15-008;009;010;011;012;013 – Mr. Buckmaster made a motion to accept all as presented; seconded by Mr. Pittman. All were in favor; motion carried unanimously.

## DISCUSSION

Chief Osterkamp reminded Board members according to the ordinance the regularly scheduled quarterly meetings are to be held on the second Tuesday of the month and any changes would require a new ordinance. No changes were requested.

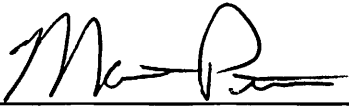
Mr. Tilley congratulated Chief Osterkamp on his upcoming retirement and thanked him for his dedication and years of service to the City of Ormond Beach.

Mr. Tilley announced he was asked to be an assessor in the selection process for a new Chief of Police.

## ADJOURNMENT – NEXT MEETING – May 10, 2016, 7:00 p.m.

There being no further business, Mr. Tilley asked for a motion to adjourn. Mr. Buckmaster made a motion to adjourn and seconded by Mr. Pittman. Motion carried.

The meeting adjourned at 7:44 p.m.

 5/10/16  
~~Kevin Tilley~~ Date  
Matt Pittman