

**MINUTES
CITY OF ORMOND BEACH
CITIZENS LAW ENFORCEMENT ADVISORY BOARD**

August 28, 2018

7:00 PM

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

The meeting was called to order by Vice-Chairman Matthew Pittman at 7:04 p.m.

ROLL CALL

Members present: Jeremy Buckmaster, Matthew Pittman, Ed Shumaker and Ken Kimble

Excused absence: Kevin Tilley

Also present were: Chief Robert "Jesse" Godfrey, Sergeant Mike Pavelka, Recording Secretary Sandy Smith and guest Bill Denny

APPROVAL OF MINUTES from May 22, 2018

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

REVIEW OF FILES:

Internal Affairs: #18-004

Response to Resistance Reports: #18-019; 18-020; 18-021; 18-022; 18-023; 18-024; 18-025; 18-026; 18-027; 18-028; 18-029; 18-030

Vehicle Pursuits: None

Professional Standards Inquiry: #18-006

DISCUSSION:

Mr. Pittman asked if the officer in IA18-004 had 4 incidents so far, was this his first time receiving a suspension without pay? What would future incidents incur? Would it be based on the severity of the action? Chief Godfrey responded, yes and with progressive discipline we start out at the lowest level of discipline with a counseling. This officer received two (2) counseling's as discipline for his first two (2) incidents based on the action. His third incident referenced insubordination to a supervisor and that in conjunction with his previous disciplines warranted the next level of discipline, a written reprimand. With this most recent incident and following progressive discipline, the officer received a one-day (12) hour suspension. The State of Florida is cracking down on abuse to the DAVID database system for individuals looking up information not work related and characterizes this as misuse of the electronic database system as a moral character violation which would lead to at a minimum, suspension.

Mr. Pittman commented in reference to Response to Resistance case, he said, "it's amazing how people act so crazy in the back of a patrol car.

Mr. Shumaker asked about use of force and if it acceptable for an officer to go 1 step above the recommended force being exerted by the perpetrator. Chief noted the Use of Force matrix has changed and it previously provided indicators by varying levels 1-5. Now, FDLE has re-labeled the indicators to include officer factors/suspect factors/conditions. Basically, an example would be, if an officer is responding to a knife fight the officer would have his gun out or if an officer is responding to a dark alley and you weigh only 105 pounds and the suspect weighs 300 pounds and under the influence of narcotics or alcohol, the officer is probably going to call for back-up and use weapons on your belt (Asp, OC or Taser). Sergeant Pavelka added that the State wanted to relieve any liability on them to tell officers how to handle a situation. In a typical defensive tactics class you might have a 5'-100 pound female and a 6'2", 200-pound male teaching them the same moves, they didn't want to teach one way to one and another way to the other, so they changed it to Response to Resistance with the matrix. You teach both subjects the same principles. Mr. Shumaker commented that it sounds like the State is leaving loopholes to where they can make decisions, at least before there seemed to be a guideline to follow. Chief noted, it is not as concrete as we were all trained, we spend a lot of time on Use of Force training and options.

Mr. Pittman noted there were no Vehicle Pursuits this quarter and commented that was good for our officers and the public. Is that because we didn't have any or because we are being more stringent on vehicle pursuits? Chief replied, "it is a combination of smarter policing and more restrictive policies".

OPEN DISCUSSION:

Mr. Denny asked what happens to the people in those Resistance Reports that mention suicidal comments and Baker Act. Chief responded, we try to get them help by taking them to Halifax Hospital/Mental Health ward to be evaluated, if they commit a felony, we stand by until cleared and then take them to jail for the felony charges, if, it is a misdemeanor we would complete a complaint affidavit.

ADJOURNMENT / NEXT MEETING:

Next meeting Tuesday, November 6, 2018 at 7:00 pm

There being no further business, Mr. Buckmaster made a motion to adjourn, seconded by Mr. Kimble, motion carried. The meeting adjourned at 7:22 pm



Matthew Pittman, Vice-Chairman