

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

August 27, 2019

7:00 PM

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

The meeting was called to order by Chairman Shumaker at 7:01 p.m.

ROLL CALL

Members present: Matt Coleman, Ed Shumaker, Matthew Pittman, Ken Kimble and Jonathan Kaplan

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

Visitor present: Mr. Bill Denny and Mr. Leo Caplette

APPROVAL OF MINUTES from May 28, 2019

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

REVIEW OF FILES:

Internal Affairs: #18-010, 18-011, 18-012, 19-003

Response to Resistance Reports: #19-025

Vehicle Pursuits: None

Professional Standards Inquiry: #19-003, 19-004, 19-005

DISCUSSION:

Section 1 Internal Affairs:

IA18-010

In this case, an officer initiated a vehicle pursuit for a Volusia County jurisdiction carbreak. Supervisor authorized the pursuit against policy. Investigation on the officer and Supervisor was SUSTAINED. Officer received a written reprimand and Supervisor received a 12 hour suspension reduced to a written reprimand.

Mr Kaplan asked if FDLE was notified that the 12 hour suspension was reduced to a written warning. Chief acknowledged, "yes", FDLE was notified in this case by the required CJSTC 78 form being placed in the file. FDLE can inspect files to be sure proper forms have been completed.

Mr. Pittman asked if a pursuit policy is not issued, are other officers allowed to respond from another zone with lights on? Chief responded, there is a policy on response protocols and all agree to get there safely following policies and procedures. If not, you become part of the problem not part of the solution.

Mr. Coleman asked what is Force Watch? Chief responded, it is our GPS tracking system on vehicles.

IA18-011

In this case, police responded to a Domestic Violence call. Officer and Supervisor failed to make an arrest on aggressor.

Mr. Shumaker made reference to a similar case discussed at a previous meeting. Officer exonerated and Supervisor received 12 hour suspension. Chief responded that in this case the officer did everything he was supposed to do and called his supervisor for advise. Supervisor did not give proper advice. Mr. Shumaker asked what is done to remedy the inaccuracy provided by the Supervisor. Chief responded training is initiated with their immediate supervisor to review policy. OBPD conducts annual In-Service training for all sworn officers which is typically a 12-hour day to include review of issues, formalized training, officer safety training, simunitions, scenarios. Shift briefings occur when time permits.

IA19-003

Officer made a DUI arrest based on breath test results provided by another Department's Breath Test Operator, the results were not understandable so he called his supervisor for clarification. Supervisor did not know how to read results either and did not attempt to get clarification. Officer was exonerated and Supervisor received a written reprimand.

Mr. Pittman asked how many officers are Breath Test certified. Chief responded, we have several, more than 1 per shift on average. When officer is off, we typically use County or Daytona Beach. It is not an uncommon practice to use an outside agency. Sergeant Pavelka also responded stating the Breath Test Operator (voluntary) is an FDLE certified 40 hour course and mandatory retraining occurs every 2-3 years. There are currently 6 -7 operators in house. Mr. Pittman asked if the individual was charged with a DUI. Chief responded no he did not.

UF19-025

Officers responded to a call regarding a person with a gun at a business.

Mr. Pittman asked if charges increase from pointing a gun to making bomb threats. Chief responded, yes but there are a lot of crimes being committed by persons who are mentally ill and therefore, are processed as a Baker Act. Mr. Coleman noted the officer did a good job not escalating the situation. Was that based on his standard level of training or is there personnel on scene who has extra skills in dealing with mental health issues? Chief noted, there are senior officers on scene and classes that several of our officers have taken called Crisis Intervention Training (CIT) where they recognize a

person in distress. De-escalation training is also taught and promoted throughout the agency.

OPEN DISCUSSION:

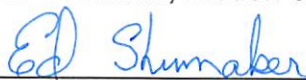
Mr. Shumaker asked if records are kept for pro-active policing (traffic stops, drug arrests initiated on the street) and if officers are taking a more cautious approach to their proactive work? Chief responded, Chicago PD (huge agency with a lot of crime) appears to take a more reactive approach than proactive approach and mostly 911 calls. Chief indicated that he would not want to work in that environment. There is no mandate from our administration to go out and make more drug arrests or stops. The one thing we do ask is to please make traffic stops. We are out there making lawful traffic related stops.

Mr. Kaplan asked about the Hemp Law passed July 1. Chief responded you can have a handful of marijuana, hemp and smell, touch and taste and you can't tell the difference unless you test it. Legal hemp is .03 or lower. Looks the same as marijuana. The conundrum that all law enforcement in Florida is facing is that there are no test kits to test whether its hemp or real marijuana and the lab in Florida has never tested for purity levels of marijuana. All the lab has ever tested for was –is it marijuana? Now they have to find a lab that tests for quantity of THC and that hasn't happened yet. Now, we have instructed our officers to do is if it is a small amount of marijuana (seize it) and ask questions. If it is marijuana, move forward. Reminder no lab to test it.

ADJOURNMENT / NEXT MEETING:

Next meeting Tuesday, November 12, 2019 at 7:00 pm

There being no further business, Mr. Pittman made a motion to adjourn, seconded by Mr. Coleman, motion carried. The meeting adjourned at 7:27 pm



Ed Shumaker, Chairman