

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

**November 12, 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 7:00 p.m.

**ROLL CALL**

Members present: Ed Shumaker, Ken Kimble and Jonathan Kaplan  
Member not present: Matt Coleman, Matthew Pittman  
Also present were: Chief Robert "Jesse" Godfrey, Sergeant Mike Pavelka, Lt. Elkins and Recording Secretary Sandy Smith

Visitor present: Mr. Bill Denny

**APPROVAL OF MINUTES from August 27, 2019**

Mr. Kaplan 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: None

Response to Resistance Reports: 19-026, 19-027, 19-028, 19-031, 19-032, 19-033, 19-034, 19-037, 19-038, 19-039, 19-040

Vehicle Pursuits: None

Professional Standards Inquiry: #19-008

**DISCUSSION:**

Section 1 Internal Affairs:

None

Section 2 Response to Resistance Reports:

Use of Force Policy (F-8-19 Effective 04-29-2019) was requested by Mr. Shumaker and provided to him by end of meeting.

UF19-028: Mr. Kimble asked if there was a set limit or guideline to fence height on how high someone can be before being tased by an officer. Chief responded, you are not supposed to tase a suspect if they were to fall and could hurt themselves. Take into consideration what will the outcome be and what kind of danger could an officer put the suspect in. Chief did say there is no height guideline but officers are required to use proper judgment.

UF19-038: Mr. Kimble had a question about mistaken identity. Chief responded if you were stopped and mistaken for someone else – an officer would document the incident, apologize for the error, explain the situation and there would be no policy violation.

Section 4 Professional Standards Inquiry:

PSI 19-008: Mr. Shumaker questioned the writing or not writing of a citation when an accident occurs.

Chief: Officers typically will find someone at fault based on the preponderance of evidence and will list that in the report but they do not have to write a ticket. They normally always will find someone at fault.

Sgt. Pavelka: Certain circumstances cannot be proved or Story A and Story B are both plausible then you typically put in your report that due to both stories being plausible- unable to determine fault. Discretion of officer.

Mr. Kaplan: Jurisdiction of SR 40 and AIA – thought this was handled through FHP

Chief: A1A is a State Road and if within the City's jurisdiction then City can handle..

Deputies don't work crashes but we do. We owe it to the citizen's to take care of these calls.


**OPEN DISCUSSION:**

\*Note\* Meeting start time has been changed to 6:00 p.m.

**ADJOURNMENT / NEXT MEETING:**

Next meeting Tuesday, February 11, 2020 at 6:00 p.m.

There being no further business, Mr. Kaplan made a motion to adjourn, seconded by Mr. Kimble, motion carried. The meeting adjourned at 7:20 p.m.

  
Ed Shumaker, Chairman