

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

February 11, 2020

6:00 PM

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

The meeting was called to order by Mr. Shumaker at 6:00 p.m.

ROLL CALL

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

Also present were: Chief Robert "Jesse" Godfrey, Captain Chris Roos, Sergeant Michelle Willis and Recording Secretary Sandy Smith

APPROVAL OF MINUTES from November 12, 2019

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

ELECTION OF OFFICERS

Mr. Coleman nominated Mr. Shumaker for Chairman and seconded by Mr. Kaplan. Mr. Coleman nominated Mr. Kimble for Vice Chairman and seconded by Mr. Kaplan. All were in favor of Mr. Ed Shumaker for Chairman and Mr. Ken Kimble for Vice Chairman.

REVIEW OF FILES:

Internal Affairs: #19-004, 19-006-was downgraded to IR 19-037

Response to Resistance Reports: #19-029; 19-030; 19-035; 19-036; 19-041; 19-042; 19-043; 19-044; 19-045; 19-046; 19-047, 19-048; 19-049; 19-050; 19-051; 19-052; 19-053; 19-054; 19-055; 19-056, 19-057, 19-058, 19-059, 19-060, 19-061, 19-062

Vehicle Pursuits: 19-001, 19-002, 19-003

Professional Standards Inquiry: NONE

DISCUSSION:

Section 1 Internal Affairs:

19-004 Mr. Shumaker asked if the Union used Florida Statute 112.532 as leverage in the final discipline issued due to the 180-day time limit having expired. He also asked about the work record of this employee before he became a Sergeant. Chief responded this was a 10 year employee who was promoted to the rank of Sergeant in 2017 and had some bumps in the road but wasn't an employee who should not have been promoted. Mr. Shumaker noted this employee after receiving his promotion was disciplined three times for reasons including; approving his own overtime, sleeping on

duty, failure for providing adequate staffing levels and in fact was transferred to a different shift due to his poor supervisory skills which Chief acknowledged was correct.

Mr. Pittman, asked what positive would you see in transferring this supervisor to a different shift? Chief responded, he would report to a different supervisor (Lieutenant) and the allegation was made by this employee that he felt like he was being picked on by the previous supervisor who was trying to hold him accountable. Unfortunately, transferring the employee to a different supervisor the outcome remained the same.

Chief commented the employee self-reported the sleeping on duty incident after an officer woke him up. Disciplined for approving the overtime issue was after he was told to stop doing it and the staffing levels were the same issue, he was told to monitor leave he was approving and it got away from him and he didn't and was held accountable.

Mr. Kaplan stated this employee has questionable judgment.

Mr. Shumaker asked if there was some reason, why he was not terminated. Chief responded, to be fair, the end result showed there was no proof; it's not what you think, it's what you can prove, we can only go with the facts. Mr. Shumaker asked if he was able to keep his Sergeant's pay to which Chief responded, yes. Mr. Shumaker asked if there has been any problems with this supervisor since this investigation. Chief said, yes.

Mr. Kaplan asked, how many more strikes does he get?

Chief unable to discuss due to another ongoing investigation still remained open.

Chief noted with reference to IA 19-006 being downgraded to IR 19-037 due to questionable tactics. After a review of body cam footage it was realized this was not a discipline issue but a training issue.

Section 2 Response to Resistance Reports:

UF 19-050 Mr. Coleman asked what our policy is regarding the use of a Taser while someone is on a bicycle. Chief referred Board members to our Use of Force Policy F-8-19 Section 3.13 (Prohibited Uses) which does not specifically mention bicycle in our policy.

UF 19-059 Mr. Pittman asked about stop sticks being deployed and unfortunately resulted in a civilian vehicle running over them and deflating two of her tires. Chief noted that whenever a mistake is made like that we do everything in our power to make them whole again, we owned it and made it right. Civilian was not upset and very understanding.

Mr. Coleman asked if stop sticks can be used again after being deployed.

Captain Roos responded, there are 3 sticks inside each stop stick unit and are individually replaced after use. Captain Roos demonstrated the stop stick unit/sleeve OBPB uses.

OPEN DISCUSSION:

Discussion on Use of Force cases. Mr. Coleman asked about the high number of Use of Force cases during this timeframe. Chief commented that OBPD tracks every time a firearm is pointed and this documentation is used for training and trend analysis.

Chief mentioned our License Plate Reader program to the Board. City Commission approved the purchase of eight (8) tag readers for our City. Basically, one camera per lane of traffic, creating a ring around the City and also create a ring connecting with other cities so as not to duplicate efforts with four (4) fixed locations – 2 cameras per location including SR 40 & Williamson, John Anderson & bridge, Clyde Morris & Strickland Range Rd (permission received from the City of Daytona Beach) and US1 and 95. Mr. Pittman asked if one would be considered at SR 40 & Tymber Creek. Sergeant Willis is the point of contact and she noted that in the future we hope to branch out and will request more funds to purchase more readers to complete the ring around the City. Chief noted that OBPD is working together with the Sheriff of Volusia County and the Chief of Police for Daytona Beach.

Police Unity Tour – CANCELLED due to COVID-19

ADJOURNMENT / NEXT MEETING:

Next meeting ~~Tuesday, May 12, 2020~~ at 6:00 pm (cancelled due to COVID-19 and rescheduled to Tuesday, June 23, 2020)

There being no further business, Mr. Kaplan made a motion to adjourn, seconded by Mr. Kimble, motion carried. The meeting adjourned at 6:38 pm



Ed Shumaker, Chairman