

Meeting Notes with Chief Cervera

June 15, 2015

The following notes are organized by topic and not by the sequential order they were asked in and are not exact quotes from the questioners or the Chief. Any discrepancies should be asked for clarification through the command. This is not meant to be a stenographic account of the meeting but a synopsis.

The Chiefs opening statement included that there would be no captains or deputy chiefs at the meeting per his request and that Lt. Hatfield and Lt. Gandy would be taking notes and requested that an officer would be taking notes as well (MPO A.M. Dove).

Compensation:

Q: Base pay without overtime and court is in line with an officer qualifying for public assistance.

A: The chief did not believe that statement was accurate and he has gone to council about pay compression issues. He believes Sergeants have the largest adjustment need and stated that Lieutenants had already received an adjustment. The Chief has spoken to the city manager and council and has not gone unheard. VRS has been an issue because of Richmond and discussions have occurred at City Hall about pay and manpower. Another concern of his is fatigue due to too much overtime, what is the limit where it becomes unhealthy.

Q: How much influence do you have on our pay and what are you doing?

A: The Department Director does not have as much influence as the City Manager. There are still ongoing issues from the recession. Only so much fighting the Chief said he can do. He does not want to ruin a positive relationship with council. One positive was the college tuition reimbursement. He has asked for 58 additional officers during his budget presentation. He understands that now four weekends are cancelled and had been three with the addition of College Beach Week. He feels with more officers we can reduce the cancelations in leave.

Q: What kind of support does he receive from his staff at the council meeting and what is the future strategy to get more money.

A: Tom Mitchell and the Deputy Chiefs attend the budget meetings as well as Lt. Hatfield did this past year. Tom Mitchell is on the budget and has all the contacts and information to present a good budget to the City Manager and City Council.

Q: Va. Beach Sherriff Stolle was able to receive pay incentives for his deputies, why can he?

A: The Sheriff goes by other rules than the police department does. This year the Chief received more feedback from City Council and he again asked for the 58 officers and compression. He wants these officers to be specific to COP units to work neighborhoods. The Chief said City Council is supportive but it comes back to money. He will present a similar presentation asking for the same as this year with basically a different date on the presentation. He is also asking for help with FOIA as the requests have increased drastically.

Q: Why is becoming a detective not a promotion?

A: This was changed around 1981 when it was a 5% raise. He is trying to improve the Career Progression program but there is continuing issues with HR/Legal issues. He will look further into it.

Sheriff's Department

Q: What is the intention of the Sheriff training deputies to work on the street and will that supplement our manpower issues?

A: The Sheriff has said none of them will be road deputies. Option 6 road training may help the Sheriff's Department and that he is in need of completing training eight of them. This is being done to help lower liability in the deputies working part time.

Moral

Q: The member survey's results were presented to the Chief from the command staff and he was urged to get out in front of this. It was not addressed in February. It was stated that the Chief was on the news saying there was not a moral issue. We need trust in our command.

A: The Chief said he never said that on the news. He had sat with the executive staff and felt that the results contained many personal perceptions/personality conflict issues. The Deputy Chiefs do get along and have frequent meetings together.

He feels he has worked hard in the community for legitimacy. He now wants to take that energy externally and put it internally. He is starting a new program "Nobility of Policing." This puts out the positives to officers such as through press releases that have been seen in the recent Pilot article. The three Deputy Chiefs are working hard to run smoothly. He realizes that communication has been a problem and takes the blame for this. He is moving forward today in improving this.

Q: It feels like the Chief is not standing up for us for optics within the media

A: We are going through a national issue. We are working through it. We are lucky as the citizens in our area back us unlike other areas of the nation. He said he realizes he has not been communicating well and is working on it. The Chief is working with the Captains and Deputy Chiefs and communication is happening but it needs to be happening on all levels though.

Internal Affairs/Use of Force

Q: We are looking for a process of fairness to have trust and have internal legitimacy. Why so long for a Blue Team Process.

A: We use more use of force forms than anywhere in the state. We do this for legitimacy and to know the specific numbers. There is a new use of force board being implemented in the future. There will be three officers on the board with supervisors. There will also be retraining on the U.O.F. this fall from the Chief down. There is Discipline through Education. The Chief states he does not like discipline. There is always the question of can we fix the issue through training or another avenue. There is a program being used in Austin Texas that is being looked into.

Q: What is the issue with the length of time of investigations of high profile cases with fact finding in I.A.?

A: The use of force will only be screened by the Commonwealth Attorney's Office when there is criminal intent. He admits some have taken too long and he is on I.A. to speed it up. They will be moved quicker.

Q: How long can it take for I.A. to close a case when some are taking over a year?

A: They will be moving quicker. The Deputy Chiefs keep consistency and requires for them to go back down sometimes and this takes time.

Q: Is the new U.O.F. Board analysis the end or can the case be reopened?

A: No. If it is overridden there must be a very good reason.

Q: If the board says no is it then subject by I.A.

A: The board is a part of I.A. and only a Captain can override with good reason. All the board members will receive the same training.

Q: In the recent TASER incident you stated that it was good up to the TASER part. The new Power DMS training shows it was good. What has changed in the Policy?

A: Nothing has changed. The Chief says he knows more than what is shown and cannot talk about that further at this time.

Q: If I.A. is only a fact finding entity why does it seem they are instructor shopping to get the answer they want when they should only be putting facts not opinions?

A: He will follow up on this.

Q: Do we have a complaint process on I.A. on how they treat us?

A: Yes. Send issues/complaints to Lt. J. Gandy

Q: The TASER incident you said you have a problem with what you saw. This happened in January. What changed between when it was looked into the first time and when it became popular on the news? Why are you not answering to the public?

A: There is more out there that what we have seen at this time.

Q: Why were the officers put on Administrative Duty when that is not within the consistency of previous incidents with U.O.F. Will all future UOF incidents be on administrative duty?

A: Cases will only go the CWA if there is criminal intent then they would be placed on administrative duty. From this point forward that will not happen again.

Q: I.A. is fact finding or what is it, is it making people go along with their view?

A: Chief will be getting with I.A. on how they are running things.

Q: Did the Oceanfront incident show criminal intent?

A: It did not

Q: On the news you said the TASER was out of policy.

A: Chief will review the article and interview to make sure what he said exactly.

Q: If a citizen says the use of force had criminal intent will they be placed on admin?

A: No

Q: The TASER incident happened in January and was concluded, why in April was it reopened?

A: Something changed he cannot talk about.

Q: Can we send I.A. to Defensive Tactics and have them watch videos of Red Man?

A: There is going to be retraining and if they are going past fact finding there is a problem.

Q: Use of Force with Blue Teams has a timetable for sergeants why does I.A. not have timetable?

A: The Chief is on I.A. for improved times

Q: In light of the recent confusion on administrative duty (oceanfront incident) with use of force incidents would you do the same again.

A: Would do an internal review and would not do again.

Q: If a video goes to the media that is uncomfortable what is going to happen?

A: He will be looking at if there was criminal intent for it to be looked at CWA's office or internal investigation alone.

Q: Wants to know if the command staff is going to go through D.T. as well as blue team training as there are not consistent expectations.

A: He is not anticipating having Captains on the mat, but retraining similar to that when we did pursuit retraining that worked effectively.

Detective Bureau Issues

Q: Detective shift problems, is there a possibility of a 9 ½ hour shift? There has been numerous bureau processes with not much interest due to losing 52 days off.

A: No 4 days 10 hour shifts possible. He will talk to the Captain if the coverage is possible. The Chief then spoke about how he brought the 4 10s to the city from another locality and based off his wife saying how 5-8s made family life unpleasant.

Q: Based on previous story there are many officers still living that life with the 5-8s

A: He will look into it.

Career Progression and Building Leadership

Q: How are we building our leaders? We may have great management but not leaders. There is no sergeants program. The military does and we need leaders' not just managers.

A: President's Commission of the 21st Century report page 54: train leaders under programs such as West Point, which we did for some time. There is a new program "PELLS" and other schools that we have been sending lieutenants and captains to for training. There are upcoming programs.

Q: Plans for people without college to become supervisor?

A: No. We had a 5 year window when this was implemented. Colleges give credits for working in the police field that can go towards a degree. College training equals a professional organization. You need 60 credits to enter the Sergeants Process. Career Progression can help with some issues.

Q: The new Career Development started three years ago what is the status?

A: It is stuck in HR/Legal.

Q: Is the training that is being given to upper command making its way to the lower ranks?

A: One of the things the Chief is trying to do is develop employees to the next level. He is trying to bring it to more lower level supervisors. They have invested a lot of money in new equipment including over \$2 million on misc. equipment and \$400k on new in-car camera system. He is trying to improve our work environment with the new go bags and other new equipment.

Q: Career Development and Part-time groups have been in a development process for a very long time, why?

A: He will try and improve updates on what is happening and why they are being delayed.

Policy

Q: 4.02 Discipline 7.2(D) has that Officers up to Lt. will be terminated for lying and those above are not applicable, why?

A: The Chief was not sure why it says that and that it is true we terminate for DUIs and Lying specifically. He said he could be fired at any time though due to his position in the department.

Q: This policy was revised in 2012 and brought to the commands attention and you stated that you would go to the city and have them fix this, which did not happen. This is part of not having trust in command staff.

A: It will be fixed.

Body Cameras

The Chief brought up the body cameras since no questions were asked about them.

He stated they are being researched and the problem at this juncture is storage and figuring out what is going to be considered evidentiary and what issues will come with FOIA requests. It will be about another year before the cameras become a reality.

Q: Body Camera Policy on having them on or forgetting to turn them on?

A: This and many other questions are being looked into for the policy now. He is looking for training to create the muscle memory like other training to learn to turn them on and off as appropriate.

Chief's final remarks

He inquired as to whether we would like another meeting (agreed that another meeting would be a benefit)

He stated that he enjoyed the muster meetings but they can be time consuming and that the meetings could possibly be quarterly. He lastly apologized if he had offended anyone during the meeting.