

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF THE VIRGIN ISLANDS**

UNITED STATES OF AMERICA,)	
)	C.A. No. 3:08-CV-158
Plaintiff,)	
)	
v.)	
)	
THE TERRITORY OF THE VIRGIN ISLANDS,)	
and THE VIRGIN ISLANDS POLICE)	
DEPARTMENT,)	
)	
Defendants.)	
)	
)	
)	

**JOINT REPORT AND PROPOSED ORDER REGARDING RECOMMENDATIONS
MADE BY COURT-APPOINTED EXPERT ROBERT MCNEILLY**

Come now Plaintiff, United States of America (DOJ), and Defendants, the Territory of the Virgin Islands and the Virgin Islands Police Department (VIPD), with the concurrence of the Independent Monitoring Team (IMT), and jointly file this Report¹ and Proposed Order to address the recommendations made by court-appointed expert Chief Robert McNeilly in his reports to the Court, Dkt. #346.

Introduction

At the hearing in this matter on September 4, 2018, the Court ordered the Parties to submit a proposed order by September 18, 2018 to implement the recommendations that Chief McNeilly made in his reports, and to report to the Court on the status of compliance. As the Parties discussed with the Court, portions of Chief McNeilly’s reports—dated August 7 and 15, 2018—addressed provisions of the Consent Decree with which VIPD has since come into

¹ This Report also serves as the Parties’ monthly reports regarding compliance, pursuant to the Court’s November 28, 2016 Order, Dkt. #245.

compliance. The Parties and IMT therefore met immediately following the September 4 hearing to review the McNeilly reports and determine which of his recommendations applied to Consent Decree provisions that are still out of compliance. In addition, the Parties and IMT determined that VIPD could implement many of Chief McNeilly's recommendations before September 18, while others can be addressed in the weeks and months to come pursuant to a jointly Proposed Order.

Section I below provides a brief statement regarding the current status of VIPD's compliance with the Consent Decree. Section II reviews each of Chief McNeilly's recommendations and indicates which recommendations have already been implemented, and which will be implemented going forward pursuant to the jointly Proposed Order that is attached to this Report.

I. The Current Status of VIPD's Compliance with the Consent Decree

Since the September 4 hearing, IMT has determined that VIPD has come into compliance with Paragraph 37(e), related to accountability for out-of-policy uses of force, and with Paragraph 64(h), related to monthly reports from VIPD's risk management system.

According to IMT, the provisions of the Consent Decree that remain out of compliance are:

- Paragraph 31(f), regarding the availability of less-lethal force alternatives; Paragraph 35(a), involving the use of leading questions during officer interviews²;
- Paragraph 37(b), related to supervisors being held accountable for the quality of their force investigations; Paragraph 37(d), related to remedial training;

² As the Parties discussed at the September 4 hearing, VIPD and DOJ believe that VIPD has achieved compliance with Paragraph 35(a).

- Paragraph 44(i), involving the timeliness of civilian complaint investigations; portions of Paragraph 64, related to VIPD's risk management system;
- Paragraph 70(e), which requires discipline decisions to be consistent with VIPD's disciplinary matrix; and
- Paragraph 100, which requires VIPD to implement all provisions of the Consent Decree.

IMT's summary of non-compliant paragraphs is attached as Exhibit 2.³

II. Chief McNeilly's Recommendations

Chief McNeilly made many recommendations across his two reports. As he noted in his second report, he repeated many of his recommendations where the same recommendation would advance VIPD toward compliance with multiple provisions of the Consent Decree. Dkt. #346-2 at 4. The Parties and IMT have gone through all of Chief McNeilly's recommendations and distilled them down to 40 separate tasks, many of which VIPD had in place but needed to be documented and others that have now been completed. Below the Parties discuss the tasks that VIPD has completed and provide citations to attached exhibits that document VIPD's work. The Parties also identify tasks that will be completed in the weeks and months ahead, which are addressed in the attached Proposed Order.

Task 1: Complete 21 open serious use of force investigations, Dkt. #346-1 at 19 §1(B): As documented in Exhibit 1, VIPD has completed these investigations.

Task 2: Change the methodology for assessing compliance with Paragraph 100, Dkt. #346-1 at 19 §1(C); 21 §4(G); 23 §5(A): The Parties and IMT have changed the methodology for assessing compliance with Paragraph 100. As we discussed with the Court at

³ The exhibits to this Report are numbered according to the task numbers, below, so that Exhibit 1 corresponds to Task 1, Exhibit 2 corresponds to Task 2, and so on.

the hearing on September 4, 2018, each paragraph will be assessed separately, rather than assessing the implementation of certain paragraphs under Paragraph 100. The new assessment methodology is apparent in Exhibit 2, which summarizes the paragraphs that remain out of compliance.

Task 3: The Commissioner should issue a directive regarding VIPD's commitment to reaching compliance, Dkt. #346-1 at 19 §1(F); 23 §5(D); Dkt. #346-2 at 3 §III(C): Commissioner Delroy Richards has issued a directive to all VIPD employees, attached as Exhibit 3, reaffirming the agency's commitment to reaching full compliance with the Consent Decree.

Task 4: Create forms to make it easier for officers to write reports on uses of force, Dkt. #346-1 at 19 §1(I): VIPD has developed forms to assist officers as they write use of force reports. The forms and a directive instructing officers on completing them are attached as Exhibit 4.

Task 5: Increase staffing in Internal Affairs, Dkt. #346-1 at 19 §1(J); Dkt. #346-2 at 21 ¶44(I): As discussed during the hearing on September 4, 2018, the Territory expects the process of raising the salaries for officers assigned to Internal Affairs to complete by November 1. VIPD hopes that this will attract more qualified candidates. Chief McNeilly recommended that Internal Affairs staffing be increased to eight officers—four on St. Thomas and four on St. Croix. For the reasons discussed at the September 4 hearing, VIPD is unable to estimate when staffing will reach these levels, but, as noted in the attached proposed order, VIPD will continue to report to the Court on its efforts to add officers to Internal Affairs. *See* Proposed Order ¶2(a).

Task 6: Ensure command staff can use the IA Pro software, Dkt. #346-1 at 19

§1(K): VIPD has conducted an audit to determine whether those in command staff are able to use the IA Pro software.⁴ The results of this audit, attached as Exhibit 6, demonstrate that command staff regularly use the IA Pro system.

Task 7: Conduct training in several areas, Dkt. #356-1 at 20-21 ¶¶2(A), 3, 4(A); Dkt. #346-2 at 4 ¶35(a), 6 ¶37(b), 8 ¶37(e), 8-9 ¶59(b), 10-11 ¶31, 17-18 ¶64(k), 18-19 ¶64(g), 20-21 ¶70: Chief McNeilly noted that VIPD had begun working with the International Association of Chiefs of Police (IACP) to deliver training and recommended that VIPD deliver training in several areas, either through IACP or on its own. VIPD has developed a plan, attached as Exhibit 7, to deliver the recommended training. VIPD will report to the Court as it delivers this training. *See* Proposed Order ¶2(b).

Task 8: Continue hurricane recovery efforts at VIPD's training facility, Dkt. #346-1 at 20 ¶2(B): As documented in the photographs attached as Exhibit 8, VIPD has addressed the issues that Chief McNeilly reported on at the training facility. VIPD has obtained quotes from various vendors, also attached with Exhibit 8, for additional repairs to VIPD's training facility.

Task 9: Conduct a needs assessment for training related to civilian complaints, Dkt. #346-1 at 21 §4(B): VIPD has assessed the data in its risk management system to determine what training it should conduct related to civilian complaints. The results of that needs assessment are attached as Exhibit 9. VIPD will report to the Court as it conducts this training. *See* Proposed Order ¶2(b).

Task 10: Ensure that VIPD's Training Advisory Committee (TAC) reviews

⁴ In his report, Chief McNeilly states that all supervisors should certify that they are able to use the IA Pro system, but only those in command staff at VIPD have access to the system. The Parties and IMT have adapted Chief McNeilly's recommendation accordingly. Supervisors have access to a software system called BlueTeam, and supervisory training on that system is addressed below in Task 12.

deficiencies, corrective action, and discipline related to use of force and civilian complaint investigations, Dkt. #346-1 at 21 §§4(C), 4(H): VIPD has issued a revised standard operating procedure, attached as Exhibit 10, requiring that the TAC receive information about the relevant deficiencies, corrective action, and discipline, so that the TAC can consider these issues as they develop training for the agency. VIPD will report to the Court on its implementation of this directive. *See* Proposed Order ¶3(a).

Task 11: Conduct regular command staff meetings at which Consent Decree compliance is discussed, Dkt. #346-1 at 21 §4(D); 346-2 at 3 §B: VIPD's command staff, including the Deputy Commissioner responsible for Consent Decree compliance, meets regularly and typically discusses the agency's compliance efforts. Exhibit 11 documents that these meetings occur.

Task 12: Provide in-service training on IA Pro and BlueTeam, Dkt. #346-1 at 21 §4(E): As documented in Exhibit 12, VIPD has scheduled in-service training on these topics. VIPD will report to the Court as it delivers this training. *See* Proposed Order ¶2(b).

Task 13: Create a list of VIPD policies and their current status in the review process, Dkt. #346-1 at 21-22 §§4(F), 4(M): The list attached as Exhibit 13 includes all Consent Decree-related policies and their current status.

Task 14: Ensure that the directors of the training and audit units receive notice of all deficiencies found in use of force and civilian complaint investigations, Dkt. #346-1 at 21-22 §§4(H), (P)(iv): The memorandum attached as Exhibit 14 requires that information on all of the relevant deficiencies be routed to the directors of the training and audit units. VIPD will report to the Court on its implementation of this directive. *See* Proposed Order ¶3(b).

Task 15: Ensure that VIPD's policy review committee includes representatives

from Internal Affairs, the audit unit, the training unit, and each of VIPD's zones, Dkt. #346-1 at 21, §4(I): The list attached as Exhibit 15 shows the individuals who serve on the policy review committee and their assignments. All VIPD components recommended by Chief McNeilly are represented in the policy review committee.

Task 16: VIPD's audit unit should evaluate use of force investigations, report to command staff on issues, and document how issues were addressed, Dkt. #346-1 at 21-22 §4(J), 4(K), 4(P)(i); Dkt. #346-2 at 10-11 ¶31: As discussed during the September 4, 2018 hearing, VIPD's audit unit evaluates use of force investigations and reports to command staff on issues that they identify. IMT has recommended an addition to the audit unit's manual, attached as Exhibit 16, regarding audits of how VIPD addresses the issues that the audit unit identifies in force investigations. VIPD is considering this recommendation and will report to the Court on the kind of audit it decides to conduct and its implementation of that audit. *See* Proposed Order ¶3(c).

Task 17: Make information about disciplinary actions available to the public, Dkt. #346-1 at 22 §4(L); Dkt. #346-2 at 4-5 ¶35(a), 6-7 ¶37(b), 10-11 ¶31, 20-21 ¶70: VIPD has issued a directive, attached as Exhibit 17, stating that it will provide information about officer discipline to the public. VIPD has already posted this information, which is available at http://www.vipd.gov.vi/Consent_Decree/Consent_DecreePublicationData.aspx.

Task 18: Review policies when they are subject to review, Dkt. #346-1 at 22 §4(M): Under VIPD's policy on its policy development process, attached as Exhibit 18, the agency sets an expiration date for each policy and reviews the policy by that date. Exhibit 13 shows the current status of all Consent Decree-related policies.

Task 19: Make policies available to all personnel in PowerDMS, Dkt. #346-1 at 22

§4(M): Posting policies on PowerDMS is required by VIPD's policy on policy development, which is attached as Exhibit 18. Exhibit 19 is a screenshot of what officers see in the PowerDMS system, which shows that officers have access to all policies in the system.

Task 20: Establish a protocol on tracking deficiencies in force and civilian complaint investigations, providing remedial training, imposing progressive discipline, assessing deficiencies in performance evaluations, and reporting on deficiencies at command staff meetings, Dkt. #346-1 at 22 §§4(N), 4(P)(v)-(vii); Dkt. #346-2 at 4-5 ¶35(a), 6-7 ¶37(b), 10-11 ¶31, 21-22 ¶44(i), 8-9 ¶59(b): VIPD has taken a number of steps to implement this recommendation. As documented in the memorandum attached as Exhibit 20, VIPD has added a notation to IA Pro for deficient investigations. This will permit the agency to use the IA Pro system to generate lists of all deficient investigations and track corrective actions—including remedial training and discipline—taken as a result of these deficiencies. VIPD has issued a directive to supervisors to conduct performance evaluations consistent with its policy on this subject; both the directive and the policy are attached with Exhibit 20. VIPD will report to the Court on its implementation of the memorandum and the directive. *See* Proposed Order ¶¶3(d)-(e).

Task 21: Maintain the lieutenants currently assigned to assist on force investigations, Dkt. #346-1 at 22 §4(O)(i); Dkt. #346-2 at 6-7 ¶37(b), 10-11 ¶31, 21-22 ¶44(i): The transfer orders for these lieutenants, attached as Exhibit 21, have no expiration date, and VIPD has no intention to move these individuals from their current positions. The directive attached with Exhibit 21 describes the roles of these lieutenants.

Task 22: Report regularly on the amount of time that force and complaint investigations have been open, Dkt. #346-1 at 22 §4(O)(ii); Dkt. #346-2 at 21-22 ¶44(i): The

report attached as Exhibit 22, which is updated and distributed to command staff on a weekly basis, includes information about how long cases have been open.

Task 23: Force auditors should report directly to the head of the audit unit, Dkt. #346-1 at 22 §(P)(ii): The auditors who analyze force investigations are assigned to the audit unit and report directly to the head of that unit.

Task 24: The director of the audit unit should have full access to all Internal Affairs cases, Dkt. #346-1 at 22 §4(P)(iii): The screenshots attached as Exhibit 24 show the access levels that the director of the audit unit has in IA Pro. As noted in Exhibit 24, the director has Level Three access, which provides the director access to all Internal Affairs cases.

Task 25: Document the agreement not to complete investigations of some less serious uses of force that occurred before 2012, Dkt. #346-1 at 23 §5(A): As the Court is aware, VIPD previously developed a backlog of force incidents that had not been investigated. When VIPD began addressing the backlog, the Parties and IMT determined that all serious uses of force should be investigated no matter when they occurred. The Parties and IMT also agreed, however, that less serious uses of force that occurred before 2012 would not be investigated, given the significant resources that would have been required to do so and the limited benefit that such investigations would have for the agency and the compliance process.

Task 26: Respond in writing to IMT assessments, Dkt. #346-1 at 23 §5(C): VIPD currently responds in writing when it receives assessments from IMT. Attached as Exhibit 26 is a recent response from VIPD to an IMT assessment.

Task 27: Reconsider the practice of having St. Thomas's and St. Croix's Force Investigation Teams respond only to incidents on the other island, Dkt. #346-1 at 23 §5(E): Chief McNeilly agreed with VIPD that this practice is not efficient and should end. VIPD is

ending the practice as documented in the draft revised policy attached as Exhibit 27. VIPD will alert the Court when this policy is finalized. *See* Proposed Order ¶3(f)

Task 28: Create a compliance unit, Dkt. #346-2 at 3 §A: VIPD is committed to having a full-time compliance unit whose responsibility is reaching and sustaining compliance with the consent decree. VIPD currently has a compliance unit that falls under the command of Deputy Commissioner Jason K. Marsh. Consistent with Chief McNeilly's recommendations, VIPD is considering how to better incorporate the work of the audit unit into the work of the compliance unit. IMT has provided a proposal, attached as Exhibit 28, for the roles and functions to be included in a compliance unit. The United States supports IMT's proposal. VIPD will report to the Court on any changes it may make to the compliance unit. *See* Proposed Order ¶2(c).

Task 29: The director of the audit unit should report directly to the court, Dkt. #346-2 at 3 §E: VIPD has implemented this recommendation. Sgt. Gail Liburd is director of the audit unit, and she testified during the September 4, 2018 hearing.

Task 30: Report all out-of-policy uses of force to the Assistant Commissioner and the Court, Dkt. #346-2 at 8 ¶37(e): VIPD will report out-of-policy uses of force to the Court and will provide this information to the Assistant Commissioner in advance of providing it to the Court. *See* Proposed Order ¶4(a).

Task 31: Create a quarterly report of all corrective actions taken pursuant to the risk management system, present the report at command staff meetings, and provide the report to the compliance unit, Dkt. #346-2 at 8-9 ¶59(b): The directive attached as Exhibit 31 states that the risk management analyst will provide risk management data to a newly formed Executive Committee; that the Committee will review the data in advance of command

staff meetings for the purpose of formulating recommendations to command staff; and that the Assistant Chiefs who sit on the Committee will present the recommendations to command staff. The Deputy Commissioner in charge of compliance is also a member of the Executive Committee and so will receive all data received by and recommendations generated by the Committee. VIPD will report to the Court on its implementation of this directive. *See* Proposed Order ¶3(g).

Task 32: Supervisors should consider corrective actions taken pursuant to the risk management system in their performance evaluations, Dkt. #346-2 at 8-9 ¶59(b): VIPD's policy on its risk management system, attached as Exhibit 32, notes that the system is itself "a means to identify and assess employee performance." VIPD therefore submits that supervisors already assess performance through the risk management system. As noted above, VIPD has also issued a directive to supervisors to conduct performance evaluations consistent with its performance evaluation policy, both of which are attached as Exhibit 20.

Task 33: Command staff should conduct regular meetings about their use of the risk management system and generate documentation of these meetings, Dkt. #346-2 at 15-16 ¶64(f): VIPD's policy on its risk management system, attached as Exhibit 32, requires that command staff conduct these meetings. The directive attached as Exhibit 31 describes in greater detail how the newly formed Executive Committee will inform command staff regarding risk management issues and make recommendations for improving the risk management system. VIPD will report to the Court on its implementation of the risk management policy and Executive Committee directive. *See* Proposed Order ¶3(g).

Task 34: Include action plans created as part of the risk management process in the risk management system; the audit unit should assess whether action plans are

followed through on; and the audit unit should report deficiencies to the Commissioner and the Court, Dkt. #346-2 at 15-16 ¶¶64(f), 17-18 ¶¶64(k), 18-19 ¶¶64(g): VIPD's policy on its risk management system, attached as Exhibit 33, requires supervisors and command staff to use action plans to address problematic trends discovered through the system. The proposal from IMT attached as Exhibit 16 would require the audit unit to assess whether action plans are implemented and report any deficiencies to the Commissioner. VIPD is considering this recommendation and will report to the Court on the kind of audit it decides to conduct and its implementation of that audit. *See* Proposed Order ¶3(h). The Proposed Order requires VIPD to report deficiencies in the implementation of action plans to the Court. *See* Proposed Order ¶¶ 3(h), 4(b).

Task 35: The Commissioner should reinforce that supervisors are to consult the risk management system when employees transfer into their units, Dkt. #346-2 at 20 ¶¶64(h)⁵: The Commissioner accomplished this reinforcement through the directive attached as Exhibit 35. Attached with the directive is VIPD's policy on transfers, which requires supervisors to review new subordinates' risk management history.

Task 36: Supervisors should document their consultations of the risk management system for new subordinates, and the audit unit should audit this documentation and report any deficiencies to the Commissioner and the Court, Dkt. #346-2 at 20 ¶¶64(h): The directive attached as Exhibit 35 requires that supervisors receive risk management information when any new subordinate is transferred to their command. IMT has made a recommendation to VIPD about how the audit unit can assess whether supervisors have reviewed risk management information for new subordinates. VIPD is considering this

⁵ This provision of the Consent Decree is incorrectly listed as 64(k) in Chief McNeilly's report, Dkt. #346-2 at 20.

recommendation and will report to the Court on the kind of audit it decides to conduct and its implementation of that audit. *See* Proposed Order ¶3(i). The Proposed Order requires VIPD to report deficiencies regarding this supervisory review to the Court. *See* Proposed Order ¶¶ 3(i), 4(c).

Task 37: The audit unit should track all disciplinary actions, Dkt. #346-2 at 20-21 ¶70: The directive attached as Exhibit 37 requires the audit unit to track disciplinary actions. VIPD will report to the Court on its implementation of this directive. *See* Proposed Order ¶3(j).

Task 38: The Commissioner should explain in writing any departures from VIPD's disciplinary matrix, Dkt. #346-2 at 4-5 ¶35(a), 6-7 ¶37(b), 20-21 ¶70: The policy attached as Exhibit 38 requires that discipline be consistent with the disciplinary matrix and that departures from the matrix be justified in writing. VIPD will report to the Court on its implementation of this policy. *See* Proposed Order ¶3(k).

Task 39: Lt. Richard Matthews should continue to provide training to personnel in Internal Affairs, Dkt. #346-2 at 21-22 ¶44(i): Lt. Matthews's transfer order, attached as Exhibit 39, has no expiration date, and VIPD has no plans to move him from his current position.

Task 40: Investigators assigned to Internal Affairs should receive AELE's investigator training, crime scene training, interrogation training, and ethics training, Dkt. #346-2 at 21-22 ¶44(i): VIPD has provided this training to Internal Affairs investigators, as documented in the training history for Internal Affairs investigators attached as Exhibit 40.

Conclusion

Through this Joint Report and the attached jointly Proposed Order, the Parties and IMT

have ensured that VIPD will implement Chief Robert McNeilly's recommendations. We expect that implementing these recommendations will bring VIPD closer to full compliance with the Consent Decree.

Respectfully submitted,

FOR THE UNITED STATES:

September 18, 2018

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically on September 18, 2018, using the CM/ECF system, which will send electronic notification to the following:

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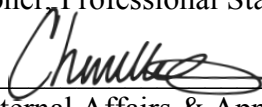
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September 8, 2018

To: Curtis A. Griffin, JD
Assistant Commissioner

Via Jason K. Marsh
Deputy Commissioner, Professional Standards

From: Chenelle Skepple 
Acting Director, Internal Affairs & Applicant Screening Bureau

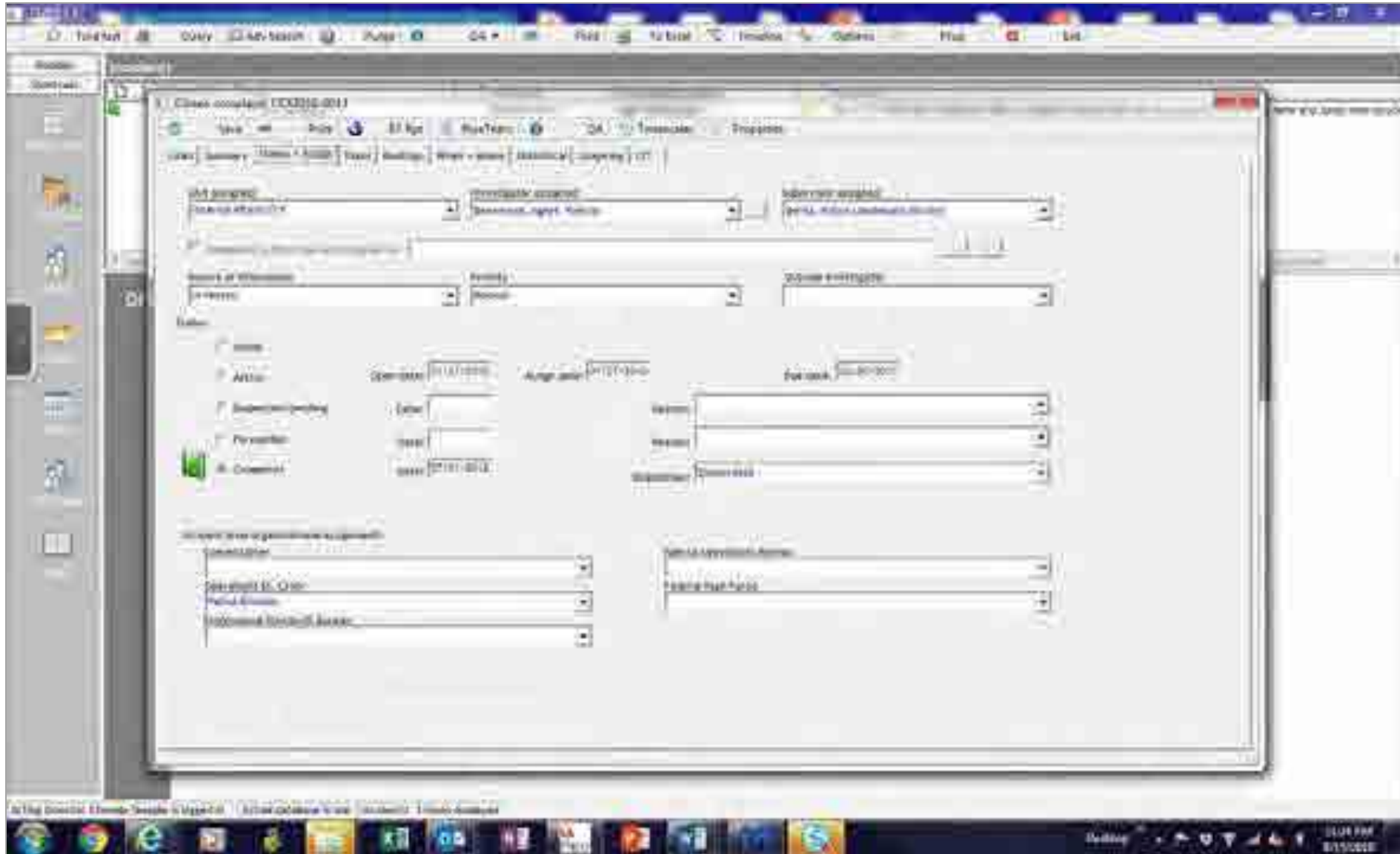
Subject: Excessive Use of Force Cases-Revised

Complaints alleging Excessive Use of Force are among the complaints investigated by Internal Affairs. The Independent Monitors highlighted twenty-one active cases involving allegations of excessive use of force and other allegations that allege civil rights violations. Fourteen of those cases have been completed and closed. The remaining seven cases are being targeted for completion and closure.

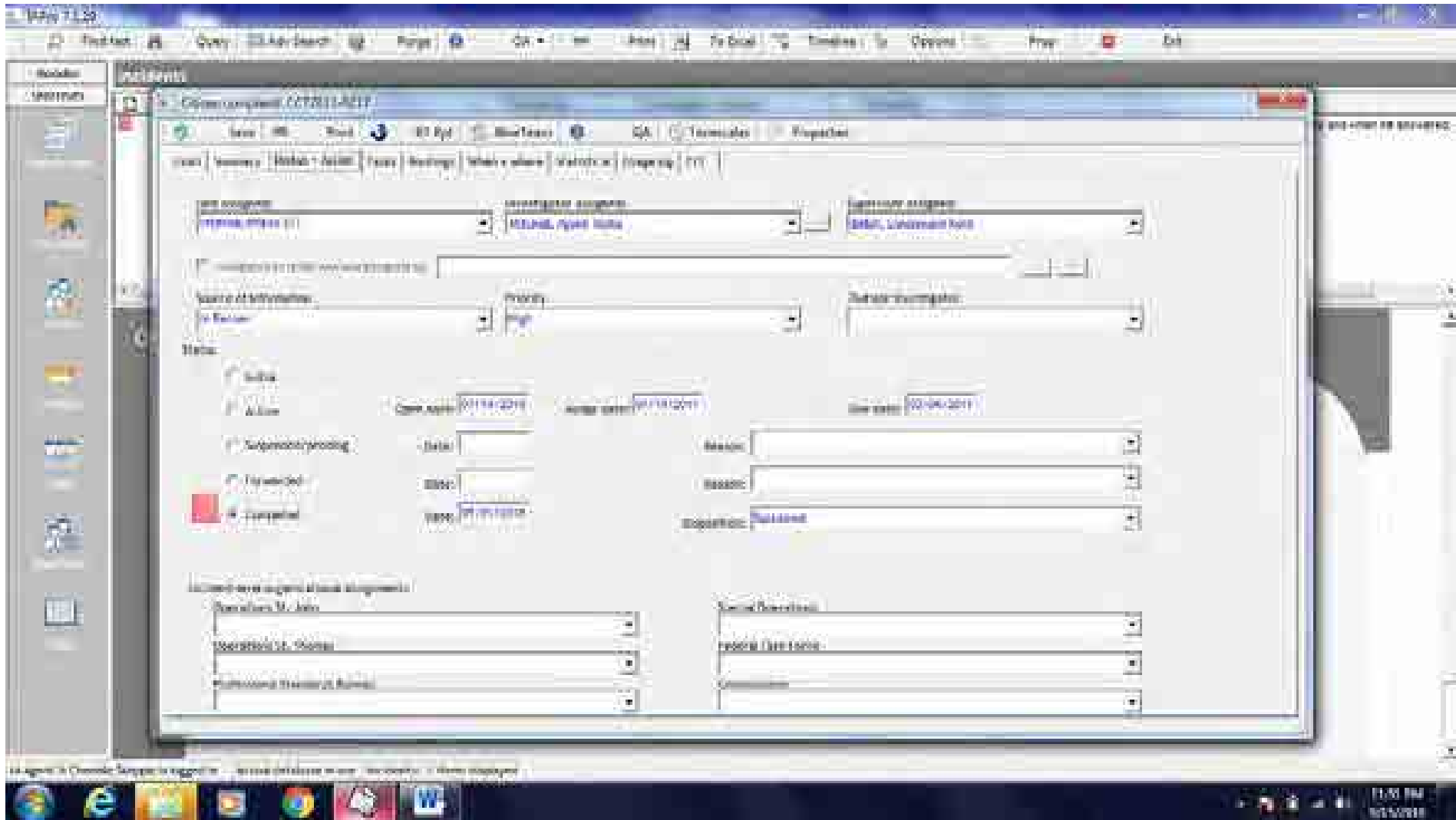
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CCT2012-0031	Completed	N/A

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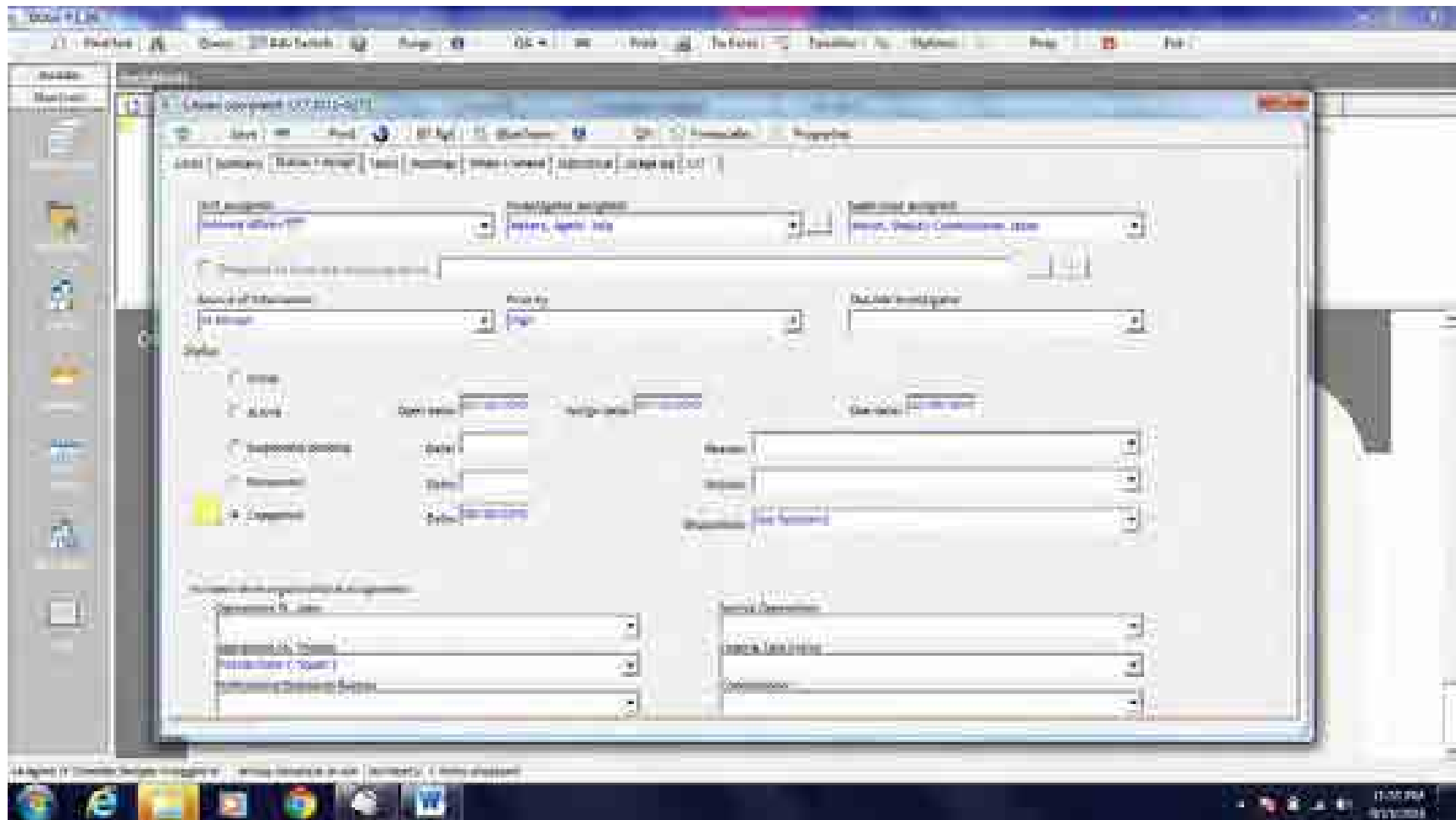
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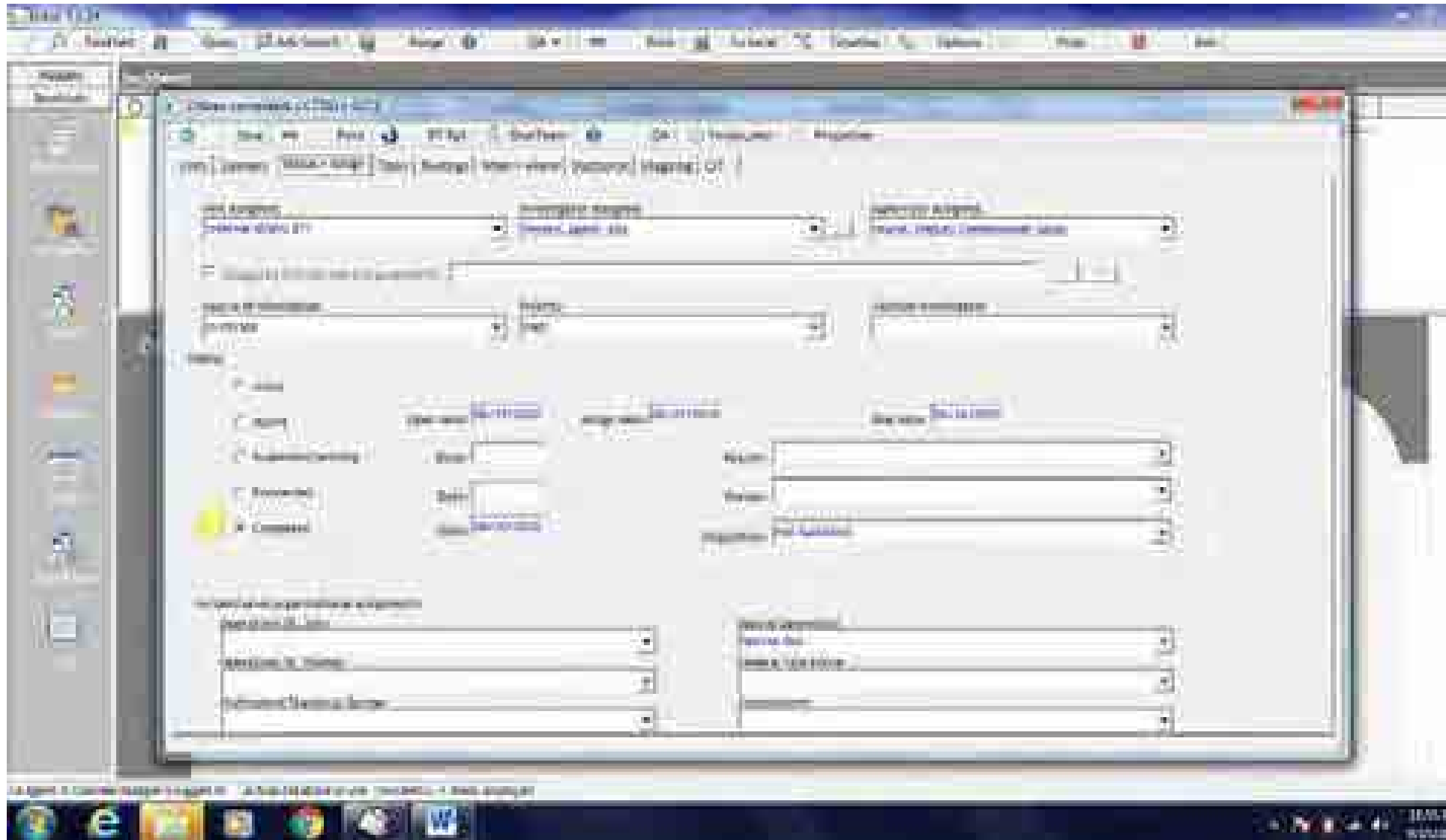
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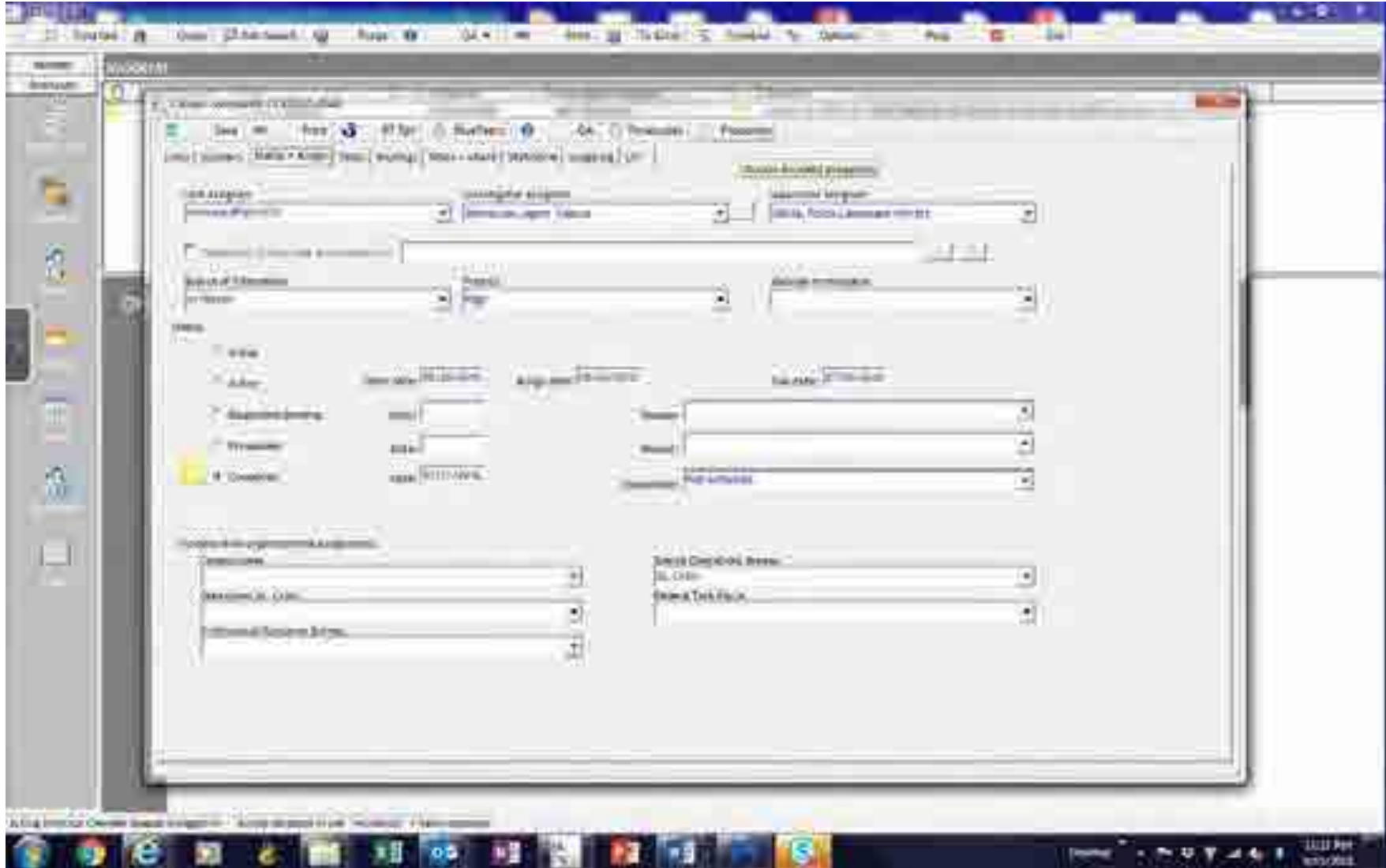
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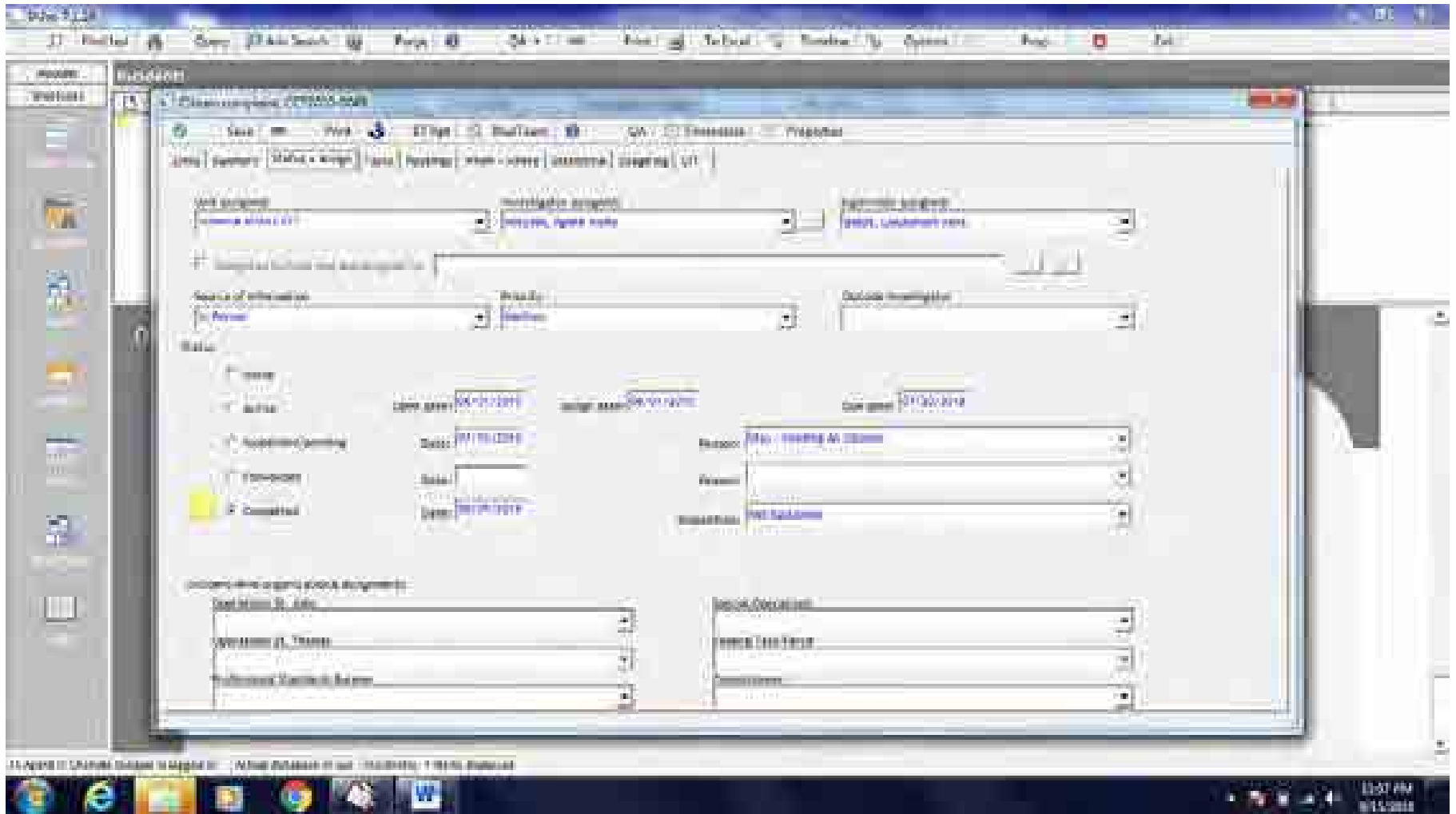
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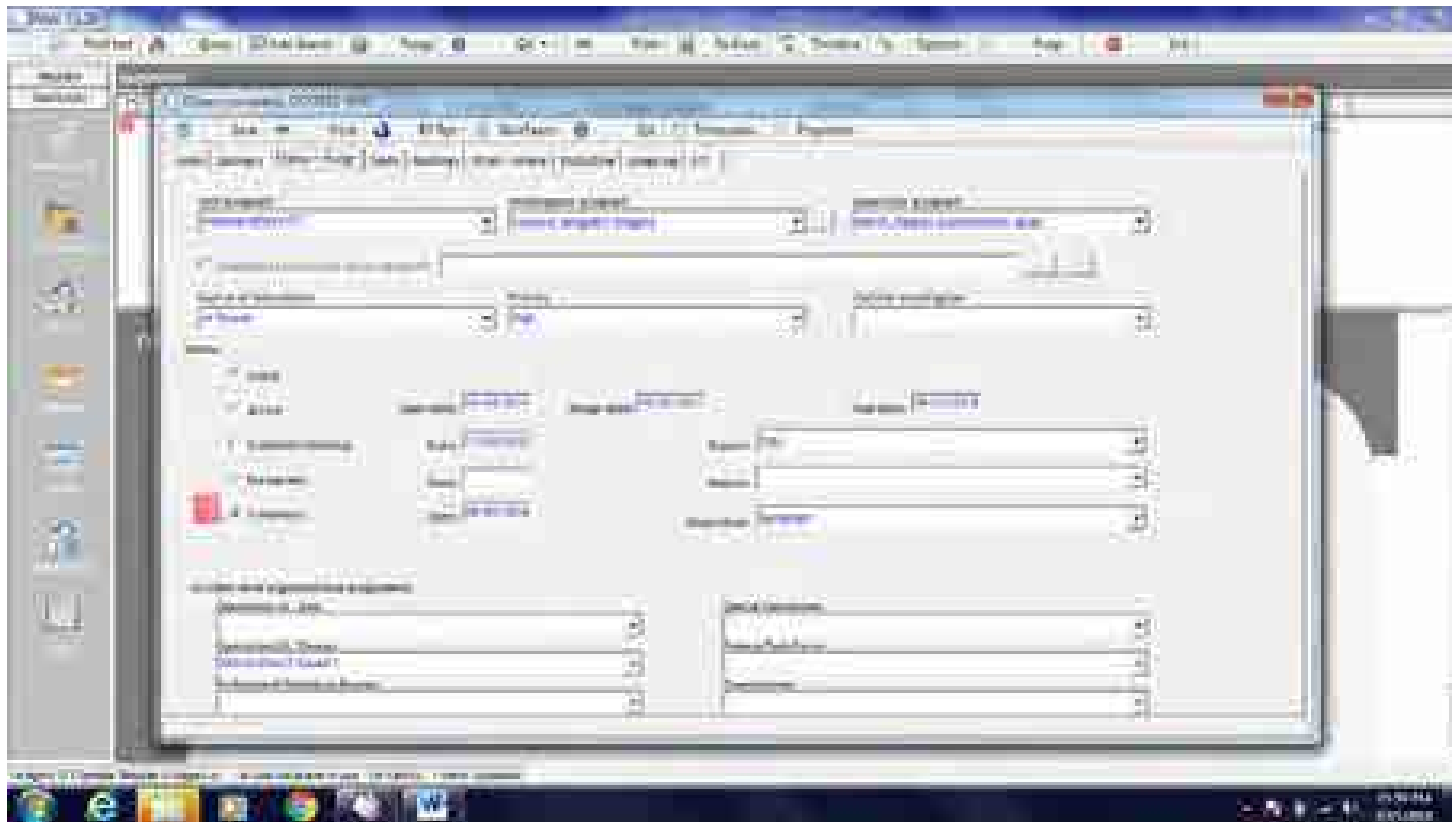


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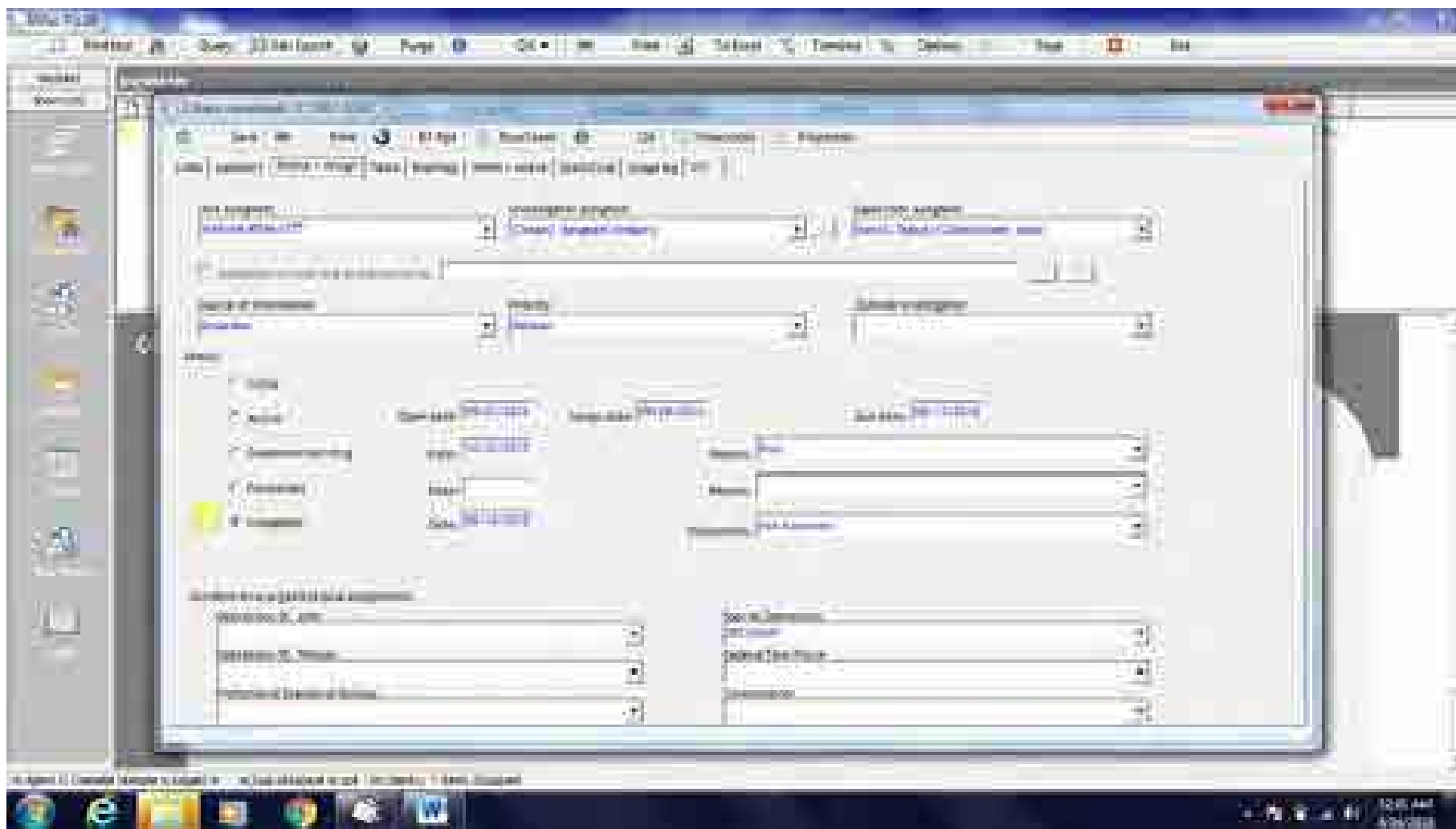


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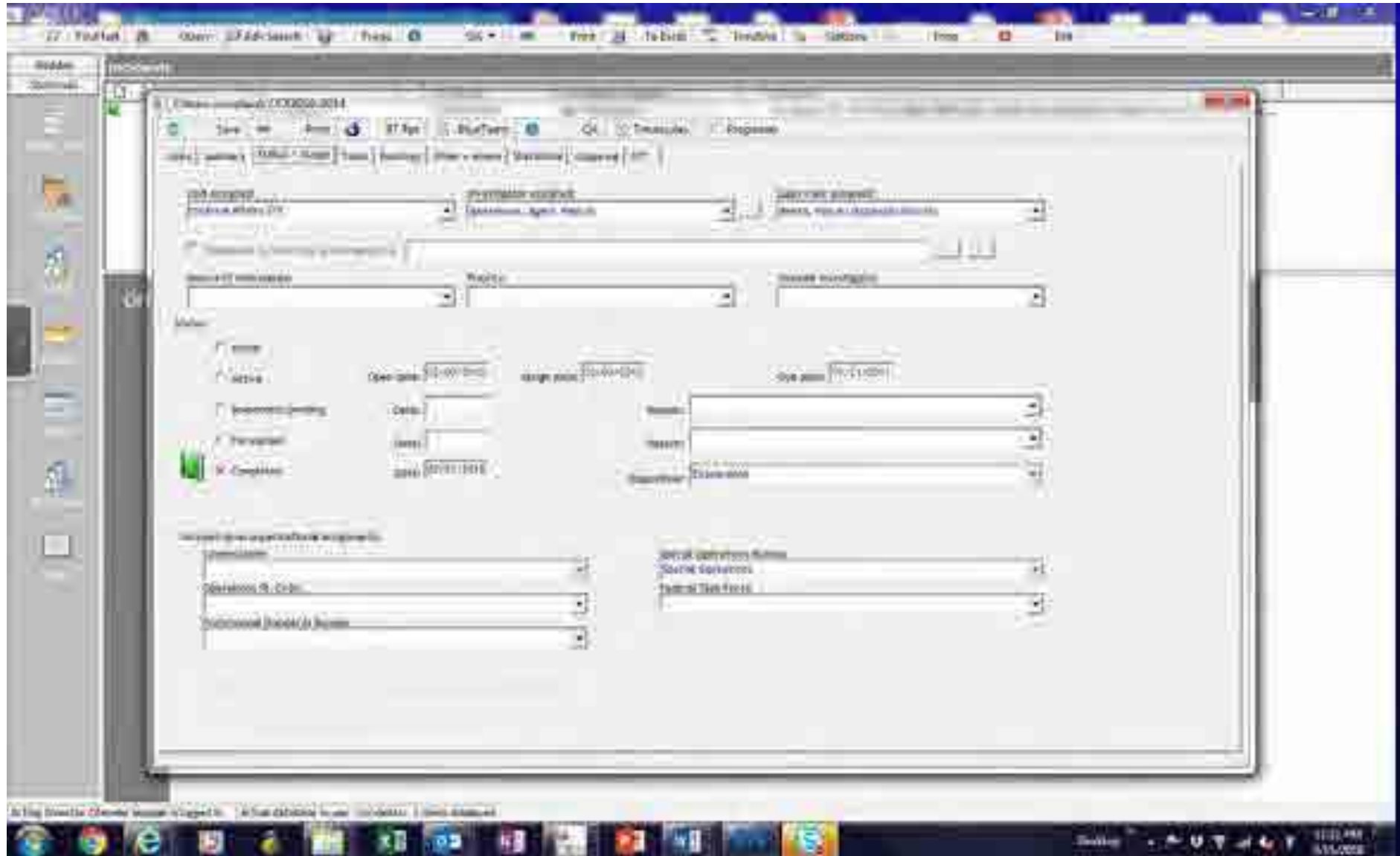




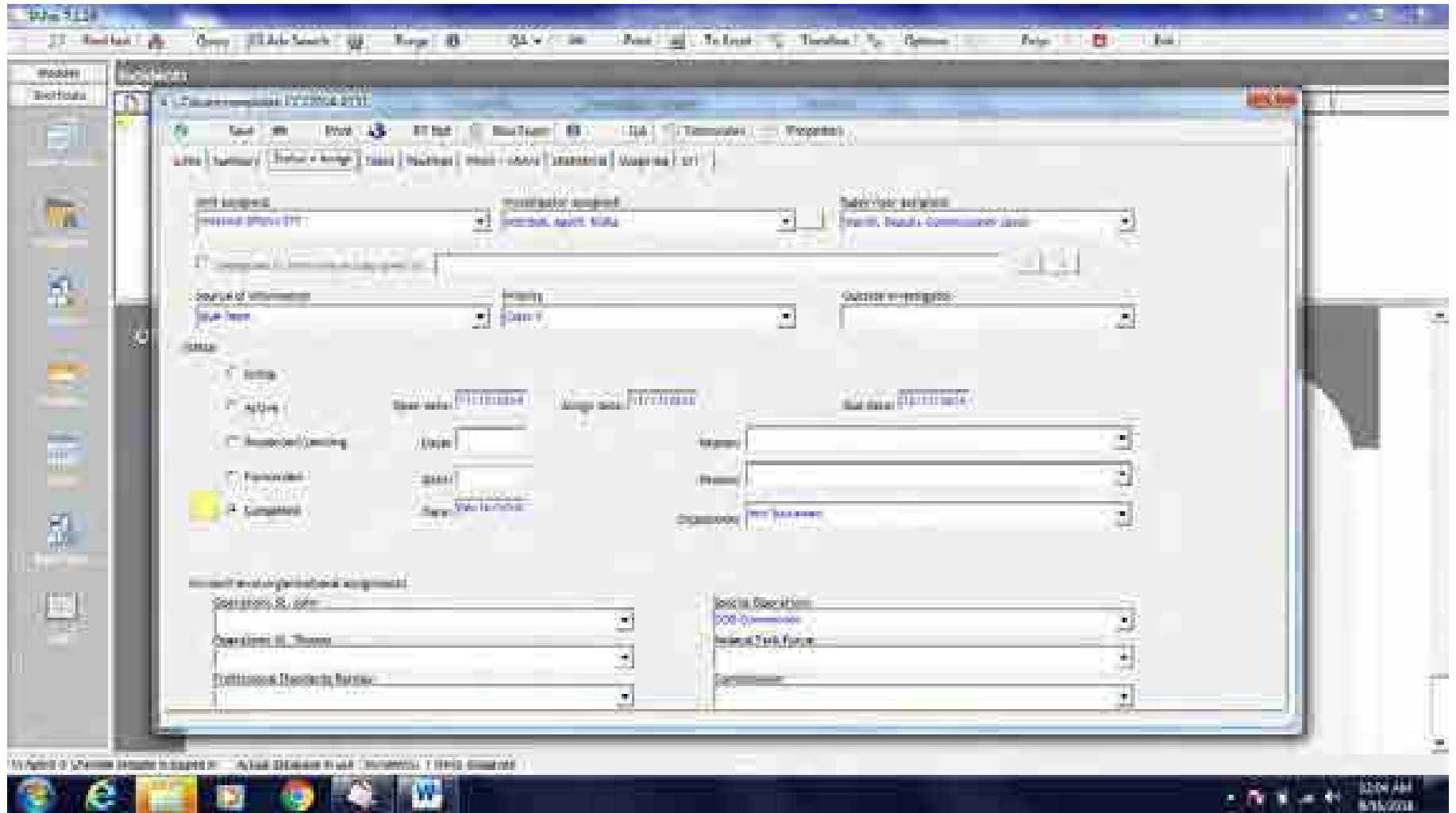
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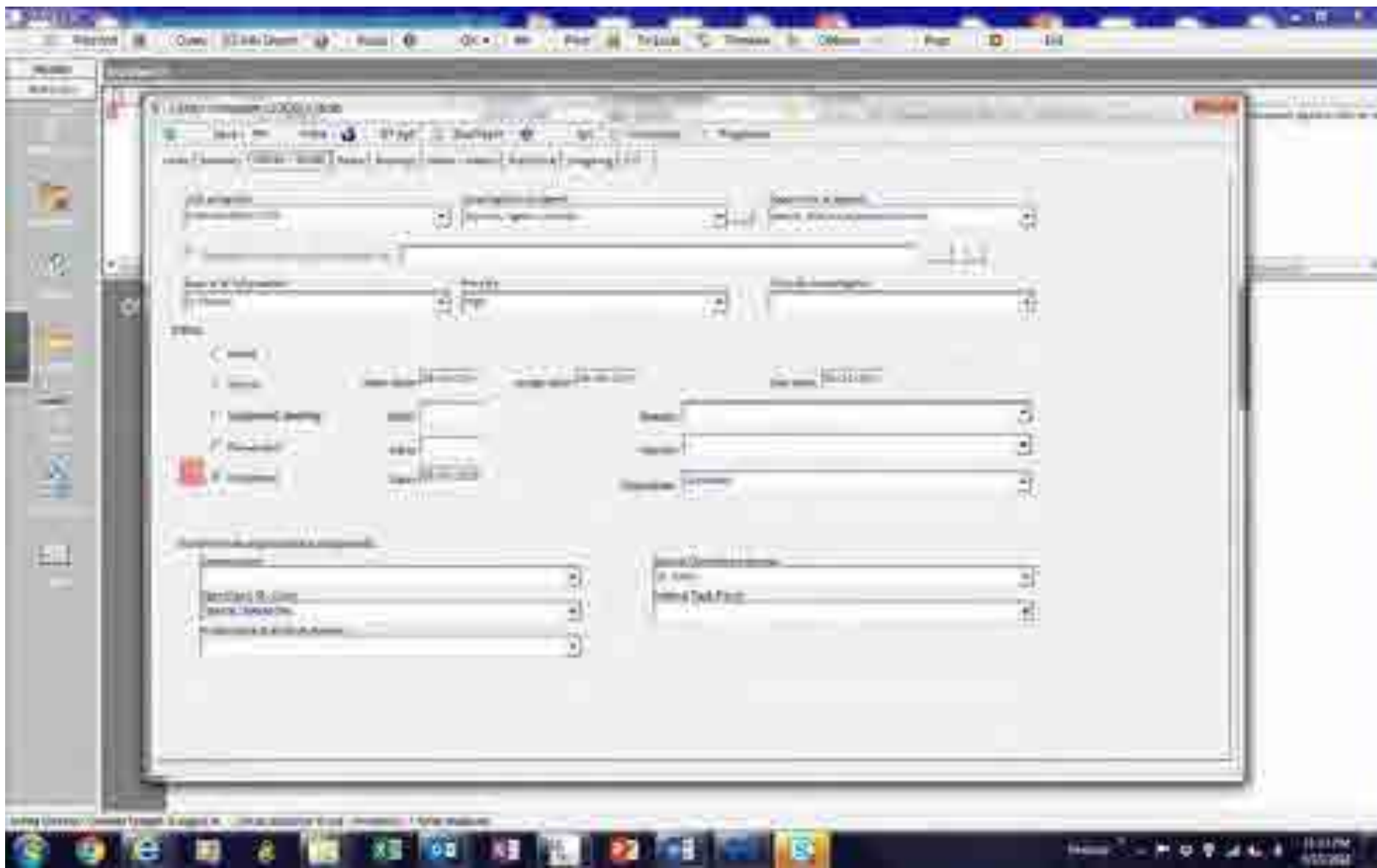
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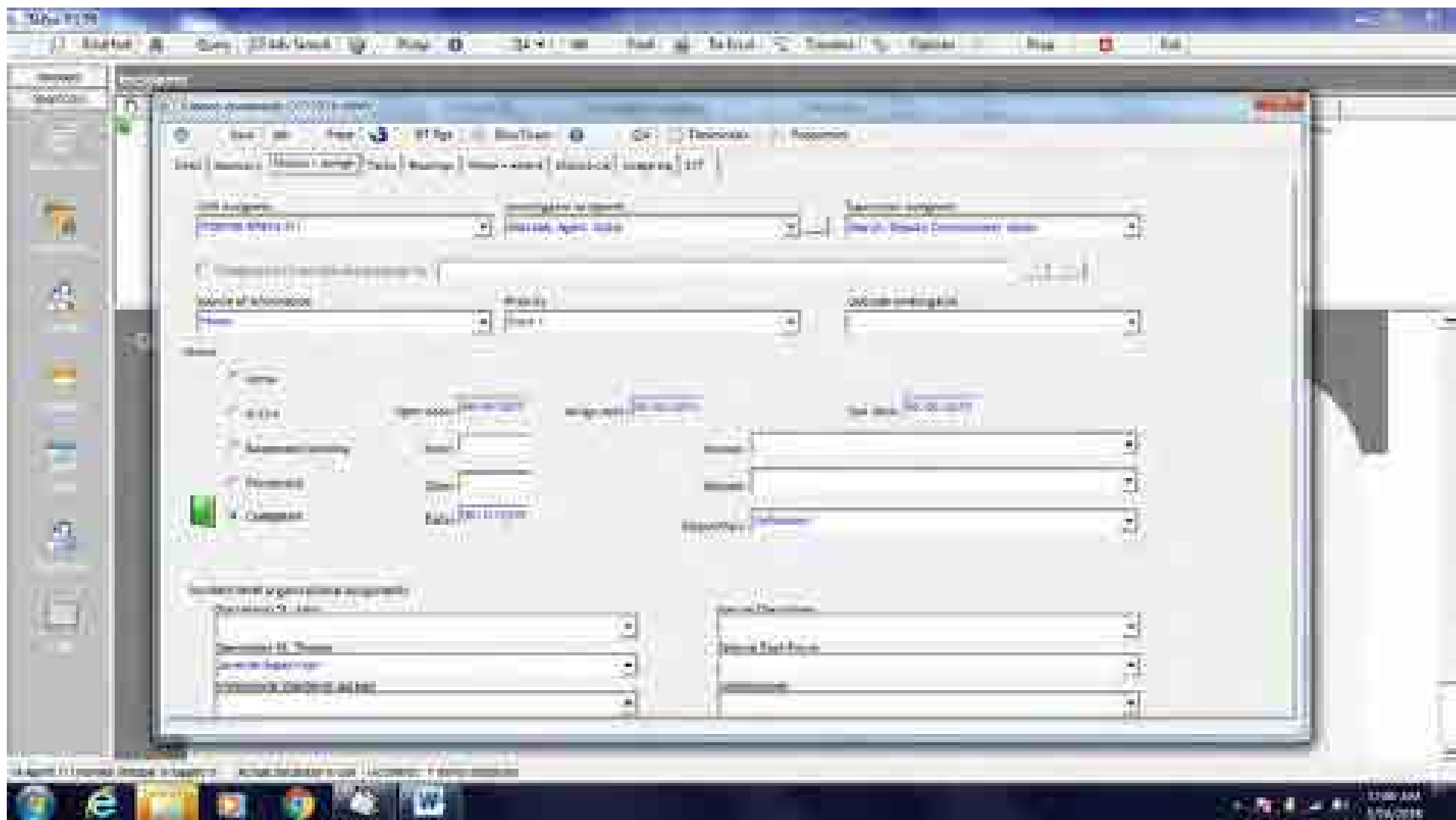
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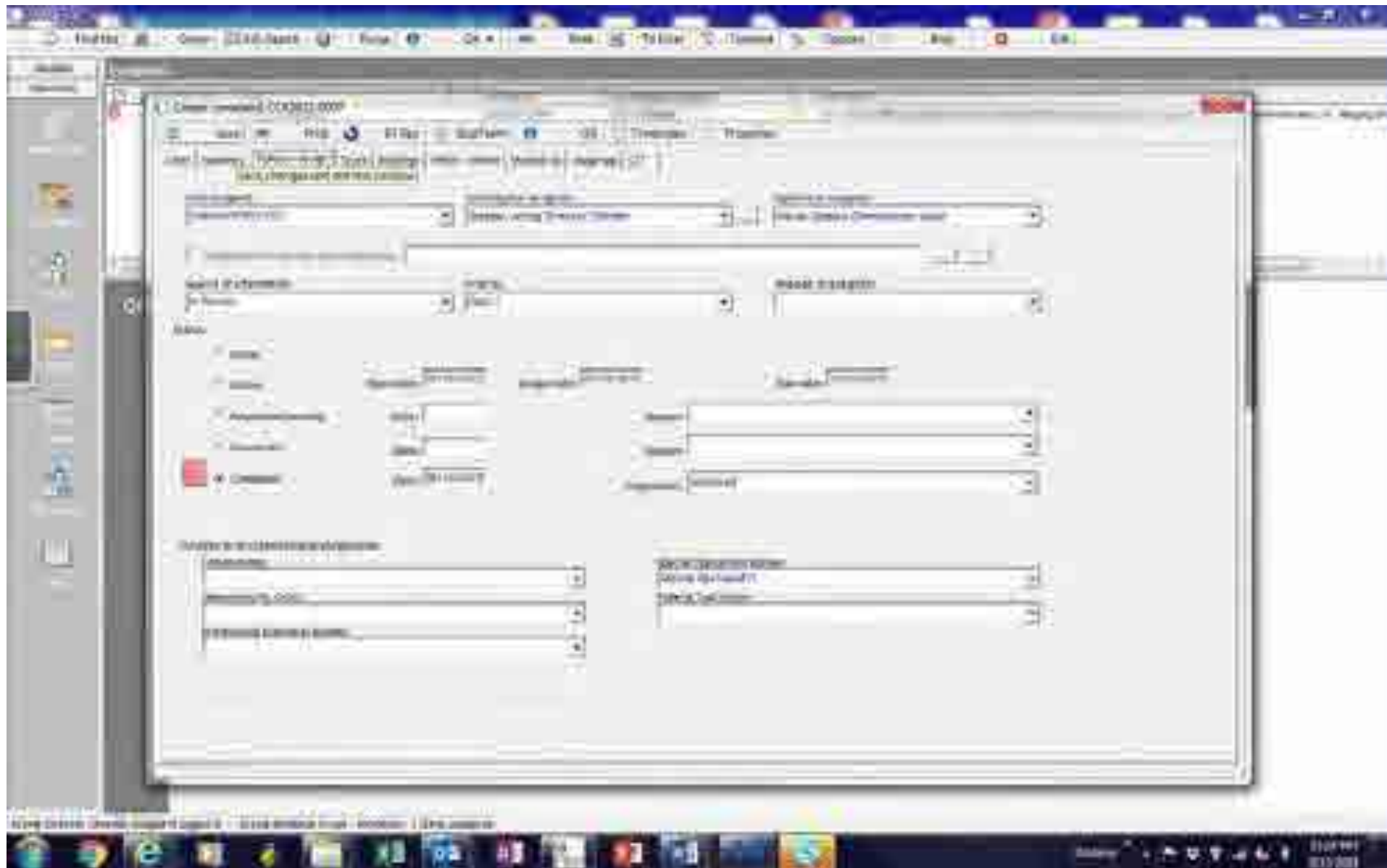
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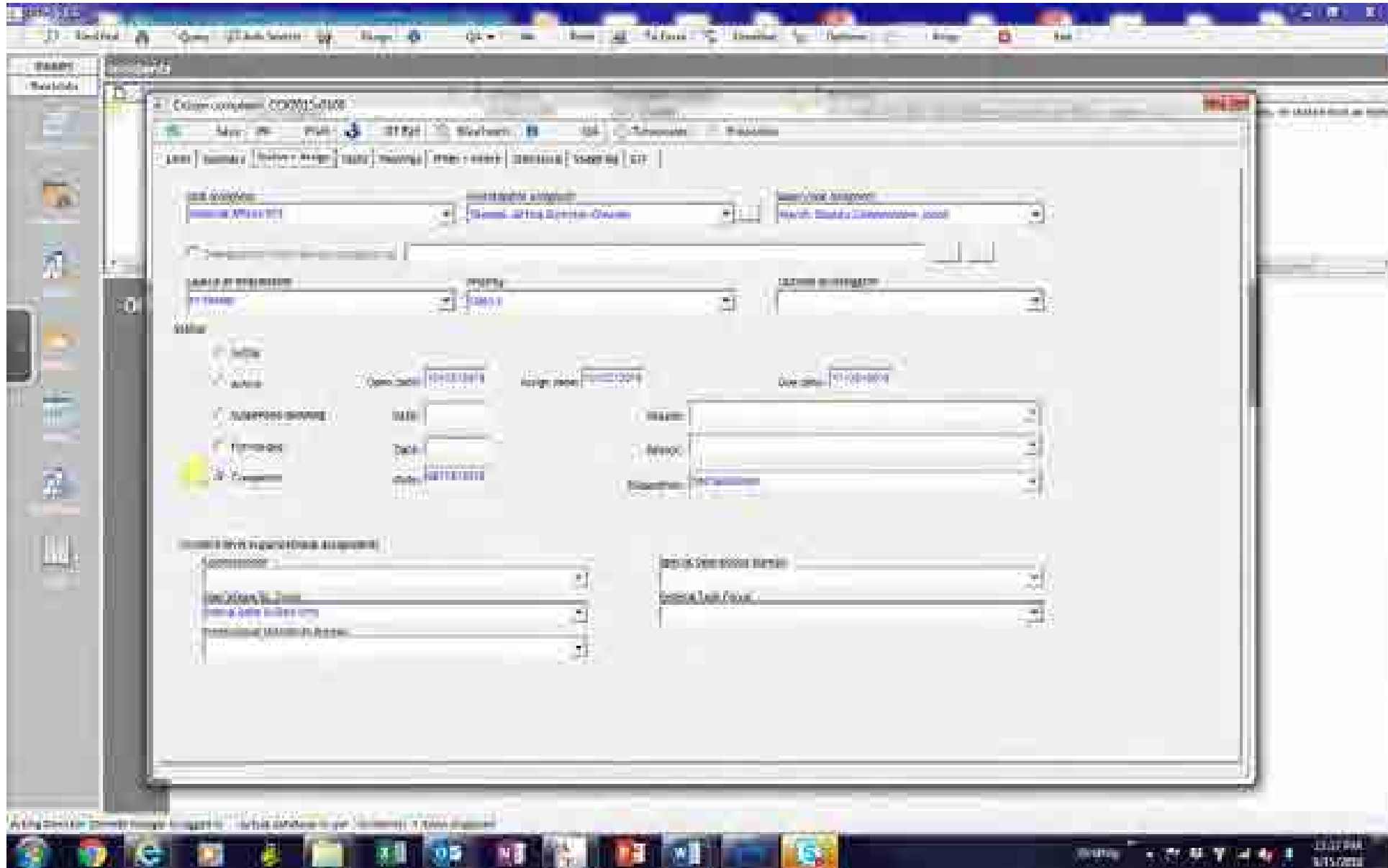
CCT2015-0055



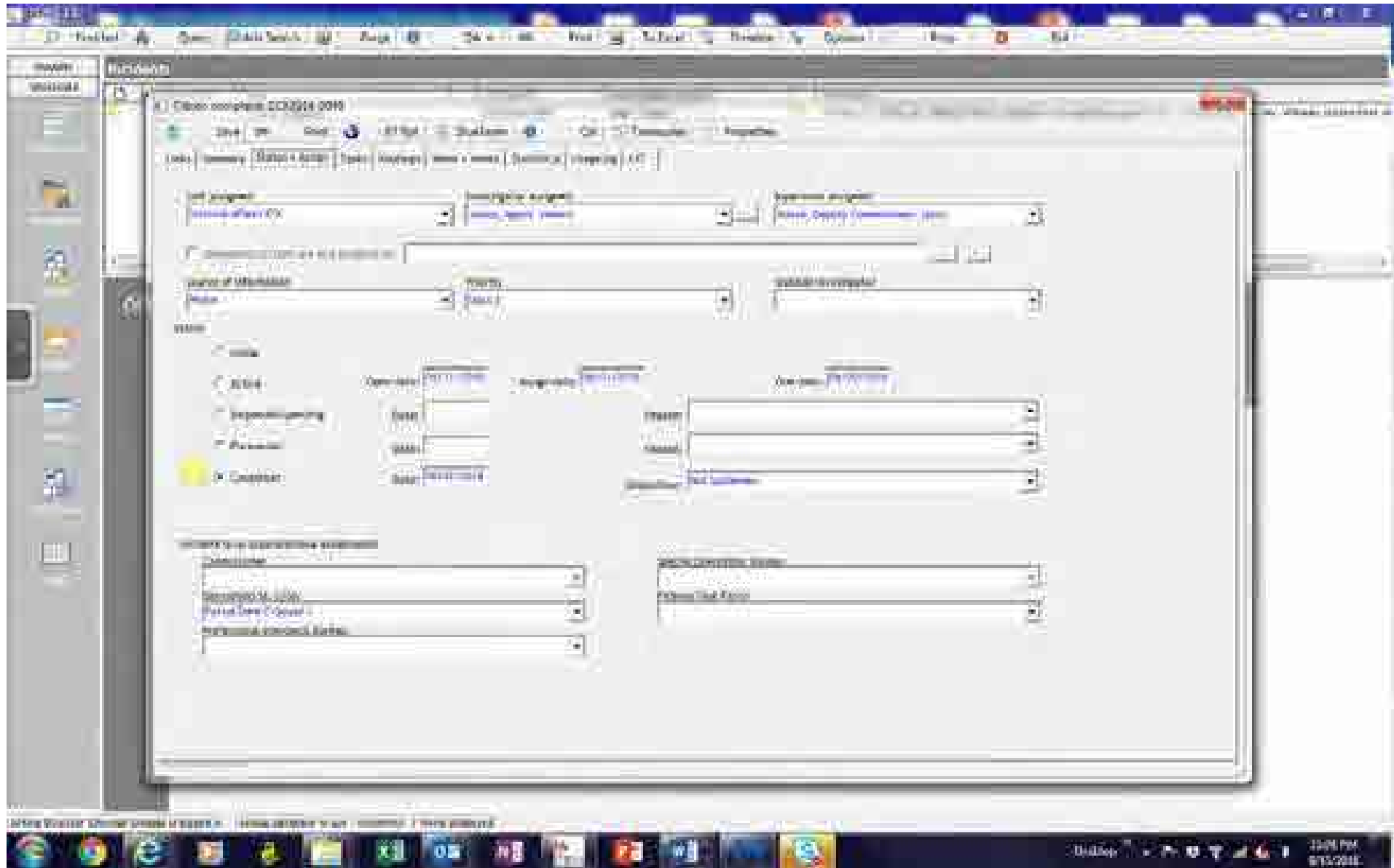
CCX2015-0097



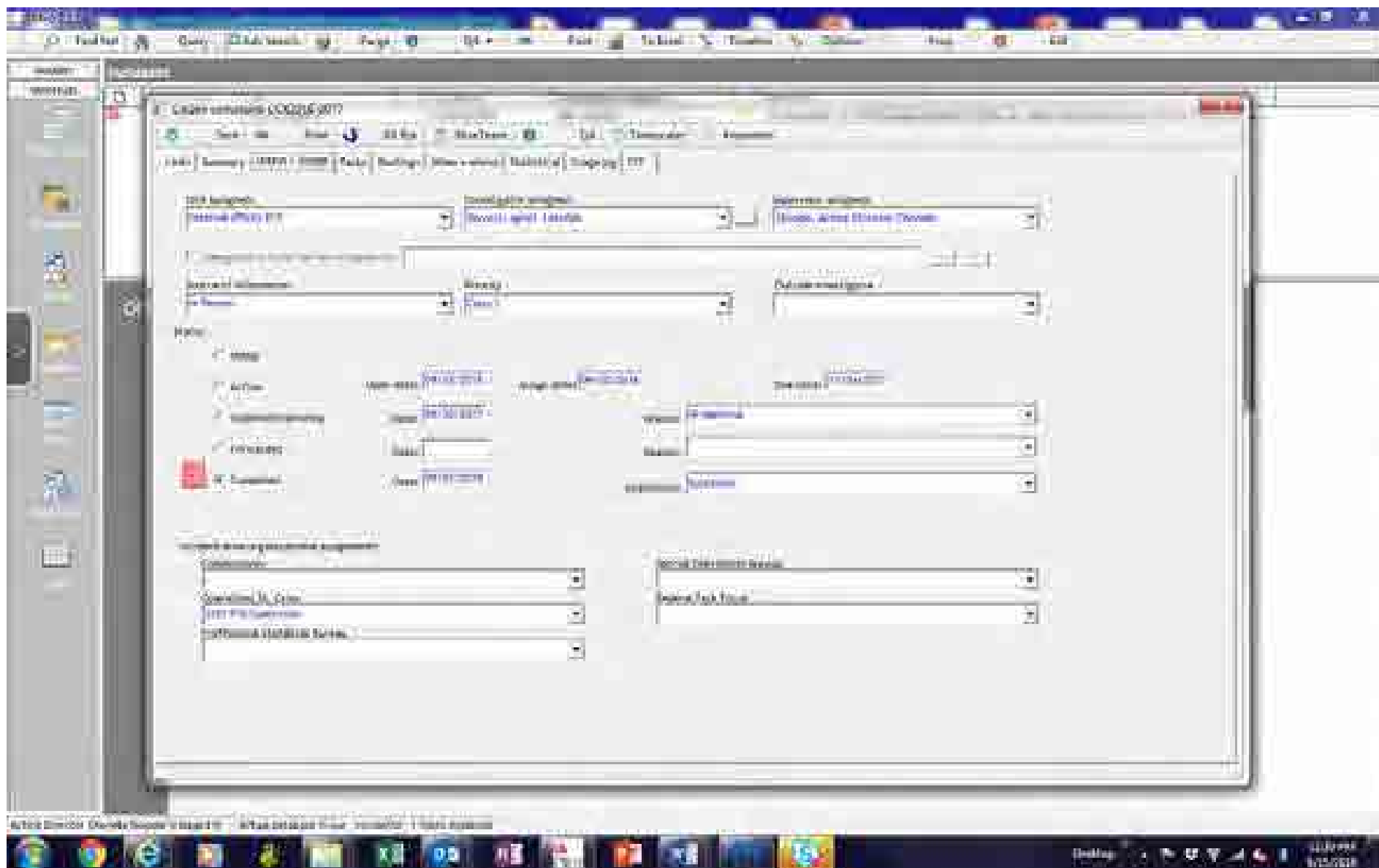
CCX2015-0108



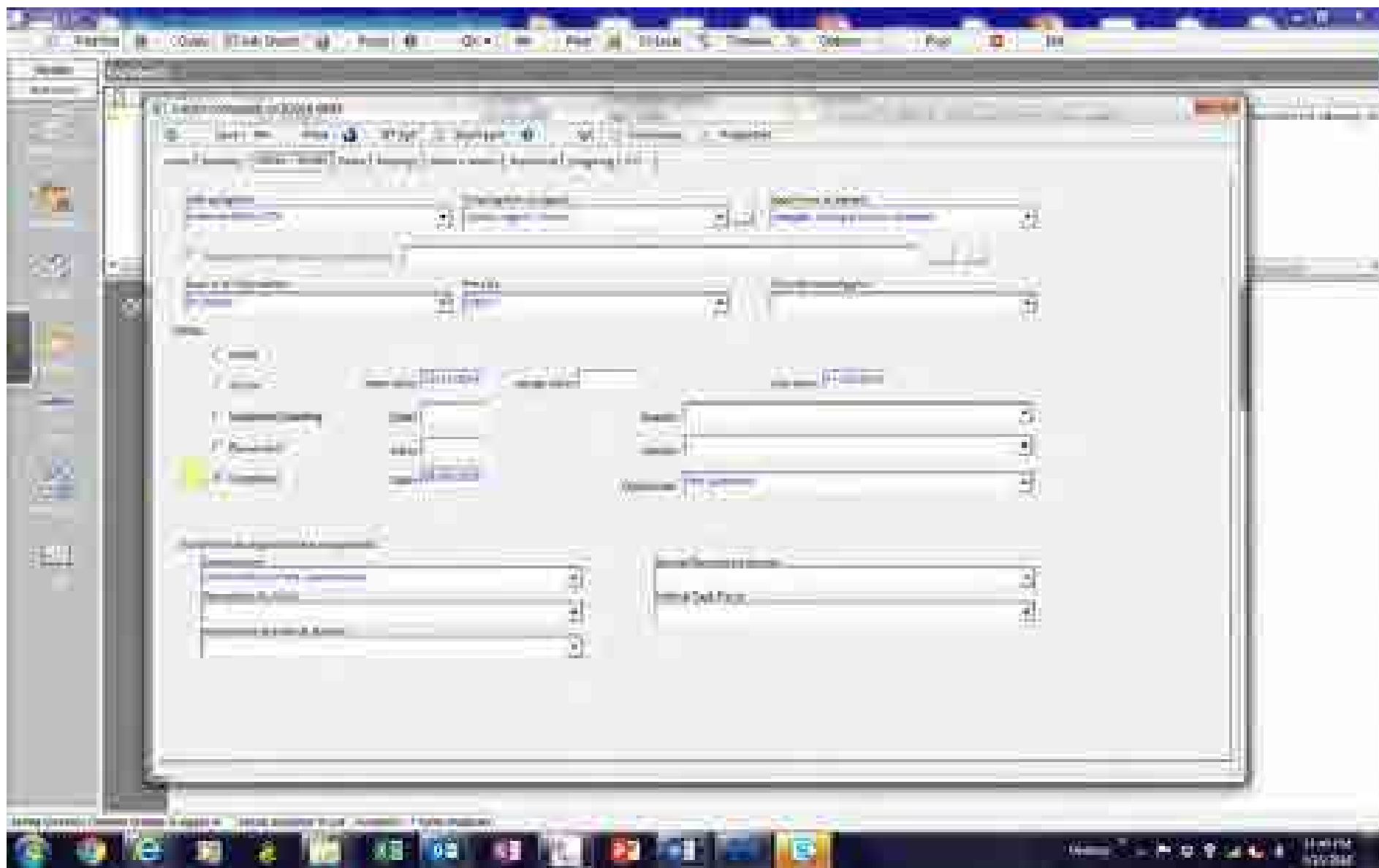
CCX2016-0049



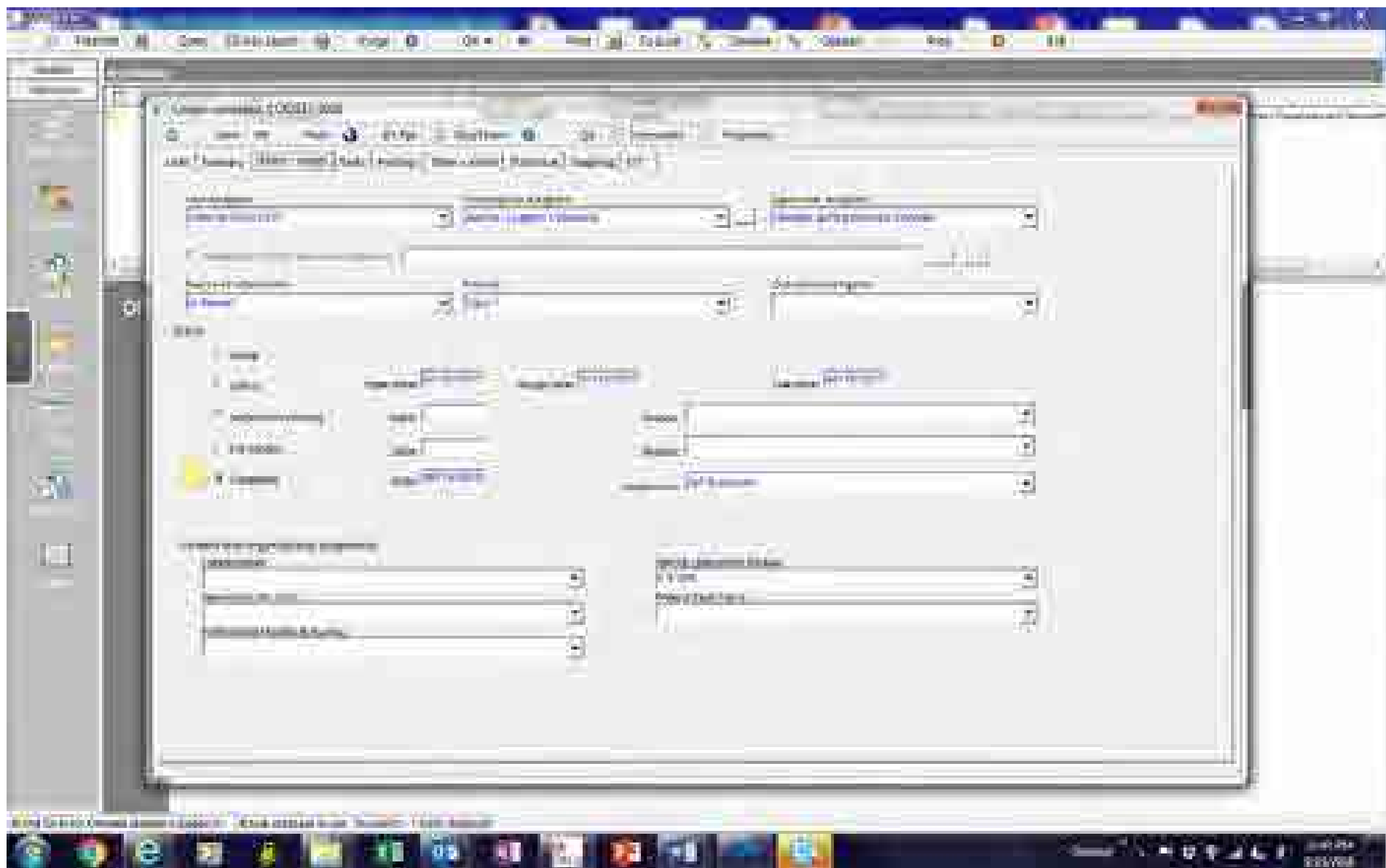
CCX2016-0077



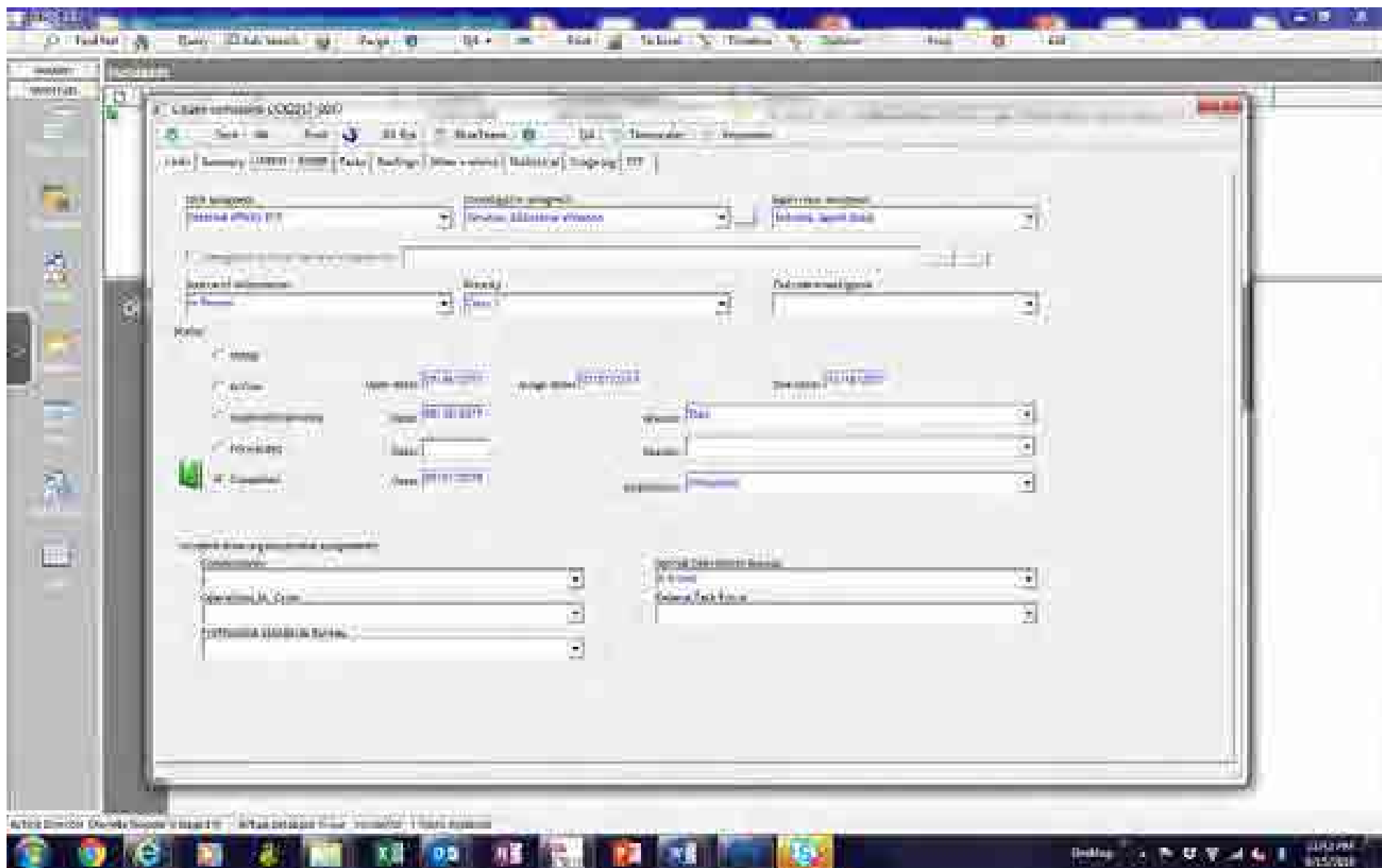
CCX2016-0085



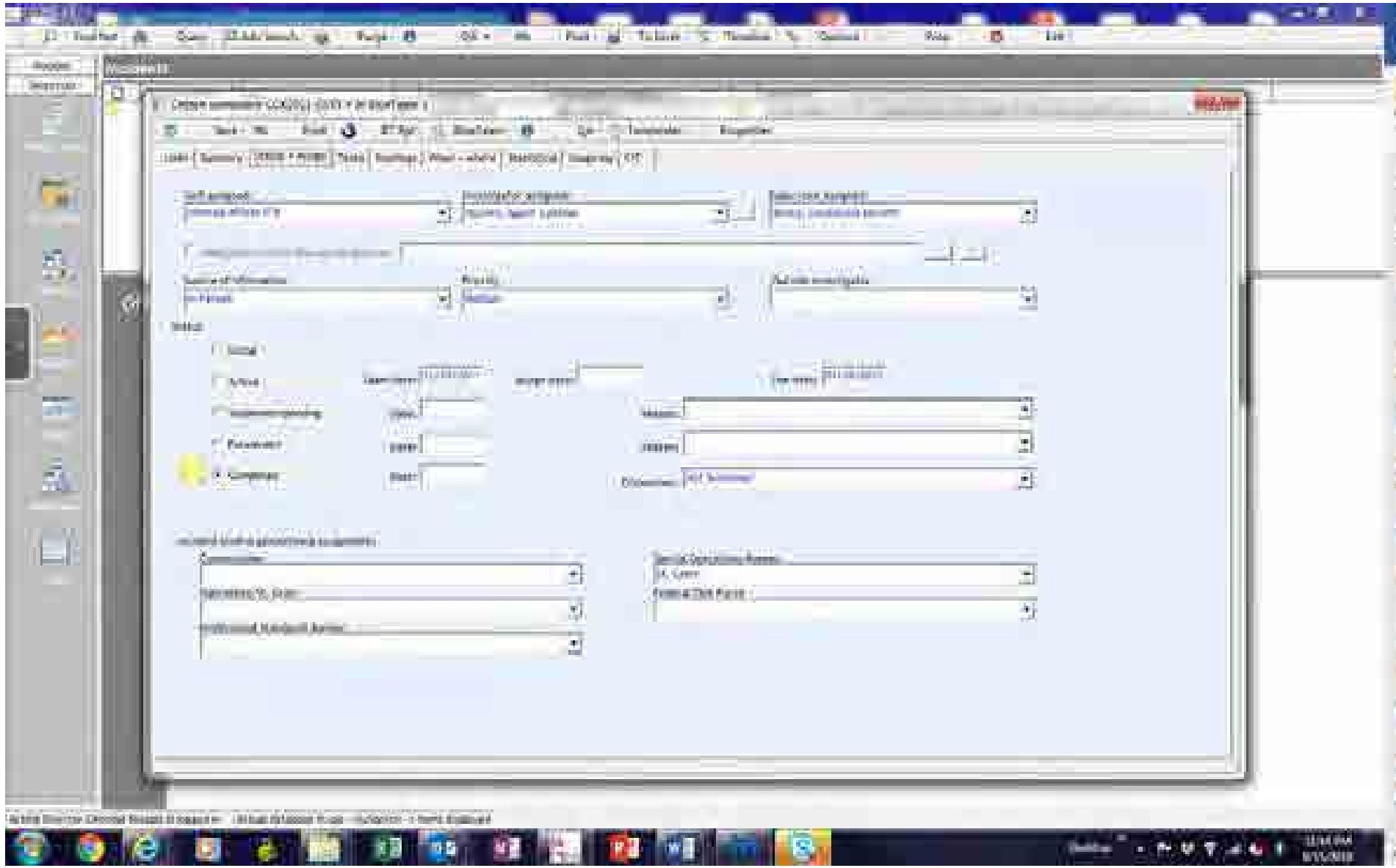
CCX2017-0008



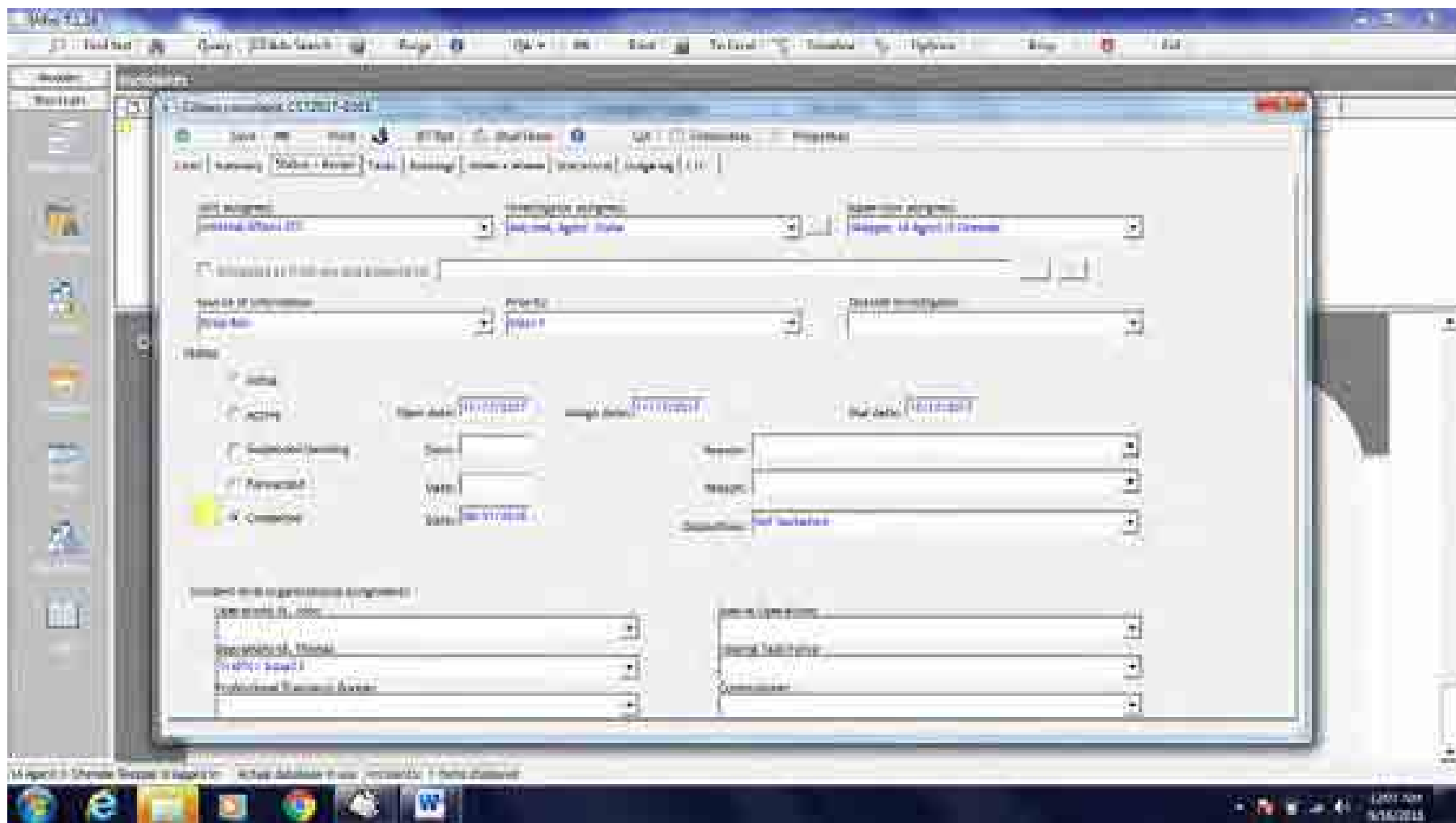
CCX2017-0057



CCX2011-0155



CCT2017-0101





**Paragraphs and Sub-Paragraphs in
Partial Compliance or Not in Substantial Compliance
Status as of Date of Printing**

Print Date: 09/16/2018
Print Time: 21:13

031 NOT IN SUBSTANTIAL COMPLIANCE

Sub-Para	f	Status Not in Substantial Compliance	Linked Para	SC Date
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Sub-Para Compliance Requirements

Ensures that sufficient less lethal alternatives are available to all patrol officers. The issuance of the policy and its continuation indicate substantial compliance for policy development and training. For implementation, evaluation is based upon inspections that demonstrate that patrol and other applicable officers carry less lethal alternatives at all times. (Policies 3.5, 3.6, and 3.7)

.....
Partial or NISC 1

End of Paragraph 031

035 NOT IN SUBSTANTIAL COMPLIANCE

Sub-Para	a	Status Partial Compliance	Linked Para	SC Date
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Sub-Para Compliance Requirements

In =>90% of the interviews conducted during use of force reviews, leading questions were avoided.

.....
Partial or NISC 1

End of Paragraph 035

037 NOT IN SUBSTANTIAL COMPLIANCE

Sub-Para	b	Status Not in Substantial Compliance	Linked Para	SC Date
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Sub-Para Compliance Requirements

In =>90% of reportable use of force incidents, supervisors are held accountable for the quality of their reviews, and documented non-disciplinary and/or disciplinary action has been taken when a supervisor or manager: fails to conduct a timely and thorough review; neglects to recommend appropriate corrective action; or neglects to properly implement appropriate corrective action. In those cases where discipline was imposed, did the officials imposing the discipline follow the departmental disciplinary matrix?

.....
Partial or NISC 2

End of Paragraph 037

Sub-Para	d	Status Not in Substantial Compliance	Linked Para	SC Date
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Sub-Para Compliance Requirements

In =>95% of the use of force incidents where the Commander's/Director's review and evaluation concluded that improper tactics were used, there is evidence that the involved sworn personnel received and successfully completed remedial training, and, if appropriate, were disciplined.

.....
Partial or NISC 2

End of Paragraph 037

044 NOT IN SUBSTANTIAL COMPLIANCE

Sub-Para	i	Status Not in Substantial Compliance	Linked Para	SC Date
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Sub-Para Compliance Requirements

=>90% of complaints are documented and resolved in writing and completed investigations into complaints comport with the provisions of the Consent Decree. Agreement between the Parties set timeliness evaluation for all investigations under this sub-paragraph.

Date Run 09/16/2018

niscpara_chkA

e:\cd_paraap\para_pitem.set

Compliance monitoring location of NISC Sub-Paragraphs updated 09/08/18 as a result of movement of Paragraph 100 sub-paragraphs back to their original parent paragraphs.



**Paragraphs and Sub-Paragraphs in
Partial Compliance or Not in Substantial Compliance
Status as of Date of Printing**

Print Date: 09/16/2018
Print Time: 21:13

Partial or NISC 1

End of Paragraph 044

059 NOT IN SUBSTANTIAL COMPLIANCE

Sub-Para	b	Status Partial Compliance	Linked Para	SC Date
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Sub-Para Compliance Requirements

The VIPD will, in =>95% of the cases, use this data to promote civil rights and best police practices; to manage risk and liability; and to evaluate the performance of VIPD officers across all ranks, units and shifts.

Partial or NISC 1

End of Paragraph 059

064 NOT IN SUBSTANTIAL COMPLIANCE

Sub-Para	f	Status Not in Substantial Compliance	Linked Para	SC Date	12/18/2013
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Sub-Para Compliance Requirements

Interventions, as exemplified in paragraph 64 of the Consent Decree, comport with the RMS protocol =>90% of the time. Evaluation will include the following as transferred from Para 100-5: The VIPD is utilizing the EIP. Underlying documentation should include documentation of EIP meetings, the Early Intervention Unit Action Plan and Early Intervention Unit Assessment, attendance records of VIPD personnel and all follow-up documentation for completed intervention.

Sub-Para	g	Status Not in Substantial Compliance	Linked Para	SC Date
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Sub-Para Compliance Requirements

=>90% of interventions are based on all relevant and appropriate information, including the nature of the officer's assignment, crime trends and crime problems, and not solely on the number or percentages of incidents in any category of information recorded in the risk management system.

Sub-Para	h	Status Not in Substantial Compliance	Linked Para	SC Date
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Sub-Para Compliance Requirements

In =>90% of instances when officers are transferred to a new section or unit, Deputy Chiefs, managers and supervisors for the relevant section or unit have promptly reviewed the RMS records of such officers.

Sub-Para	k	Status Not in Substantial Compliance	Linked Para	SC Date
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Sub-Para Compliance Requirements

The Police Commissioner's Office, with IAB assistance, has convened, at least quarterly, a meeting of senior managers to review all RMS data to evaluate officer performance territory-wide and make appropriate comparisons of officers, supervisors, units, and managers to identify any significant patterns or series of incidents.

Partial or NISC 4

End of Paragraph 064

070 NOT IN SUBSTANTIAL COMPLIANCE

Sub-Para	a	Status Not in Substantial Compliance	Linked Para	SC Date	12/18/2013
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Sub-Para Compliance Requirements

The VIPD has developed a disciplinary matrix to take into account an officer's violations of different rules, rather than just repeated violations of the same rule.

Sub-Para	e	Status Not in Substantial Compliance	Linked Para	SC Date
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Date Run 09/16/2018

niscpara_chkA

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Compliance monitoring location of NISC Sub-Paragraphs updated 09/08/18 as a result of movement of Paragraph 100 sub-paragraphs back to their original parent paragraphs.



**Paragraphs and Sub-Paragraphs in
Partial Compliance or Not in Substantial Compliance
Status as of Date of Printing**

Print Date: 09/16/2018

Print Time: 21:13

Sub-Para Compliance Requirements

Disciplinary penalty decisions are consistent with the penalties set forth in the Disciplinary Matrix.

.....
Partial or NISC 2

End of Paragraph 070

End of Report

Total Nbr Sub-Paragraphs NISC/Partial 12


Total Nbr Paragraphs NISC 7

Date Run 09/16/2018

niscpara_chkA

e:\cd_paraap\para_pitem.set

Compliance monitoring location of NISC Sub-Paragraphs
updated 09/08/18 as a result of movement of Paragraph 100
sub-paragraphs back to their original parent paragraphs.

		Review Date: September 14, 2018	Effective Date: September 14, 2018	District: ALL	Reference: Consent Decree
		Subject: <u>YIPD Consent Decree Compliance</u> - Territorial			Number: 009-2018
Amends:	Rescind:	Distribution: All Sworn and Civilian Personnel			Page 1 of 2

I. HISTORY

In 2008, the United States Department of Justice sued the Territory of the US Virgin Islands and the U.S. Virgin Islands Police Department (VIPD) for civil rights violations asserting that the VIPD was engaging in a pattern and practice of the unnecessary and excessive use of force (unlawful) by VIPD's officers.

In what is referred to as a consent decree, VIPD and the Territory admitted that VIPD officers had engaged in a pattern and practice of the unlawful use of force. The Territory and VIPD has been under the consent decree for almost a decade. Although much has changed in that decade, many requirements were not satisfied, including improved training and policies of our officers. VIPD has made extraordinary progress in the last few years. It is important that VIPD, its leaders, officers and staff remember why the consent decree was entered into so that history does not repeat itself.

VIPD is committed to protecting people, their property and rights, while providing the best in public safety and service. The proper use of force is essential for policing. There are circumstances where individuals will not comply with the law unless compelled or controlled by the use of force. Yet, officers must also remain mindful that they derive their authority from the community and that unreasonable force degrades the legitimacy of that authority. In a Use of Force Incident, the governmental interest must match the level of force and intrusion upon an individual's constitutional rights.

It is the policy of this department that officers hold the highest regard for the dignity and liberty of all persons, and place minimal reliance upon the use of force. The department respects the value of every human life and that the application of deadly force is a measure to be employed in the most extreme circumstances.

Office of the
POLICE
COMMISSIONER



DIRECTIVE

Subject: : VIPD Consent Decree
Audit and Inspection Unit Commander - Territorial

Number:
004-2014

Page:
2 of 2

II. PURPOSE

It is the purpose of this directive to ensure that all parties of the Virgin Islands Police Department acknowledge the Consent Decree and are making every effort in gaining compliance with the respective Consent Decree mandates.

III. POLICY

A critical mission of the Virgin Islands Police Department is to achieve full compliance with the Consent Decree. This document is to inform all personnel at all levels of the Virgin Islands Police department that they shall adhere to all policies and directives of the Consent Decree and continue to take all required actions for the progress in gaining compliance with Consent Decree mandates. No areas of the Consent Decree are to be ignored. All efforts are to be made to meet deadlines to insure our goal in achieving full compliance.

All Personnel are to afford equal priority to the consent decree efforts. Anyone who fails to take actions to comply with the mandates set forth by the Consent Decree can and shall be subject to administrative sanctions.

IV. EXECUTIVE APPROVAL

Pursuant to the authority granted to the Virgin Islands Police Commissioner in Title 3 V.I.C. § 258, this Directive, to be made a permanent part of the Rules and Regulations of the U.S. Virgin Islands Police Department, is/are hereby approved:

Dated and signed at Frederiksted, St. Croix, USVI, on this 17 day of September 2018.



*Delroy Richards, Sr.
Police Commissioner*

xc: All Sworn & Civilian Personnel of the VIPD
File



VIRGIN ISLANDS POLICE DEPARTMENT
RESPONSE TO RESISTANCE REPORT
INVOLVED OFFICER FORM



DR Number	Arrest Number	RRR Number
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SUPERVISOR NOTIFIED:	SUPERVISOR ON SCENE:	DATE:	TIME:	SUPERVISOR NOTIFIED BY:	PDN	DATE	TIME
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PART 1 – (List additional Subjects in Narrative Section)

INCIDENT DATE	DAY	TIME	LOCATION	ZONE				
#1 SUBJECT'S NAME			SEX	RACE	DOB	WEIGHT LBS.	HEIGHT ' "	<input type="checkbox"/> US CITIZEN <input type="checkbox"/> PERMANENT RESIDENT <input type="checkbox"/> OTHER
ADDRESS							CONTACT NUMBER	
CHARGES (IF NO CHARGES STATE THE REASON AND GIVE DETAILS IN NARRATIVE)							ARREST NUMBER	

AT THE TIME OF THE INCIDENT, THE SUBJECT WAS:

<input type="checkbox"/> Under the influence of alcohol or drugs	<input type="checkbox"/> Mentally impaired/ emotionally disturbed
<input type="checkbox"/> Suspected to be under the influence of alcohol or drugs	<input type="checkbox"/> Other:

PART 2 – REASON FOR FORCE, RESISTANCE OF SUBJECT AND RESPONSE BY OFFICER (Check all that applies)

REASON USE OF FORCE WAS NECESSARY:

<input type="checkbox"/> To effect an arrest	<input type="checkbox"/> To defend self	<input type="checkbox"/> Prevent escape
<input type="checkbox"/> To defend another officer / person	<input type="checkbox"/> Protective custody / subject safety	<input type="checkbox"/> Other:

OFFICER'S PERCEPTION OF INDIVIDUAL'S ACTIONS: (Use narrative Section to describe perceived threat(s) posed by individual)

<input type="checkbox"/> PASSIVE RESISTANCE (Dead weight or non-compliance to officer's lawful verbal direction, but offering no actively resistive movement)	<input type="checkbox"/> ASSAULTIVE / HIGH-RISK (Agitated, combative state, physically assaultive actions and /or behavior that poses threat of injury to another (e.g., punching, kicking, clenching of fists, etc.)
<input type="checkbox"/> ACTIVE RESISTANCE (Actions such as pushing, pulling, evasive arm movement, flailing, flight, muscle tension, etc. to avoid control. Does not include attempts to harm the officer)	<input type="checkbox"/> LIFE THREATENING / SERIOUS PHYSICAL INJURY (Actions that may result in death or serious physical injury)

OFFICER'S RESPONSE OPTION(S): (Describe details in Narrative Section)

PRESENCE:
 FULL UNIFORM
 PARTIAL UNIFORM
 PLAINCLOTHES
 OFF-DUTY

NOTE: Officers not in full uniform describe means of visual police identification (e.g., raid vest or jacket, displayed badge/ID, etc.) in Narrative Section.

VERBAL COMMANDS (Describe details in Narrative Section)

COMPLIANCE TECHNIQUES (Describe details in Narrative Section) (Force used to gain control - restraint, come-along, takedowns – use of hands, arms, feet, legs)

CHEMICAL SPRAY / CHEMICAL AGENT / PEPPERBALL (Describe details in Narrative Section):

Number of Bursts / Pepper Ball Rounds: _____ Duration of Bursts: _____
 Impact Location: _____ Distance from Subject: _____
 Time between application / decontamination: _____

IMPACT WEAPON / TEMP. INCAPACITATION (Describe details in Narrative Section)

ELECTRONIC CONTROL WEAPON (Describe details in Narrative Section)

<input type="checkbox"/> Drive Stun	Number of Cycles: _____	Taser Unit #: _____
<input type="checkbox"/> Probe Deployment	Impact Location: _____	Serial #: _____
		Cartridge Serial #: _____

CANINE BITE (Describe details in Narrative Section)

POINT A FIREARM (Describe details In Narrative Section)

LETHAL FORCE – Firearm or other (Describe details in Narrative Section)

OTHER:

RESTRAINT METHOD USED: HAND OR FLEX CUFFS LEG RESTRAINTS NONE OTHER:

PART 3 – INJURIES, TREATMENT AND ON-SCENE PERSONNEL (Provide further details in Narrative Section)

WAS SUBJECT INJURED? <input type="checkbox"/> YES <input type="checkbox"/> NO DESCRIBE INJURIES:	SUBJECT MEDICAL TREATMENT PROVIDED BY:	WAS REPORTING OFFICER INJURED? <input type="checkbox"/> YES <input type="checkbox"/> NO DESCRIBE INJURIES:	OFFICER MEDICAL TREATMENT PROVIDED BY:
# SUBJECTS THAT RESISTED:	# OFFICERS PRESENT:	PHOTOS TAKEN BY:	FORENSIC OFFICER/TECH ON SCENE:

LIST ALL OFFICERS INVOLVED IN THE USE OF FORCE (LIST ADDITIONAL OFFICERS IN NARRATIVE SECTION)

INVOLVED OFFICER NAME	PDN	INVOLVED OFFICER NAME	PDN

LIST ALL WITNESSES TO THE USE OF FORCE. LIST OFFICER AND PEACE OFFICER WITNESSES BEFORE CITIZEN WITNESSES. IF THERE ARE NO KNOWN WITNESSES, SPECIFY "NO KNOWN WITNESSES" UNDER "WITNESS NAME." (LIST ADDITIONAL WITNESSES IN NARRATIVE SECTION)

WITNESS NAME INCLUDE RANK & PDN, IF APPROPRIATE	ADDRESS OR AGENCY AFFILIATION	CONTACT NUMBER

PART 4 – OFFICER NARRATIVE

LIST ADDITIONAL SUBJECTS:									
# 2SUBJECT'S NAME	SEX	RACE	DOB	WEIGHT LBS.	HEIGHT ' "	<input type="checkbox"/> US CITIZEN <input type="checkbox"/> PERMANENT RESIDENT <input type="checkbox"/> OTHER			
ADDRESS							CONTACT NUMBER		
CHARGES (IF NO CHARGES STATE THE REASON AND GIVE DETAILS IN NARRATIVE)							ARREST NUMBER		
AT THE TIME OF THE INCIDENT, THE SUBJECT WAS:									
<input type="checkbox"/> Under the influence of alcohol or drugs					<input type="checkbox"/> Mentally impaired/ emotionally disturbed				
<input type="checkbox"/> Suspected to be under the influence of alcohol or drugs					<input type="checkbox"/> Other:				
# 3SUBJECT'S NAME	SEX	RACE	DOB	WEIGHT LBS.	HEIGHT ' "	<input type="checkbox"/> US CITIZEN <input type="checkbox"/> PERMANENT RESIDENT <input type="checkbox"/> OTHER			
ADDRESS							CONTACT NUMBER		
CHARGES (IF NO CHARGES STATE THE REASON AND GIVE DETAILS IN NARRATIVE)							ARREST NUMBER		
AT THE TIME OF THE INCIDENT, THE SUBJECT WAS:									
<input type="checkbox"/> Under the influence of alcohol or drugs					<input type="checkbox"/> Mentally impaired/ emotionally disturbed				
<input type="checkbox"/> Suspected to be under the influence of alcohol or drugs					<input type="checkbox"/> Other:				
GO TO PAGE 5 FOR NARRATIVE INPUT									

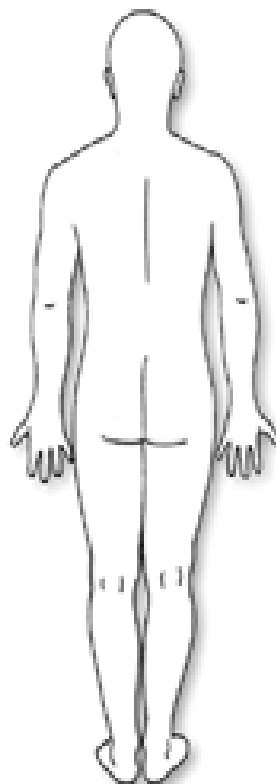
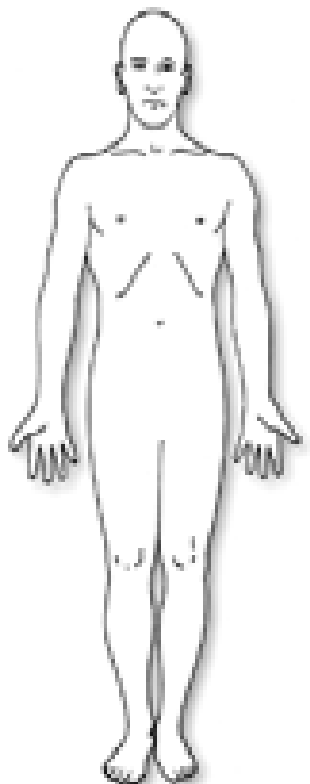
Reporting Officer	PDN	Date of Report	Supervisor	Commander
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Type of Force Used

Officer's Response to Resistance

Use the diagrams below and mark with an "X" and the type of force used.

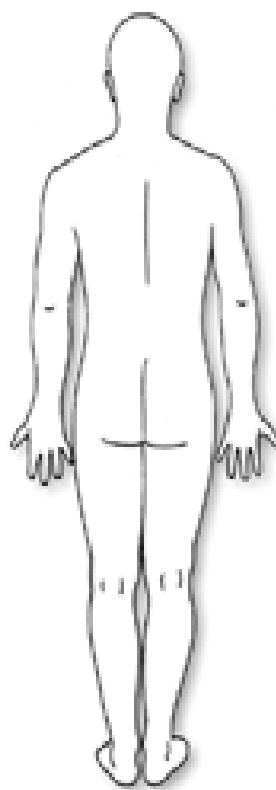
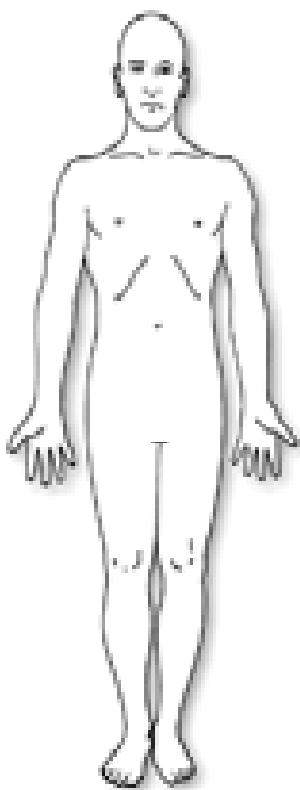
Indicate where on the body the force was used. (e.g., X---OC spray) Double-click on body and enter an "X" to indicate location. If more than one subject, use CNTRL+ENTER to duplicate this page.



Reporting Officer & PDN	Date of Report	Supervisor	Page 3 of 5
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~~INJURY TO OFFICER~~

Indicate where on the body the injury occurred. (e.g., X---Laceration) Double-click on body and enter an "X" to indicate location. If more than one officer was injured, use CNTRL+ENTER to duplicate this page.



Reporting Officer & PDN	Date of Report	Supervisor	Page 4 of 5
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**RESPONSE TO
RESISTANCE
NARRATIVE REPORT**

Date of Incident	DR No./RRR No. /
Reporting Officer & PDN	#1 Subject's Name

Part 6 - Narrative – Give a detailed report of the interaction between the involved officer(s) and the subject(s). Follow the instructions for each section. There is no need for a continuation sheet the form will expand to accommodate your report.

LIST ANY ADDITIONAL SUBJECTS, WITNESSES OR OFFICERS:

STATE THE REASON FOR YOUR PRESENCE AND/OR CONTACT WITH THE SUBJECT:

This will include whether you were dispatched by 911 or whether you came upon suspicious activity that required further investigation, etc.

STATE ANY ATTEMPTS (WHERE FEASIBLE) TO DE-ESCALATE THE SITUATION:

This will include calling for additional units, trying to talk to the subject, tactical withdrawal pending additional personnel or specialized personnel (Trained Negotiator) etc. If you were not able to attempt de-escalation describe the situation you encountered.

DESCRIBE THE ACTIONS OF THE SUBJECT AND HOW YOU RESPONDED TO THOSE ACTIONS:

State the type of aggression/non-compliant behavior displayed by the subject and exactly how you were able to achieve compliance. **DO NOT** use generic terms or vague language such as "I took the subject to the ground".

DESCRIBE ANY INJURIES TO SUBJECT, CITIZEN OR OFFICERS:

Detail the injuries or complaint of injury to the subject, citizen and/or officers and what actions were taken to alleviate the injured persons condition (if feasible). For the purposes of this section, the location of OC Spray application is considered an "injury". If there were no injuries from the force options you utilized state "NO INJURY FROM FORCE OPTIONS". However, if the subject is exhibiting injury not related to the force include the information of injury type and cause in this section..

THIS RESPONSE TO RESISTANCE REPORT HAS BEEN REVIEWED AND APPROVED BY THE FOLLOWING PERSONNEL:	
SUPERVISOR NAME & PDN	SUPERVISOR'S SIGNATURE
COMMAND LEVEL REVIEW NAME & PDN	COMMAND LEVEL SIGNATURE
ADMINISTRATIVE LEVEL REVIEW NAME & PDN	ADMINISTRATIVE LEVEL REVIEW SIGNATURE

Reporting Officer & PDN	Date of Report	Supervisor	Page 5 of 5
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VIRGIN ISLANDS POLICE DEPARTMENT
RESPONDING SUPERVISOR'S REPORT



DR Number	Arrest Number	RRR Number
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THIS DOCUMENT IS TO BE UTILIZED BY THE RESPONDING SUPERVISOR WHO IS NOT ASSIGNED AS THE INVESTIGATOR OF THE FORCE EVENT. THE RESPONDING SUPERVISOR SHALL COMPLETE THE REPORT AND SUBMIT TO THE ASSIGNED SUPERVISOR WITHIN 24 HOURS.

PART 1 – (List additional Subjects in the Investigation Narrative)

Incident Date	Day	Time	Location				Zone
#1 Subject's Name			Sex	Race	DOB	Address	Contact Number
#2 Subject's Name			Sex	Race	DOB	Address	Contact Number
#3 Subject's Name			Sex	Race	DOB	Address	Contact Number
#4 Subject's Name			Sex	Race	DOB	Address	Contact Number

PART 2 - List all officers involved who applied force and indicate the Subject and the Force Type(s) used. (List additional officers in the Investigation Narrative)

Involved Officer Name	PDN	Force Type	Subject # Force Used on	Zone/Bureau/Unit Assigned	Duty Status	
					On	Off
#1					<input type="checkbox"/>	<input type="checkbox"/>
#2					<input type="checkbox"/>	<input type="checkbox"/>
#3					<input type="checkbox"/>	<input type="checkbox"/>
#4					<input type="checkbox"/>	<input type="checkbox"/>

PART 3 - LIST ALL WITNESSES TO THE USE OF FORCE. (LIST ADDITIONAL WITNESSES IN NARRATIVE SECTION) LIST OFFICER /PEACE OFFICER WITNESSES BEFORE CITIZEN WITNESSES. IF THERE ARE NO KNOWN WITNESSES, SPECIFY "NO KNOWN WITNESSES" UNDER "WITNESS NAME."

Witness Name Include Rank & PDN, if appropriate	Address or Agency Affiliation	Contact Number
#1		
#2		
#3		
#4		
#5		
#6		
#7		

RESPONDING SUPERVISOR	PDN	DATE OF REPORT
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**RESPONDING SUPERVISOR
REPORT**

Date of Incident	RRR#	
# 1 Officer Name	PDN	#1 Subject's Name

PART 4 - NARRATIVE

LIST ANY ADDITIONAL SUBJECTS, WITNESSES OR INVOLVED OFFICERS:

SUMMARY OF ON-SCENE CONDITIONS & ACTIONS:

Give a description of the scene and your actions while on-scene, including contact with the subject(s) this will include asking whether the subject was injured or feeling pain and whether the subject(s) was offered medical treatment.

RESPONDING SUPERVISOR	PDN	DATE OF REPORT	Page 2 of 2
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VIRGIN ISLANDS POLICE DEPARTMENT

RESPONSE TO RESISTANCE REPORT OFFICER WITNESS FORM



DR Number	Arrest Number	RRR Number
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SUPERVISOR NOTIFIED:	SUPERVISOR ON SCENE:	DATE	TIME	SUPERVISOR NOTIFIED BY:	PDN	DATE	TIME
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PART 1 – (List additional Subjects in Narrative Section)

INCIDENT DATE	DAY	TIME	LOCATION	ZONE				
# 1SUBJECT'S NAME			SEX	RACE	DOB	WEIGHT LBS.	HEIGHT ' "	<input type="checkbox"/> US CITIZEN <input type="checkbox"/> PERMANENT RESIDENT <input type="checkbox"/> OTHER
ADDRESS								CONTACT NUMBER
AT THE TIME OF THE INCIDENT, THE SUBJECT WAS: <input type="checkbox"/> Under the influence of alcohol or drugs <input type="checkbox"/> Suspected to be under the influence of alcohol or drugs <input type="checkbox"/> Mentally impaired/ emotionally disturbed <input type="checkbox"/> Other:								

LIST ALL INVOLVED OFFICERS & WITNESSES TO THE USE OF FORCE. (List additional names in Narrative Section) List Officer and Peace Officer personnel before Citizen Witnesses. If there are no other known witnesses, specify "NO KNOWN WITNESS" in "Name Section."

Involved Officers and/or additional Witness Name Include Rank & PDN, if appropriate	Address or Agency Affiliation	Contact Number
	<input type="checkbox"/> Involved Ofc.	
	<input type="checkbox"/> Involved Ofc.	
	<input type="checkbox"/> Involved Ofc.	
	<input type="checkbox"/> Involved Ofc.	
	<input type="checkbox"/> Involved Ofc.	
	<input type="checkbox"/> Involved Ofc.	
	<input type="checkbox"/> Involved Ofc.	
	<input type="checkbox"/> Involved Ofc.	

PART 2 – OFFICER NARRATIVE SECTION

LIST ADDITIONAL SUBJECTS:								
# 2SUBJECT'S NAME			SEX	RACE	DOB	WEIGHT LBS.	HEIGHT ' "	<input type="checkbox"/> US CITIZEN <input type="checkbox"/> PERMANENT RESIDENT <input type="checkbox"/> OTHER
ADDRESS								CONTACT NUMBER
AT THE TIME OF THE INCIDENT, THE SUBJECT WAS: <input type="checkbox"/> Under the influence of alcohol or drugs <input type="checkbox"/> Suspected to be under the influence of alcohol or drugs <input type="checkbox"/> Mentally impaired/ emotionally disturbed <input type="checkbox"/> Other:								
# 3SUBJECT'S NAME			SEX	RACE	DOB	WEIGHT LBS.	HEIGHT ' "	<input type="checkbox"/> US CITIZEN <input type="checkbox"/> PERMANENT RESIDENT <input type="checkbox"/> OTHER
ADDRESS								CONTACT NUMBER
AT THE TIME OF THE INCIDENT, THE SUBJECT WAS: <input type="checkbox"/> Under the influence of alcohol or drugs <input type="checkbox"/> Suspected to be under the influence of alcohol or drugs <input type="checkbox"/> Mentally impaired/ emotionally disturbed <input type="checkbox"/> Other:								

Reporting Officer	PDN	Date of Report	Supervisor	Commander
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**RESPONSE TO RESISTANCE
WITNESS NARRATIVE REPORT**

Date of Incident	DR No./RRR No. /	
Reporting Officer	PDN	#1 Subject's Name

Part 3 - Narrative - Give a detailed report of the interaction between the involved officer(s) and the subject(s). Follow the instructions for each section. There is no need for a continuation sheet the form will expand to accommodate your report.

LIST ANY ADDITIONAL SUBJECTS, WITNESSES OR OFFICERS:

STATE THE REASON FOR YOUR PRESENCE AND/OR CONTACT WITH THE SUBJECT:

This will include whether you were dispatched by 911 or whether you came upon suspicious activity that required further investigation, etc.

STATE ANY ATTEMPTS (WHERE FEASIBLE) TO DE-ESCALATE THE SITUATION:

This will include calling for additional units, trying to talk to the subject, tactical withdrawal pending additional personnel or specialized personnel (Trained Negotiator) etc. If you were not able to attempt de-escalation describe the situation you encountered.

DESCRIBE THE ACTIONS OF THE SUBJECT AND HOW THE INVOLVED OFFICER(S) RESPONDED TO THOSE ACTIONS:

State the type of aggression/non-compliant behavior displayed by the subject and exactly how the involved officer(s) were able to achieve compliance.

DO NOT use generic terms or vague language such as "took the subject to the ground".

DESCRIBE ANY INJURIES TO SUBJECT, CITIZEN OR OFFICERS:

Detail the injuries to the subject, citizen and/or officers and what actions were taken to alleviate the injured persons condition (if feasible). For the purposes of this section, the location of OC Spray application is considered an "injury"

THIS RESPONSE TO RESISTANCE WITNESS REPORT HAS BEEN REVIEWED AND APPROVED BY THE FOLLOWING PERSONNEL:	
SUPERVISOR NAME & PDN	SUPERVISOR'S SIGNATURE
COMMAND LEVEL REVIEW NAME & PDN	COMMAND LEVEL SIGNATURE
ADMINISTRATIVE LEVEL REVIEW NAME & PDN	ADMINISTRATIVE LEVEL REVIEW SIGNATURE

Reporting Officer	PDN	Date of Report	Supervisor	Page 2 of 2
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**VIRGIN ISLANDS POLICE DEPARTMENT
RESPONSE TO RESISTANCE INVESTIGATION REPORT**



DR Number	Arrest Number	RRR Number
FORCE LEVELS Indicate the highest force level used		
Check One	<input type="checkbox"/> Level 1 Force <input type="checkbox"/> Level 2 Force	<input type="checkbox"/> Level 3 Force <input type="checkbox"/> Level 4 Force
ALL LEVEL 2, 3 AND 4 INVESTIGATIONS MUST BE SUBMITTED FOR REVIEW WITHIN 5 DAYS OF THE INITIAL INCIDENT UNLESS AN EXTENSION IS REQUESTED		

INVESTIGATING SUPERVISOR ON SCENE:	DATE	TIME	COMMANDER NOTIFIED BY:	DATE	TIME
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PART 1 – (List additional Subjects in the Investigation Narrative)

Incident Date	Day	Time	Location	Zone
#1 Subject's Name			Sex Race DOB Address	Contact Number
#2 Subject's Name			Sex Race DOB Address	Contact Number
#3 Subject's Name			Sex Race DOB Address	Contact Number
#4 Subject's Name			Sex Race DOB Address	Contact Number

PART 2 - List all officers involved who applied force and indicate the Subject and the Force Type(s) used. (List additional officers in the Investigation Narrative)

Involved Officer Name	PDN	Force Type	Subject # Force Used on	Zone/Bureau/Unit Assigned	Duty Status On	Duty Status Off
#1					<input type="checkbox"/>	<input type="checkbox"/>
#2					<input type="checkbox"/>	<input type="checkbox"/>
#3					<input type="checkbox"/>	<input type="checkbox"/>
#4					<input type="checkbox"/>	<input type="checkbox"/>
#5					<input type="checkbox"/>	<input type="checkbox"/>
#6					<input type="checkbox"/>	<input type="checkbox"/>

PART 3 - LIST ALL WITNESSES TO THE USE OF FORCE. (LIST ADDITIONAL WITNESSES IN NARRATIVE SECTION) LIST OFFICER /PEACE OFFICER WITNESSES BEFORE CITIZEN WITNESSES. IF THERE ARE NO KNOWN WITNESSES, SPECIFY "NO KNOWN WITNESSES" UNDER "WITNESS NAME."

Witness Name Include Rank & PDN, if appropriate	Address or Agency Affiliation	Contact Number
#1		
#2		
#3		
#4		
#5		
#6		

ARE THERE INJURIES? YES NO (DESCRIBE INJURIES IN NARRATIVE) IF YES, WHO WERE THE INJURED PARTIES: OFFICER CITIZEN SUBJECT

INVESTIGATING SUPERVISOR	PDN	DATE OF REPORT	SUPERVISOR NOTIFIED	COMMANDER NOTIFIED
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PART 4 – LIST ALL EVIDENCE – THIS INCLUDES: STATEMENTS, VIDEO AND PHOTOGRAPHS (DIGITAL AND FILM), TASER DOWNLOADS; BALLISTIC OR CRIME SCENE ANALYSES, INCLUDING GUNSHOT RESIDUE OR BULLET TRAJECTORY TESTS, CRIME SCENE DIAGRAMS, MEDICAL RELEASE FORMS, HOSPITAL TREATMENT RECORDS, ETC.

FOR ADDITIONAL SPACE, USE THE “TAB” KEY TO EXPAND THE TABLE.

UOF 1	1A Report #

**RESPONSE TO RESISTANCE
INVESTIGATION REPORT**

Date of Incident	RRR#	
# 1 Officer Name	PDN	#1 Subject's Name

PART 5 - NARRATIVE - TO INCLUDE AN ANALYSIS OF THE INVESTIGATION.

A. LIST ANY ADDITIONAL SUBJECTS, WITNESSES OR INVOLVED OFFICERS:

B. LIST ALL OTHER ON SCENE PERSONNEL AND ASSIGNED DUTIES:

C. ON-SCENE ACTIONS:

In this section document your actions at the scene;

1. Your observation of the subject(s) and officer(s), briefly report on any injuries you noted, document whether you asked if subject was feeling any pain. Clearly state the reason why if you did not speak to the subject(s).
2. Was a Public Safety statement obtained from the involved officer(s) and given to the Emergency Call Center,
3. Were additional resources requested to come to the scene,
4. Were witnesses/involved officers separated,
5. Were subject(s) secured and transported off scene. Document the transporting personnel, VIPD /EMS and the destinations.

IF YOU DID NOT TRAVEL TO THE SCENE THEN YOU MUST CLEARLY DETAIL THE REASON. FAILURES IN THE NOTIFICATION PROCESS MUST BE ADDRESSED WITHIN THIS DOCUMENT.

D. DESCRIBE THE SCENE AND THE EVENTS PRECEDING THE USE OF FORCE:

Give a description of the scene where the force occurred and discuss any environmental factors the officer(s) encountered when attempting to gain compliance from the subject(s). Clearly document the officer(s) actions before the force was used:

1. What was the reason for the officer(s) presence at the location,
2. Why did the officer(s) make contact with the subject,
3. What attempts were made by the officer(s) at de-escalating the incident,
4. Was the de-escalation attempt reasonable given the totality of the circumstances?
5. If de-escalation was not feasible state the reasons why it could not be attempted.

E. SUMMARY OF STATEMENTS:

Give a brief synopsis of the statements taken for this investigation. Levels 1, 2 and 3 require an audio or video statement taken of all Involved officers, witnesses and subjects. If there is an issue with obtaining any statement from either citizen/outside agency witness or subject document all attempts to interview. Involved and witness VIPD sworn personnel must give statements and complete the RRR.

INVOLVED OFFICERS:

Begin each statement summary with the Officer's Name in Bold Uppercase Letters followed by a colon. Example: **OFFICER JOHN DOE:**

WITNESS OFFICERS: IF THERE ARE NO WITNESSES STATE THAT FACT IN THE SPACE PROVIDED

Begin each statement summary with the Officer's Name in Bold Uppercase Letters followed by a colon. Example: **OFFICER JOHN DOE:**

CITIZEN OR OUTSIDE AGENCY WITNESS: IF THERE ARE NO WITNESSES STATE THAT FACT IN THE SPACE PROVIDED

Begin each statement summary with the Witness' Name in Bold Uppercase Letters followed by a colon. Example: **RICHARD ROE:**

INVESTIGATING SUPERVISOR	PDN	DATE OF REPORT	Page 3 of 8
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**RESPONSE TO RESISTANCE
INVESTIGATION REPORT**

Date of Incident	RRR#	
# 1 Officer Name	PDN	#1 Subject's Name

PART 5 – NARRATIVE CONTINUED**SUBJECT:**

Begin each statement summary with the Subject's Name in Bold Uppercase Letters followed by a colon. Example: **LARRY LOE:**

F. INJURIES AND TREATMENT: IF THERE ARE NO INJURIES STATE THAT FACT IN THE SPACE PROVIDED

Describe any injuries to the subject and whether the injuries occurred as a direct result of the use of force. Example: SUBJECT SUSTAINED A LACERATION TO HIS LEFT KNEE AS A RESULT OF THE LEG SWEEP USED BY OFC. JOHN DOE AS A TAKE DOWN IN ORDER TO GAIN CONTROL AND PLACE THE SUBJECT IN HANDCUFFS.

1. Did you ensure that the subject received medical attention if necessary?
2. Was medical care provided and what type of care was it? Was there on-scene care prior to transport to a medical facility?
3. Did the subject refuse medical treatment?

Describe any injuries to the Officers and subsequent treatment.

Describe any injuries to the citizen/outside agency witness and subsequent treatment.

G. DOCUMENTATION OF INJURIES AND TREATMENT: IF THERE ARE NO INJURIES STATE THAT FACT IN THE SPACE PROVIDED

1. Did you ensure that photographs or videos were taken of all injuries? If not, clearly document the reason none were taken.
2. Were the photographs/video obtained at the earliest practicable opportunity, both before and after any treatment, including cleansing of wounds? If not, state the reason.
3. Was a medical record of the treatment obtained? Did the subject refuse this information to be shared?

H. EVIDENCE REVIEW FOR MATERIAL INCONSISTENCIES: IF THERE ARE NO MATERIAL INCONSISTENCIES STATE THAT FACT IN THE SPACE PROVIDED

Review the evidence for issues that may need clarification.

1. Consider all relevant evidence (circumstantial, direct and physical evidence) and make credibility determinations, if feasible.
2. Make all reasonable efforts to resolve material inconsistencies between witness statements.

Examples: Are there differences in the statements that need to be addressed? (material inconsistencies) Are there relationship issues between the parties that may be an issue, etc.? Do the photographs/diagrams or statements depict discrepancies that need to be explained or evaluated differently?

I. ANALYSIS OF FORCE:

1. Did the officer(s) have a legitimate law enforcement purpose for the detention/arrest of the subject? Was the detention/arrest lawful?
2. Evaluate each type of force that was used by each involved officer. If an officer had to resort to several different force options discuss why this occurred. (Subject sweating and the first hold slipped, etc.)
3. Evaluate whether the type and amount of force used was objectively reasonable and used proportional to the resistance encountered.
4. Was the force appropriately de-escalated once compliance had been achieved?
5. Did the officer(s) act in accordance with Department Force Policies?
6. If any involved officer was Off-duty did the officer act in accordance with the "Off-Duty Official Action Policy"?

J. ASSESSMENT OF RISK MANAGEMENT ISSUES:

Discuss any issues which came to your attention as a result of the investigation which may require a more comprehensive response by the Department, this includes issues with training, equipment, tactics or policy that should be reviewed by the Force Review Board. If there are no Risk Management issues, state this in the space provided.

**RESPONSE TO RESISTANCE
INVESTIGATION REPORT**

Date of Incident	RRR#	
# 1 Officer Name	PDN	#1 Subject's Name

PART 5 – NARRATIVE CONTINUED

K. CORRECTIVE MEASURES:

Detail any corrective measures you recommend or have instituted as a result of your investigation. If you found corrective measures are not required, state this in the space provided.

L. ADDITIONAL INFORMATION:

Use this section to add any additional information you feel may be pertinent to this investigation.

INVESTIGATING SUPERVISOR	PDN	DATE OF REPORT	Page 5 of 8
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**RESPONSE TO RESISTANCE
INVESTIGATION REPORT**

Date of Incident	RRR#	
# 1 Officer Name	PDN	#1 Subject's Name

PART 6 – Final Assessment and Findings

ASSESSMENT ISSUES:
CONDUCT A THOROUGH REVIEW OF ALL DOCUMENTS, INTERVIEWS, AND EVIDENCE TO BE INCLUDED IN THE RESPONSE TO RESISTANCE INVESTIGATION REPORT PACKET TO ENSURE COMPLETENESS, ACCURACY, AND QUALITY AND ASSESS THE FOLLOWING:

ANY "NO" OR "N/A" RESPONSE REQUIRES AN EXPLANATION IN THE NARRATIVE SECTION.

1. Yes No WAS THE ORIGINAL DETENTION OR SUBSEQUENT ARREST LAWFUL?
2. Yes No WAS THE TYPE AND AMOUNT OF FORCE OBJECTIVELY REASONABLE AND USED PROPORTIONAL TO THE RESISTANCE ENCOUNTERED?
3. Yes No WAS THE TYPE AND AMOUNT OF FORCE RELATED TO A LEGITIMATE LAW-ENFORCEMENT OBJECTIVE THE OFFICER(S) WAS/WERE ATTEMPTING TO ACHIEVE?
4. Yes No WAS THE FORCE REASONABLY DE-ESCALATED?
5. Yes No WAS REASONABLE VERBAL PERSUASION USED TO ATTEMPT TO RESOLVE THE SITUATION WITHOUT FORCE? N/A

THE FOLLOWING RECOMMENDATION IS BASED ON THE FACTS REVEALED BY THE USE OF FORCE INVESTIGATION.

<input type="checkbox"/> <u>JUSTIFIED, WITHIN DEPARTMENT POLICY</u>	This disposition reflects a finding in which a reportable use of force is determined to be justified, and during the course of the incident the involved officer(s) did not violate a VIPD Use of Force Policy.
<input type="checkbox"/> <u>JUSTIFIED, POLICY VIOLATION</u>	This disposition reflects a finding in which a use of force is determined to be justified, but during the course of the incident the involved officer(s) violated a VIPD Use of Force Policy.
<input type="checkbox"/> RECOMMEND REMEDIAL TRAINING: REQUIRES AN EXPLANATION IN THE NARRATIVE SECTION.	
<input type="checkbox"/> RECOMMEND COUNSELLING: REQUIRES AN EXPLANATION IN THE NARRATIVE SECTION	
<input type="checkbox"/> <u>JUSTIFIED, TRAINING REQUIRED</u>	This disposition reflects a finding in which a reportable use of force is determined to be justified; during the course of the incident; no VIPD Use of Force Policy violations occurred; but the investigation revealed tactical error(s) that could be addressed through non-disciplinary and tactical improvement training.
<input type="checkbox"/> RECOMMEND POLICY/TRAINING AND/OR EQUIPMENT DEFICIENCY REVIEW: REQUIRES AN EXPLANATION IN THE NARRATIVE SECTION	
<input type="checkbox"/> RECOMMEND SUPPLEMENTAL TRAINING: REQUIRES AN EXPLANATION IN THE NARRATIVE SECTION	
<input type="checkbox"/> <u>NOT JUSTIFIED, NOT WITHIN DEPARTMENT POLICY</u>	This disposition reflects a finding in which a use of force is determined to be not justified, and during the course of the incident the involved officer(s) violated VIPD Use of Force Policy.
ADDITIONAL RECOMMENDATIONS	
<input type="checkbox"/> <u>POSSIBLE POLICY VIOLATION: REFERRED FOR ADMINISTRATIVE INVESTIGATION</u>	This recommendation reflects a finding in which the involved officer(s) violated a VIPD Policy separate from the Use of Force.
<input type="checkbox"/> <u>RECOMMEND THIS INCIDENT FOR REVIEW BY THE FORCE REVIEW BOARD</u>	This recommendation must be clearly explained in the narrative section when the force does not meet the level which would cause an automatic review by the Force Review Board.

THIS RESPONSE TO RESISTANCE INVESTIGATION REPORT HAS BEEN REVIEWED AND APPROVED BY THE FOLLOWING PERSONNEL:

COMMAND LEVEL REVIEW NAME:	COMMAND LEVEL SIGNATURE:
ADMINISTRATIVE LEVEL REVIEW NAME:	ADMINISTRATIVE LEVEL REVIEW SIGNATURE:

**RESPONSE TO RESISTANCE
INVESTIGATION REPORT
CHECKLIST**

Date of Incident	RRR#	
# 1 Officer Name	PDN	#1 Subject's Name

Part 1 - INVESTIGATIVE STEPS REQUIRED FOR AN ON-SCENE SUPERVISOR/COMMANDER/INVESTIGATOR

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Responded to the use of force incident scene.	9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Citizen witness statements taken. <input type="checkbox"/> Not Required <input type="checkbox"/> No Witness
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Determined the appropriate force reporting level.	10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Carotid restraint applied. If yes, was subject transported to a medical facility for medical evaluation. <input type="checkbox"/> Yes <input type="checkbox"/> No
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Does this incident involve a Level 1 Use of Force? If YES was IAB notified? <input type="checkbox"/> Yes <input type="checkbox"/> No	11.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Medical service requested. <input type="checkbox"/> Not Needed
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Identified involved and witness personnel.	12.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Evidence collected. <input type="checkbox"/> None
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Separated and interviewed involved and witness personnel.	13.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Technician on scene. <input type="checkbox"/> Not Available <input type="checkbox"/> Not Needed
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Interviewed the subject(s) upon whom the force was used.	14.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Photos taken? <input type="checkbox"/> Digital <input type="checkbox"/> Film
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Ensured a reasonable canvas was conducted for witnesses?	15.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Emergency Call Center contacted to ensure the incident is recorded?
8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Available Citizen witnesses were identified and interviewed. <input type="checkbox"/> No Known Witnesses			

Part 2 - REPORT DOCUMENTATION

Yes No **Required Offense and Supplemental Reports reviewed for completeness, accuracy, and quality.**

OFFENSE/SUPPLEMENTAL OR USE OF FORCE REPORT SHALL INCLUDE THE FOLLOWING DETAILS

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Summary of the incident.	5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Summary of evidence collected.
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Summary of statements.	6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Detail injuries and/or medical treatment. <input type="checkbox"/> N/A
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Summary of interviews.	7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Original reason for police presence.
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Description of the use of force. If OC is used, document the number and duration of bursts, and approximate distance from the subject.	8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Circumstances or precipitating acts that lead to the use of force.
			9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Arrest properly documented on arrest report and in Offense Report.

USE OF FORCE REPORT DOCUMENTATION SHALL INCLUDE THE FOLLOWING DETAILS

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Analysis of evidence.	3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Documented discrepancies and if resolved/unresolved. <input type="checkbox"/> N/A
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Review to ensure no "boilerplate" or "pat" language.			

Part 3 - REQUIRED FOR THE UOF REPORT PACKET – The preparer and reviewers shall ensure the UOF Report packet is complete.

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Original UOF Report	10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other documents pertinent to the investigation. Describe in Comment Section.
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Copy of required Offense/Supplemental reports	11.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Photos <input type="checkbox"/> Digital – Include file(s) or photo CD in packet <input type="checkbox"/> Film – Requested to develop to CD
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Statements	12.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Technician Report Included.
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Copy of Arrest Report	7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Taser download information. <input type="checkbox"/> N/A
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Emergency Call Center Records	9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Medical Report <input type="checkbox"/> N/A

Part 4 – TRACKING – Report preparer shall forward only the RRR Form to the following:

<input type="checkbox"/> Chief/Deputy Chief: FAX 778-1370 (STX) 715-5538 (STT)	<input type="checkbox"/> IAB: FAX 778-0470 (STX) 715-5538 (STT)	<input type="checkbox"/> Training: FAX 719-6714 (STX) 715-5538 (STT)
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CHECKLIST PART 5 COMMENT SECTION: Press Enter Key

INVESTIGATING SUPERVISOR	PDN	DATE OF REPORT	Page 7 of 8
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**INVESTIGATION REPORT
CHECKLIST
CONTINUATION**

Involved Officer	PDN
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CHEKCLIST PART 5 COMMENT SECTION - CONTINUED

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INVESTIGATING SUPERVISOR	PDN	DATE OF REPORT
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VIRGIN ISLANDS POLICE DEPARTMENT
SUPERVISOR SUMMARY INVESTIGATION REPORT

LEVEL 4
IR

DR Number	Arrest Number	RRR Number
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PART 1 – (List additional Subjects in the Investigation Narrative)

Incident Date	Day	Time	Location				Zone
#1 Subject's Name			Sex	Race	DOB	Address	Contact Number
#2 Subject's Name			Sex	Race	DOB	Address	Contact Number
#3 Subject's Name			Sex	Race	DOB	Address	Contact Number
#4 Subject's Name			Sex	Race	DOB	Address	Contact Number

PART 2 - List all officers involved who applied force and indicate the Subject and the Force Type(s) used. (List additional officers in the Investigation Narrative)

Involved Officer Name	PDN	Force Type	Subject # Force Used on	Zone/Bureau/Unit Assigned	Duty Status	
					On	Off
#1					<input type="checkbox"/>	<input type="checkbox"/>
#2					<input type="checkbox"/>	<input type="checkbox"/>
#3					<input type="checkbox"/>	<input type="checkbox"/>
#4					<input type="checkbox"/>	<input type="checkbox"/>

PART 3 - LIST ALL WITNESSES TO THE USE OF FORCE. (LIST ADDITIONAL WITNESSES IN NARRATIVE SECTION) LIST OFFICER /PEACE OFFICER WITNESSES BEFORE CITIZEN WITNESSES. IF THERE ARE NO KNOWN WITNESSES, SPECIFY "NO KNOWN WITNESSES" UNDER "WITNESS NAME."

Witness Name Include Rank & PDN, if appropriate	Address or Agency Affiliation	Contact Number
#1		
#2		
#3		
#4		

PART 4 – LIST ALL DOCUMENTS INCLUDED IN THIS REPORT:

1	1A Report #	2	
3		4	
5		6	
7		8	

INVESTIGATING SUPERVISOR	PDN	DATE OF REPORT
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**SUPERVISOR SUMMARY
INVESTIGATION REPORT**

Date of Incident	RRR#	
# 1 Officer Name	PDN	#1 Subject's Name

PART 5 - NARRATIVE - TO INCLUDE AN ANALYSIS OF THE INVESTIGATION.

LIST ANY ADDITIONAL SUBJECTS, WITNESSES OR INVOLVED OFFICERS:

SUMMARY OF INCIDENT:

Give a brief synopsis of the incident, including why the officers made contact with the subject and what events preceded the force.

EVIDENCE REVIEW FOR MATERIAL INCONSISTENCIES: IF THERE ARE NO MATERIAL INCONSISTENCIES STATE THAT FACT IN THE SPACE PROVIDED

Review the evidence for issues that may need clarification.

1. Consider all relevant evidence (circumstantial, direct and physical evidence) and make credibility determinations, if feasible.
2. Make all reasonable efforts to resolve material inconsistencies between witness statements.

Examples: Are there differences in the statements that need to be addressed? (material inconsistencies) Are there relationship issues between the parties that may be an issue, etc.? Do the photographs/diagrams or statements depict discrepancies that need to be explained or evaluated differently?

ANALYSIS OF FORCE:

1. Did the officer(s) have a legitimate law enforcement purpose for the detention/arrest of the subject? Was the detention/arrest lawful?
2. Evaluate each type of force that was used by each involved officer. If an officer had to resort to several different force options discuss why this occurred. (Subject sweating and the first hold slipped, etc.)
3. Evaluate whether the type and amount of force used was objectively reasonable and used proportional to the resistance encountered.
4. Was the force appropriately de-escalated once compliance had been achieved?
5. Did the officer(s) act in accordance with Department Force Policies?
6. If any involved officer was Off-duty did the officer act in accordance with the "Off-Duty Official Action Policy"?

CORRECTIVE MEASURES:

Detail any corrective measures you recommend or have instituted as a result of your investigation. If you found corrective measures are not required, state this in the space provided.

INVESTIGATING SUPERVISOR	PDN	DATE OF REPORT	Page 2 of 4
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**SUPERVISOR SUMMARY
INVESTIGATION REPORT**

Date of Incident	RRR#	
# 1 Officer Name	PDN	#1 Subject's Name

PART 6 – Final ASSESSMENT AND FINDINGS

INVOLVED OFFICER NAME	FINDING CODE	SUB-CODE (IF APPLICABLE)

FINDING	CODE	SUB-- CODE
JUSTIFIED, WITHIN DEPARTMENT POLICY	JWP	
JUSTIFIED, POLICY VIOLATION	JPV	
RECOMMEND REMEDIAL TRAINING.		RRT
RECOMMEND COUNSELLING		RC
RECOMMEND DISCIPLINARY ACTION		RDA
JUSTIFIED, TRAINING REQUIRED	JTR	
RECOMMEND POLICY/TRAINING / EQUIPMENT DEFICIENCY REVIEW		PTER
RECOMMEND SUPPLEMENTAL TRAINING		RST
NOT JUSTIFIED, NOT WITHIN DEPARTMENT POLICY	NJ	

THIS RESPONSE TO RESISTANCE INVESTIGATION REPORT HAS BEEN REVIEWED AND APPROVED BY THE FOLLOWING PERSONNEL:	
COMMAND LEVEL REVIEW NAME:	COMMAND LEVEL SIGNATURE:

INVESTIGATING SUPERVISOR	PDN	DATE OF REPORT	Page 3 of 4
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**SUPERVISOR SUMMARY
INVESTIGATION REPORT
CHECKLIST**

Date of Incident	RRR#	
# 1 Officer Name	PDN	#1 Subject's Name

Part 1 - INVESTIGATIVE STEPS REQUIRED FOR AN ON-SCENE SUPERVISOR/COMMANDER/INVESTIGATOR FOR LEVEL 2-3 INCIDENTS

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Responded to the use of force incident scene.	9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Citizen witness statements taken. <input type="checkbox"/> Not Required <input type="checkbox"/> No Witness
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Determined the appropriate reporting level.	10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Carotid restraint applied. <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, was subject transported to a medical facility for medical evaluation.
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	All uses of force are listed on UOF Face Sheet as documented in the Offense and/or Supplemental Reports.	11.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Medical service requested. <input type="checkbox"/> Not Needed
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Identified involved and witness personnel.	12.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Evidence collected. <input type="checkbox"/> None
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Separated and interviewed involved and witness personnel.	13.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Technician on scene. <input type="checkbox"/> Not Available <input type="checkbox"/> Not Needed
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Interviewed the subject(s) upon whom the force was used.	14.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Photos taken? <input type="checkbox"/> Digital <input type="checkbox"/> Film
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Ensured a reasonable canvas was conducted for witnesses. (Level 2 only)	15.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Communications Division contacted to ensure the incident is reported on the IAD Daily Incident Log.
8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Available Citizen witnesses were identified and interviewed. <input type="checkbox"/> No Known Witnesses			

Part 2 - REPORT DOCUMENTATION

Yes No **Required Offense and Supplemental Reports reviewed for completeness, accuracy, and quality.**

OFFENSE/SUPPLEMENTAL OR USE OF FORCE REPORT SHALL INCLUDE THE FOLLOWING DETAILS

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Summary of the incident.	5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Summary of evidence collected.
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Summary of statements.	6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Detail injuries and/or medical treatment. <input type="checkbox"/> N/A
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Summary of interviews.	7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Original reason for police presence.
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Description of the use of force. If OC is used, document the number and duration of bursts, and approximate distance from the subject.	8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Circumstances or precipitating acts that lead to the use of force.
			9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Arrest properly documented on arrest report and in Offense Report.

USE OF FORCE REPORT DOCUMENTATION SHALL INCLUDE THE FOLLOWING DETAILS

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Analysis of evidence.	3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Documented discrepancies and if resolved/unresolved. <input type="checkbox"/> N/A
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Review to ensure no "boilerplate" or "pat" language.			

Part 3 - REQUIRED FOR THE UOF REPORT PACKET – The preparer and reviewers shall ensure the UOF Report packet is complete.

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Original UOF Report	10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other documents pertinent to the investigation. Describe in Comment Section.
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Copy of required Offense/Supplemental reports	11.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Photos <input type="checkbox"/> Digital – Include file(s) or photo CD in packet <input type="checkbox"/> Film – Requested to develop to CD
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Statements	12.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Technician Report Included.
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Copy of Arrest Report	7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Taser download information. <input type="checkbox"/> N/A
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	CAD purge	9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Medical Report <input type="checkbox"/> N/A

Part 4 – TRACKING – Report preparer shall forward only the UOF FACE SHEET to the following Level 2 & 3 force incidents.

IAD BFO Administrative Unit Div. Cmdr. (of subject personnel) Deputy Chief/Director (of subject personnel)

INVESTIGATING SUPERVISOR	PDN	DATE OF REPORT	Page 4 of 4
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VIRGIN ISLANDS POLICE DEPARTMENT RESPONSE TO RESISTANCE INVESTIGATION REVIEWERS CHECK LIST



**ANY "NO" ANSWER
WILL REQUIRE THE INVESTIGATION TO BE RETURNED FOR CORRECTION WITH A SUSPENSE DATE OF 48 HOURS FROM THE TIME OF REVIEW.**

INVESTIGATION REJECTED DATE:	CORRECTED INVESTIGATION DUE DATE:	INVESTIGATION RETURNED TO SUPERVISOR:	REJECTED BY REVIEWER:

FOR ISSUES REQUIRING CORRECTION SEE THE "NO" ANSWERS AND ANY ADDITIONAL COMMENTS IN THIS DOCUMENT

DR Number	Arrest Number	RRR Number
FORCE LEVELS		
Indicate the force level		
Check One	<input type="checkbox"/> Level 1 Force <input type="checkbox"/> Level 2 Force	<input type="checkbox"/> Level 3 Force <input type="checkbox"/> Level 4 Force
DID THE INVESTIGATION USE THE CORRECT FORCE LEVEL? YES <input type="checkbox"/> NO <input type="checkbox"/>		

COMPLETED INVESTIGATION RECEIVED:	DATE	TIME	COMPLETED INVESTIGATION REVIEWED:	DATE	TIME

Incident Date	Day	Time	Location	Zone

WAS THE COMPLETE INVESTIGATION PACKAGE UP-LOADED INTO BLUE TEAM? Yes No

PART 1: ARE ALL SUBJECTS ON WHOM FORCE WAS USED IDENTIFIED? Yes No

PART 2: ARE ALL INVOLVED OFFICERS IDENTIFIED? Yes No

- A. ARE ALL INVOLVED OFFICERS' RESPONSE TO RESISTANCE REPORTS INCLUDED IN THE INVESTIGATION PACKAGE? Yes No
- B. DID THE OFFICERS' RESPONSE TO RESISTANCE REPORT INDICATE ALL FORCE OPTIONS UTILIZED BY THE OFFICER? Yes No

NOTE: FOR THE FOLLOWING 2 QUESTIONS A "YES" ANSWER WILL REQUIRE THE INVESTIGATION TO BE RETURNED FOR CORRECTION WITH A SUSPENSE DATE OF 48 HOURS FROM THE TIME OF REVIEW.

- C. DID THE OFFICERS' RESPONSE TO RESISTANCE REPORT CONTAIN GENERIC LANGUAGE THAT FAILS TO EXPLAIN THE FORCE OPTION UTILIZED? Yes No
- D. ARE THE OFFICERS' RESPONSE TO RESISTANCE REPORTS CUT AND PASTE NARRATIVES OR DO THE NARRATIVES CONTAIN IDENTICAL LANGUAGE THAT WOULD INDICATE A SINGLE AUTHOR? Yes No

COMMENTS:

PART 3: ARE ALL WITNESS OFFICERS IDENTIFIED? Yes No N/A

- A. IS ALL OFFICERS' WITNESS RESPONSE TO RESISTANCE REPORTS INCLUDED IN THE INVESTIGATION PACKAGE? Yes No N/A
- B. DID THE OFFICERS' WITNESS RESPONSE TO RESISTANCE REPORT CONTAIN GENERIC LANGUAGE? Yes No N/A

**RESPONSE TO RESISTANCE
REVIEWERS CHECKLIST**

REVIEWER	PDN	DATE OF REVIEW
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C. ARE THE OFFICERS' WITNESS RESPONSE TO RESISTANCE REPORTS CUT AND PASTE NARRATIVES OR DO THE NARRATIVES CONTAIN IDENTICAL LANGUAGE THAT WOULD INDICATE A SINGLE AUTHOR? Yes No N/A

PART 3.1: ARE ALL CIVILIANS OR LEO WITNESSES IDENTIFIED? Yes No N/A

COMMENTS:

PART 4: IS ALL EVIDENCE/DOCUMENTS LISTED AND INCLUDED IN THE INVESTIGATION? Yes No

IS THE OFFENCE REPORT INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/>	ARE ALL MEDICAL REPORTS INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
IS THE ARREST REPORT INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/>	IS THE TASER DOWNLOAD INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
AUDIO/VIDEO STATEMENTS INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	ARE ALL BALLISTIC TESTS INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
PHOTOGRAPHS OF SUBJECT INJURY OR LOCATION ON SUBJECT OF FORCE OPTION INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/>	IS BULLET TRAJECTORY INFORMATION INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
IS CRIME SCENE ANALYSIS INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	IS THERE A DIAGRAM THAT ACCOUNTS FOR OFFICERS LOCATION? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
IS GUNSHOT RESIDUE TEST INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	ADDITIONAL DOCUMENTATION THAT MAY BE REQUIRED BY THE FORCE LEVEL INCLUDED? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NARRATIVE B: WERE ALL ON-SCENE PERSONNEL AND THEIR ASSIGNED DUTIES IDENTIFIED? Yes No N/A

NARRATIVE C: DID THE SUPERVISOR RESPOND TO THE SCENE? Yes No

IF "NO" DID THE SUPERVISOR EXPLAIN WHY HE/SHE DID NOT RESPOND? Yes No

- A. IF THE SUPERVISOR WAS NOT NOTIFIED BY HIS/HER SUBORDINATES THAT A USE OF FORCE OCCURRED, WAS ACTION TAKEN AND DOCUMENTED?** Yes No N/A
- B. DID THE SUPERVISOR DOCUMENT HIS/HER OBSERVATIONS OF THE OFFICERS AND SUBJECTS CONDITION/INJURIES AT THE SCENE?** Yes No N/A
- C. DID THE SUPERVISOR DOCUMENT WHETHER HE/SHE ASKED THE SUBJECT IF THE SUBJECT WAS FEELING PAIN AND STATE A REASON IF HE/SHE DID NOT SPEAK TO THE SUBJECT?** Yes No
- D. DID THE SUPERVISOR DOCUMENT WHETHER A PUBLIC SAFETY STATEMENT OBTAINED FROM THE INVOLVED OFFICER(S) AND GIVEN TO THE EMERGENCY CALL CENTER?** Yes No N/A
- E. DID THE SUPERVISOR DOCUMENT IF ADDITIONAL RESOURCES WERE REQUESTED TO COME TO THE SCENE?** Yes No N/A
- F. DID THE SUPERVISOR DOCUMENT WHETHER THE WITNESSES/INVOLVED OFFICERS WERE SEPARATED?** Yes No N/A
- G. DID THE SUPERVISOR DOCUMENT WHETHER THE SUBJECT(S) WERE SECURED AND TRANSPORTED OFF SCENE AND THE NAMES OF THE TRANSPORTING PERSONNEL, VIPD /EMS AND THE DESTINATIONS?** Yes No N/A

COMMENTS:

NARRATIVE D: DID THE INVESTIGATION INCLUDE A DESCRIPTION OF THE SCENE AND ANY ENVIRONMENTAL FACTORS THE OFFICERS ENCOUNTERED?

Yes No

- A. DID THE SUPERVISOR DOCUMENT THE REASON FOR THE OFFICER(S) PRESENCE AT THE LOCATION?** Yes No
- B. DID THE SUPERVISOR DOCUMENT THE REASON FOR THE OFFICER(S) TO MAKE CONTACT WITH THE SUBJECT?** Yes No
- C. DID THE SUPERVISOR DOCUMENT WHAT ATTEMPTS WERE MADE BY THE OFFICER(S) AT DE-ESCALATING THE INCIDENT?** Yes No
- D. DID THE SUPERVISOR DOCUMENT WHETHER THE DE-ESCALATION ATTEMPT WAS REASONABLE GIVEN THE TOTALITY OF THE CIRCUMSTANCES OR IF**

REVIEWER	PDN	DATE OF REVIEW	Page 2 of 5
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**RESPONSE TO RESISTANCE
REVIEWERS CHECKLIST**

DE-ESCALATION WAS NOT FEASIBLE, IS THE REASONS WHY STATED?

Yes No

COMMENTS:

NARRATIVE E: DOES THE INVESTIGATION INCLUDE A SUMMARY OF ALL STATEMENTS?

Yes No

COMMENTS:

NARRATIVE F: DOES THE INVESTIGATION DESCRIBE ANY INJURIES TO THE SUBJECT

Yes No

IF THERE ARE NO INJURIES DOES IT STATE THAT FACT?

Yes No

- A. DID THE SUPERVISOR DOCUMENT WHETHER THE INJURIES WERE A RESULT OF THE FORCE OPTION USED AND WHICH FORCE OPTION CAUSED EACH SPECIFIC INJURY? Yes No N/A
- B. DID THE SUPERVISOR DOCUMENT IF HE/SHE ENSURED THE SUBJECT RECEIVED MEDICAL ATTENTION IF NECESSARY? Yes No N/A
- C. DID THE SUPERVISOR DOCUMENT IF MEDICAL CARE WAS PROVIDED AND WHAT TYPE OF CARE WAS GIVEN THE SUBJECT? Yes No N/A
- D. DID THE SUPERVISOR DOCUMENT IF THERE WAS ON-SCENE MEDICAL ATTENTION PRIOR TO TRANSPORT? Yes No N/A
- E. DID THE SUPERVISOR DOCUMENT IF THE SUBJECT REFUSED MEDICAL ATTENTION? Yes No N/A
- F. DID THE SUPERVISOR DOCUMENT WHETHER ANY OFFICER HAD INJURIES, IF MEDICAL CARE WAS PROVIDED AND WHAT TYPE OF CARE WAS GIVEN? Yes No N/A
- G. DID THE SUPERVISOR DOCUMENT WHETHER ANY WITNESS HAD INJURIES, IF MEDICAL CARE WAS PROVIDED AND WHAT TYPE OF CARE WAS GIVEN? Yes No N/A

COMMENTS:

NARRATIVE G: DID THE SUPERVISOR ENSURE INJURIES WERE PHOTOGRAPHED OR VIDEOTAPED? IF NOT IS THE REASON CLEARLY DOCUMENTED?

Yes No

- A. DID THE SUPERVISOR DOCUMENT WHETHER THE PHOTOS/VIDEO WAS TAKEN AT THE EARLIEST PRACTICAL OPPORTUNITY, BOTH BEFORE AND AFTER ANY TREATMENT, INCLUDING CLEANSING OF WOUNDS? IF NOT, IS THE REASON CLEARLY DOCUMENTED? Yes No N/A
- B. DID THE SUPERVISOR OBTAIN A MEDICAL RECORD OF THE TREATMENT? IF NOT, IS THE REASON CLEARLY DOCUMENTED? Yes No N/A
- C. DID THE SUPERVISOR DOCUMENT WHETHER THE SUBJECT REFUSED TO SHARE HIS MEDICAL INFORMATION? Yes No N/A

COMMENTS:

NARRATIVE H: DOES THE INVESTIGATION REVIEW EVIDENCE FOR MATERIAL INCONSISTENCIES AND IF THERE ARE NO MATERIAL INCONSISTENCIES DOES IT STATE THAT FACT?

Yes No

- A. DID THE SUPERVISOR CONSIDER ALL RELEVANT EVIDENCE (CIRCUMSTANTIAL, DIRECT AND PHYSICAL EVIDENCE) AND MAKE CREDIBILITY DETERMINATIONS, IF FEASIBLE? Yes No N/A
- B. DID THE SUPERVISOR MAKE ALL REASONABLE EFFORTS TO RESOLVE MATERIAL INCONSISTENCIES BETWEEN WITNESS STATEMENTS? Yes No N/A

COMMENTS:

NARRATIVE I: DID THE SUPERVISOR MAKE A THOROUGH ANALYSIS OF ALL FORCE UTILIZED BY THE INVOLVED OFFICERS?

Yes No

- A. DID THE SUPERVISOR STATE IF THE OFFICER(S) HAD A LEGITIMATE LAW ENFORCEMENT PURPOSE FOR THE DETENTION/ARREST OF THE SUBJECT? Yes No

***LOOK FOR THIS LANGUAGE:** The type of force used on [the subject] was related to the legitimate law enforcement objective: [a statement of the objective].*

- B. DID THE SUPERVISOR EVALUATE EACH TYPE OF FORCE THAT WAS USED BY EACH INVOLVED OFFICER Yes No
- C. AND IF AN OFFICER HAD TO RESORT TO SEVERAL DIFFERENT FORCE OPTIONS DID THE SUPERVISOR STATE WHY THIS OCCURRED?

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**RESPONSE TO RESISTANCE
REVIEWERS CHECKLIST**

Yes No N/A

D. DID THE EVALUATION INCLUDE WHETHER THE TYPE AND AMOUNT OF FORCE USED WAS OBJECTIVELY REASONABLE AND USED PROPORTIONAL TO THE RESISTANCE ENCOUNTERED Yes No

E. AND WHETHER THE FORCE APPROPRIATELY DE-ESCALATED ONCE COMPLIANCE HAD BEEN ACHIEVED? Yes No

LOOK FOR THIS LANGUAGE FOR A SINGLE FORCE OPTION: *The force option used by [Officer], a/the [force option], was objectively reasonable and proportional to the amount of resistance encountered taking the following into consideration:*

1. [Failure to comply with verbal commands]
2. [Subject escalation]
3. [Environmental issues]
4. [Comparison of subject physical bearing to officers]
5. [Was the force choice prudent]
6. [Was the securing of the subject done appropriately]
7. [Once secure was the force de-escalated]

LOOK FOR THIS LANGUAGE FOR MULTIPLE FORCE OPTIONS AND/OR MULTIPLE OFFICERS: *The force options used by: [Officer 1], a/the [force option 1] and then [force option 2], and; the force option used by [Officer 2], a/the [force option] and; the force option used by [Officer 3], a/the [force option] were objectively reasonable and proportional to the amount of resistance encountered taking the following into consideration:*

1. [Failure to comply with verbal commands]
2. [Subject escalation]
3. [Environmental issues]
4. [Comparison of subject physical bearing to officers]
5. [Officer 1, force option 1 reason for going to force option 2]: [Officer 1] used a [wrist lock] but due to the struggling of the subject had to resort to a stronger [straight arm bar hold] in order to gain compliance.
6. [Officer 2 force option was necessary to accomplish what]
7. [Officer 3 force option was necessary to accomplish what]
8. [Was the force choice prudent]
9. [Was the securing of the subject done appropriately]
10. [Once the subject was secure was the force de-escalated]

F. DID THE SUPERVISOR STATE IF THE OFFICER(S) ACTED IN ACCORDANCE WITH DEPARTMENT FORCE POLICIES AND IF THE DETENTION/ARREST WAS LAWFUL? Yes No

LOOK FOR THIS LANGUAGE: *Based on the totality of the circumstances, [Officer] actions were within VIPD policy. The Officer was lawfully present and the arrest of [subject] was legal based on the probable cause presented. Or;*

Based on the totality of the circumstances, [Officer 1], [Officer 2] and [Officer 3] actions were within VIPD policy. The Officers were lawfully present and the arrest of [subject] was legal based on the probable cause presented.

G. DID THE SUPERVISOR DETERMINE IF ANY OFFICER(S) WAS OFF-DUTY, WHETHER HE/SHE ACTED IN ACCORDANCE WITH DEPARTMENT OFF-DUTY OFFICIAL ACTION POLICY? Yes No N/A

COMMENTS:

J. REVIEWER ASSESSMENT OF RISK MANAGEMENT ISSUES:

Did you find any issues which came to your attention as a result of the investigation which may require a more comprehensive response by the Department; this includes issues with training, equipment, tactics or policy that should be reviewed by the Force Review Board. If there are no Risk Management issues, state this in the space provided.

K. REVIEWER CORRECTIVE MEASURES:

Detail any corrective measures you recommend or have instituted as a result of your investigation. If you found corrective measures are not required, state this in the space provided.

L. REVIEWER ADDITIONAL INFORMATION:

Use this section to add any additional information you feel may be pertinent to this investigation.

REVIEWER	PDN	DATE OF REVIEW	Page 4 of 5
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**RESPONSE TO RESISTANCE
REVIEWERS CHECKLIST**

I have made a thorough review of this Response to Resistance Investigation Report and I concur with the findings of the Investigating Supervisor:

INVOLVED OFFICER NAME	FINDING CODE	SUB-CODE (IF APPLICABLE)

FINDING	CODE	SUB-- CODE
JUSTIFIED, WITHIN DEPARTMENT POLICY	JWP	
JUSTIFIED, POLICY VIOLATION	JPV	
RECOMMEND REMEDIAL TRAINING.		RRT
RECOMMEND COUNSELLING		RC
RECOMMEND DISCIPLINARY ACTION		RDA
JUSTIFIED, TRAINING REQUIRED	JTR	
RECOMMEND POLICY/TRAINING / EQUIPMENT DEFICIENCY REVIEW		PTER
RECOMMEND SUPPLEMENTAL TRAINING		RST
NOT JUSTIFIED, NOT WITHIN DEPARTMENT POLICY	NJ	

I have made a thorough review of this Response to Resistance Investigation Report and I disagree with the findings of the Investigating Supervisor for the following reasons:

		Review Date: May <u>4</u> , 2017	Effective Date: May <u>4</u> , 2017	District: ALL	Reference: VIPD Manual
		Subject: Special Guidelines for Preparing the Use of Force Narrative using Blue Team			Number: 2017-004
Amends:	Rescind:	Distribution: All Personnel			Page 1 of 2

I. PURPOSE

It is the purpose of this policy to provide guidelines to ensure the same information required on the present RRR forms are included when reporting Use of Force Incidents using the Blue Team component.

II. Guidelines for Writing the Use of Force Narrative in Blue Team

A. When using Blue Team in place of the manual RRR form, entry report Narrative shall include the following information: *(Note: Any additional information should be included that would add to a complete understanding of the incident.)*

- The nature of the incident;
- State the reason for the Officers presence and/or contact with the subject.
- Whether the officer was
 - Readily identifiable as law enforcement, including whether he or she was in uniform or plainclothes;
 - operating a marked or unmarked law enforcement vehicle or on foot patrol;
 - on or off duty; and
 - accompanied by other officers.
- Which supervisor who was not involved or a witness to the incident, was notified of the incident, state time on scene and notified by whom; if not notified the officer must state reasons why in the narrative entry.
- Describe each action of resistance of the subject and how the officer responded to each of those actions. (State type of aggression/non-compliant behavior displayed by the subject and exactly how you were able to achieve compliance). NOTE: Do not use generic terms or vague language.

Office of the
POLICE
COMMISSIONER

DIRECTIVE

Subject: Special Procedures for Preparing UOF Narrative

Number:
2017-004

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- State any attempts (where feasible) to De-Escalate the situation. To include calling for additional officers
- Describe any injuries to the Subject, Citizen and/or Officers. (Detail the injuries or complaint of injury by the subject, citizen and/or Officer and what actions were taken to alleviate the injured person.
- If the subject was injured, however the injury was not caused by any use of force, clearly state "NO INJURY FROM FORCE OPTIONS in the narrative.
- Indicate if any Medical treatment was received, or refusal of medical treatment;

V. EXECUTIVE APPROVAL

Pursuant to the authority granted to the Virgin Islands Police Commissioner in Title 3 V.I.C. § 258, this Directive, to be made a permanent part of the Rules and Regulations of the U.S. Virgin Islands Police Department, is/are hereby approved:

Dated and signed at Charlotte Amalie, St. Thomas, USVI, on this 4 day of May, 2017.

Approved by:



Delroy Richards, Sr.
Police Commissioner

Date: 5-4-17

THIS EXHIBIT IS INTENTIONALLY BLANK

IAPRO USER EVALUATION FORM
MANAGERS/COMMANDERS

Date of Evaluation: 9/11/18 Time: 0900 Location: CHIEF'S OFFICE

Manager/Commander being evaluated: LT. LESLIE WILLIAMS PDR: 3080
Print:

Supervisor/Commander	Ability to log-in Yes/No	Accessed Officer Files Yes/No	Access Profile Reports Yes/No	Ability to access available system reports Yes/No	Ability to Run/print system reports Yes/No
<u>ACTING COMMANDER</u>	<u>YES</u>	<u>NO</u>	<u>NO</u>	<u>YES</u>	<u>YES</u>

Remarks: UNABLE TO VIEW THE RESUME & PRINT SECTION, ONCE HE GOES THERE, HE DOES NOT HAVE ACCESS.

Recommendations: TRAINING TO FAMILIARIZE WITH SYSTEM

Person Conducting Evaluation: LT. MARK A. CONEIRO Auditor: _____

IA PRO USER EVALUATION FORM
 COMMANDERS/SUPERVISORS/MANAGERS


Date of Evaluation: 9/10/18 Time: 5:15 Location: IAB

Commander/Supervisor being evaluated: Cecil Gumbs PDN: 3095
 (Print)

Supervisor/Commander	Ability to log-in Yes/no	Access Cases Yes/no	Accessed profile reports Yes/no	Able to access available system reports Yes/no	Able to run/print system reports Yes/no
<u>Watch Commander</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>

Remarks:

Recommendation(s):

Person Conducting Evaluation:  Auditor: _____

IAPRO USER EVALUATION FORM
MANAGERS/COMMANDERS

Date of Evaluation: 9/9/18 Time: 0705 Location: ASSISTANT CHIEF'S OFFICE

Manager/Commander being evaluated: EDMOND WALTERS PDN: 3078
(Print)

Supervisor/Commander	Ability to log-in Yes/no	Accessed Officer Files Yes/no	Access Profile Reports Yes/no	Able to access available system reports Yes/no	Able to Run/print system reports Yes/no
<u>ASSISTANT CHIEF</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>

Remarks:

Recommendation(s):

Person Conducting Evaluation: LT. MARK A CORNIEIRO Auditor: _____

IAPRO USER EVALUATION FORM
MANAGERS/COMMANDERS

Date of Evaluation: 9/10/18 Time: 1305 Location: CHIEF'S OFFICE

Manager/Commander being evaluated: LT. HERMINIA RIVERA PDN: 3148
(Print)

Supervisor/Commander	Ability to log-in Yes/no	Accessed Officer Files Yes/no	Access Profile Reports Yes/no	Able to access available system reports Yes/no	Able to Run/print system reports Yes/no
<u>COMMANDER</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>

Remarks: IAPRO WHEN UTILIZING DOES NOT ALLOW HER TO SEARCH FOR CASES

Recommendation(s):

Person Conducting Evaluation: LT. MARK A. COMEPA Auditor: _____

IAPRO USER EVALUATION FORM
MANAGERS/COMMANDERS

Date of Evaluation: 9/10/18 Time: 1049 Location: CHIEF'S OFFICE

Manager/Commander being evaluated: CHIEF WINSBUTT McFARLANE PDN: 3273
(Print)

Supervisor/Commander	Ability to log-in Yes/no	Accessed Officer Files Yes/no	Access Profile Reports Yes/no	Able to access available system reports Yes/no	Able to Run/print system reports Yes/no
TERRITORIAL CHIEF	YES	YES	YES	YES	YES

Remarks:

Recommendation(s):

Person Conducting Evaluation: LT. MARK A. COXWELL Auditor: _____

IAPRO USER EVALUATION FORM
MANAGERS/COMMANDERS

Date of Evaluation: 9/10/18 Time: 1100 Location: Chief's Office

Manager/Commander being evaluated: Herman Lynch, Jr. PCN: 3011
(Print)

Supervisor/Commander	Ability to login Yes/no	Accessed Officer Files Yes/no	Access Profile Reports Yes/no	Able to access available system reports Yes/no	Able to Run/print system reports Yes/no
		TRAINING	TRAINING	TRAINING	TRAINING

Remarks:
The Commander was able to log on and access various areas, with assistance.

Recommendation(s):
Training is recommended.

Person Conducting Evaluation: P. Berkoff Auditor: _____

IAPRO USER EVALUATION FORM
MANAGERS/COMMANDERS

Date of Evaluation: 9/10/18 Time: 1115 Location: Chief's Office.


Manager/Commander being evaluated: Lt. Marisol Colon PDM: 3041
(Print)

Supervisor/Commander	Ability to log-in Yes/no	Accessed Officer Files Yes/no	Access Profile Reports Yes/no	Able to access available system reports Yes/no	Able to Run/print system reports Yes/no
	<input checked="" type="radio"/> No				

Remarks: Lt. Colon was able to log on to the system however required assistance to access files and reports.

Recommendation(s):

Training recommended.

Person Conducting Evaluation:  Auditor: _____

IAPRO USER EVALUATION FORM
MANAGERS/COMMANDERS

Date of Evaluation: 9/10/18 Time: 1145 Location: Chief's Office

Manager/Commander being evaluated: Lt. Armani JOSEPH PCN: 3015
(Print)

Supervisor/Commander	Ability to log-in Yes/no	Accessed Officer Files Yes/no	Access Profile Reports Yes/no	Able to access available system reports Yes/no	Able to Run/print system reports Yes/no

Remarks: The Commander was able to log on to the System however required assistance to access files and reports.

Recommendation(s):
Training Recommended

Person Conducting Evaluation: [Signature] Auditor: _____

IAPRO USER EVALUATION FORM
MANAGERS/COMMANDERS

Date of Evaluation: 9/10/18 Time: 10:30 Location: CHIEF'S OFFICE

Manager/Commander being evaluated: LT. ISAAC PORTER PDN: 3084
(Print)

Supervisor/Commander	Ability to log-in Yes/no	Accessed Officer Files Yes/no	Access Profile Reports Yes/no	Able to access available system reports Yes/no	Able to Run/print system reports Yes/no
<u>ACTING COMMANDER</u>	<u>YES</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>

Remarks: ONCE LT. PORTER LOGS ON, THE SCREEN IS BLANK, IT DOES NOT GIVE HIM ANY OPTION.

Recommendation(s):

Person Conducting Evaluation: LT. MARK A. CONEIRO Auditor: _____

IA PRO USER EVALUATION FORM
 COMMANDERS/SUPERVISORS/MANAGERS

Date of Evaluation: 9/10/18 Time: 4:45pm Location: Zone A

Commander/Supervisor being evaluated: Asst. Chief David Canonier PDN: 3095
 (Print)

Supervisor/Commander	Ability to log-in Yes/no	Access Cases Yes/no	Accessed profile reports Yes/no	Able to access available system reports Yes/no	Able to run/print system reports Yes/no
<u>Commander</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>

Remarks:

Recommendation(s):

Person Conducting Evaluation: _____ Auditor: Medina Simon

IA PRO USER EVALUATION FORM
 COMMANDERS/SUPERVISORS/MANAGERS

Date of Evaluation 9/10/18 Time: 2:50pm Location: Zone A

Commander/Supervisor being evaluated: Lt. Aaron Krigger PDN: 1056
 (Print)

Supervisor/Commander	Ability to log-in Yes/no	Access Cases Yes/no	Accessed profile reports Yes/no	Able to access available system reports Yes/no	Able to run/print system reports Yes/no
<u>Commander</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>

Remarks:

Recommendation(s):

Person Conducting Evaluation: _____ Auditor: Medina Simon

IA PRO USER EVALUATION FORM
 COMMANDERS/SUPERVISORS/MANAGERS

Date of Evaluation: 9/10/18 Time: 12:13 pm Location: Zone A

Commander/Supervisor being evaluated: Asst. Chief of Police PDN: 1145
 (Print)

Supervisor/Commander	Ability to log-in Yes/no	Access Cases Yes/no	Accessed profile reports Yes/no	Able to access available system reports Yes/no	Able to run/print system reports Yes/no
<u>Commander</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>

Remarks:

Recommendation(s):

Person Conducting Evaluation: _____ Auditor: Medina Simon

IA PRO USER EVALUATION FORM
 COMMANDERS/SUPERVISORS/MANAGERS

Date of Evaluation: 9/10/18 Time: 4:30pm Location: Zone A

Commander/Supervisor being evaluated: Lt. Celeste Potter PDN: _____
 (Print)

Supervisor/Commander	Ability to log-in Yes/no	Access Cases Yes/no	Accessed profile reports Yes/no	Able to access available system reports Yes/no	Able to run/print system reports Yes/no
<u>Supervisor</u>					
	<u>yes</u>	<u>No</u>	<u>No</u>	<u>NO</u>	<u>NO</u>

Remarks:

Recommendation(s):

Training is recommended on IAPRO for the above sections listed as "NO".

Person Conducting Evaluation: _____ Auditor: Medina Simon

IA PRO USER EVALUATION FORM
 COMMANDERS/SUPERVISORS/MANAGERS

Date of Evaluation: 9/10/18 Time: 3:20pm Location: Zone A

Commander/Supervisor being evaluated: Cpt. Rosalyn Jarvis PDN: 1122
 (Print)

Supervisor/Commander	Ability to log-in Yes/no	Access Cases Yes/no	Accessed profile reports Yes/no	Able to access available system reports Yes/no	Able to run/print system reports Yes/no
<u>Supervisor</u>					
	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>

Remarks:

Recommendation(s):

Person Conducting Evaluation: _____ Auditor: Medina Simon

IA PRO USER EVALUATION FORM
 COMMANDERS/SUPERVISORS/MANAGERS

Date of Evaluation: 9/10/18 Time: 5:00pm Location: IA Unit

Commander/Supervisor being evaluated: Lt. Shemyann Hughes PDN: 1025
 (Print)

Supervisor/Commander	Ability to log-in Yes/no	Access Cases Yes/no	Accessed profile reports Yes/no	Able to access available system reports Yes/no	Able to run/print system reports Yes/no
<u>Supervisor</u>					
	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>

Remarks:

Recommendation(s):

Person Conducting Evaluation: _____ Auditor: Medina Simon

Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	
10/13/18	10/14/18	10/15/18	10/16/18	10/17/18	10/18/18	10/19/18	10/20/18	10/21/18	10/22/18	10/23/18	10/24/18	10/25/18	10/26/18	
Day 28	Day 29	Day 30	Day 31	Day 32	Day 33	Day 34	Day 35	Day 36	Day 37	Day 38	Day 39	Day 40	Day 41	
class 6	OFF	CLASS 7	CLASS 7	CLASS 7	CLASS 8	CLASS 8	CLASS 8	OFF	CLASS 9	CLASS 9	CLASS 9	CLASS 10	CLASS 10	
SARASOTA	SARASOTA	miami beach	miami beach	miami beach	chas 2nd	charleston 2	charleston 2	Chas 2	chas 2	chas 2	Chas 2	charleston	charleston	
miami beach	miami beach	sarasota	sarasota	Sarasota	sarasota	sarasota	sarasota	SARASOTA out	carruthers	carruthers	carruthers	carruthers	carruthers	
VI				CHAS IN	MB OUT							MOCO in	Moco	
								FFX IN						
72				84			96					96		
class 6	OFF	CLASS 7	CLASS 7	CLASS 7	CLASS 8	CLASS 8	CLASS 8	OFF	CLASS 9	CLASS 9	CLASS 9	CLASS 10	CLASS 10	
miami beach	MBEACH	miami beach	miami beach	miami beach	chas 2nd	chas 2nd	chas 2nd	chas 2	chas 2	Chas 2	Chas 2	Chas 2	charleston	
SARASOTA	SARASOTA	sarasota	sarasota	Sarasota	sarasota	sarasota	sarasota	SARASOTA out	Fairfax	Fairfax	Fairfax	Fairfax	Fairfax	
VI		JOE		CHAS IN	MB OUT			FFX IN				VI	VI	
72				84			96				108			
3	3	3	3	3	3	3	3	3	3	3	3	3	4	4
4	4	4	4	3	3	3	3	3	3	3	3	3	3	3
7	7	7	7	6	6	6	6	6	6	6	6	6	7	7
IA DONE														
matos	matos	matos	matos											
staff	staff	staff	(matos out PM)	IA DONE										
staff	staff	staff	staff	staff	staff	staff	staff	staff	staff	staff	staff	staff	staff	
joe	joe		joe	joe	joe	joe	joe	joe	joe	joe	joe	joe	joe	

Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
10/27/18	10/28/18	10/29/18	10/30/18	10/31/18	11/01/18	11/02/18	11/03/18	11/04/18	11/05/18	11/06/18	11/07/18	11/08/18	11/09/18
Day 42	Day 43	Day 44	Day 45	Day 46	Day 47	Day 48	Day 49	Day 50	Day 51	Day 52	Day 53	Day 54	Day 55

CLASS 10		CLASS 11	CLASS 11	CLASS 11	CLASS 12	CLASS 12	CLASS 12		CLASS 12	CLASS 12	CLASS 12		
charleston	CHAS OUT	carruthers	carruthers	carruthers	VI	VI	VI		VI	VI	VI		
carruthers	Carruthers	Moco	Moco	moco	moco	moco	moco		VI	VI	VI		
Moco	Moco	VI		VI	VI	VI	VI	MOCO OUT	CIT-STJ	CIT-STJ			
					FFX OUT			CIT IN					
120				132			144					288 trained	

CLASS 10	DEPART	CLASS 11	CLASS 11	CLASS 11	CLASS 12	CLASS 12	CLASS 12		CLASS 13	CLASS 13	CLASS 13		
charleston	CHAS OUT	MOCO	fairfax	fairfax	FFX OUT			OFF					
fairfax	Fairfax	Fairfax	moco	moco	VI	VI	VI		VI	VI	VI	CITSTX	CITSTX
VI	moco	VI	VI	VI	VI	Joe	Joe		VI	VI	VI		
120				132			144				156		

4	3	3	3	3	3	1	1	1	4	4	5	5	5	5
3	3	3	3	3	3	1	1	1	0	0	0			
7	6	6	6	6	6	2	2	2	4	4	5	5	5	5

							CIT IN		CIT-SJ	CIT-SJ	CIT TtT	CITTtT	CIT
							morgan noel		morgan+1 noel	morgan+1 noel	morgan+1 noel	morgan+1 noel	morgan+1 noel
staff		staff	staff	staff	staff	staff	staff		joe	joe	staff	staff	staff
joe		joe	joe	joe	joe	joe	joe						
											switch island		



Government of
The United States Virgin Islands

- 0 -

**VIRGIN ISLANDS POLICE DEPARTMENT
OFFICE OF DEPUTY COMMISSIONER**



**JASON K. MARSH
DEPUTY COMMISSIONER
PROFESSIONAL STANDARDS**

ALEXANDER A. FARRELLY
JUSTICE CENTER
CHARLOTTE AMALIE
ST. THOMAS, V.I. 00802
(340) 774-2211

LEANDER JURGEN
COMMAND
CRUZ BAY
ST. JOHN, V.I. 00830
(340) 693-8880

POLICE OPERATIONS AND
ADMINISTRATIVE
SERVICES
45 MARS HILL,
FREDERIKSTED
ST. CROIX, V.I. 00841
(340) 778-2211

PATRICK SWEENEY
HD'QTRS.
RR-02, KINGHILL
ST. CROIX V.I. 00850

To: Assistant Commissioner, Curtis A. Griffin, JD
From: Deputy Commissioner, Jason K. Marsh *Jason K. Marsh*
Date: September 10, 2018
Re: Training Academy Repairs

The Maintenance section of the Virgin Islands Police Department have been in the process of obtaining quotes for the repairing the areas of the training academy noted in Mr. McNeilly report prior to the report being filed in the courts.

Mr. Eustace Joseph obtained quotes from MSI, Heavy Materials, Ortalis Concrete and Sea Chest for the materials for the repairs. The quotes were shared with Mr. Eduardo Jany of The Bloomberg group. Mr. Jany stated that the Public Safety Support Foundation may be able to aid in the cost of the repairs.

Mr. Joseph is in the process of obtaining quotes for the labor because our procurement process requires 3 quotes for bidding.

Attached are the copies of the quotes obtained for the materials and the email correspondence with Mr. Eduardo Jany.

Lorraine Lynch

From: Lorraine Lynch
Sent: Thursday, August 2, 2018 12:27 PM
To: Eduardo Jany
Cc: Jason Marsh
Subject: Training Quotes
Attachments: Quote = Heavy Materials, LLC.PDF; Training Quotes.pdf

Tracking:	Recipient	Read
	Eduardo Jany	
	Jason Marsh	Read. 8/2/2018 2:25 PM

Good Afternoon,

See attached training quotes for the academy.

Regards,

Lorraine Lynch



Office Manager to Deputy Commissioner Jason K. Marsh
Virgin Islands Police Department
Alexander A. Farrelly Justice Center
5400 Veterans Drive, 2nd Floor
St. Thomas, U.S.V.I. 00802
Office 340-774-2211 Ext. 5524
Direct Line 340-715-5524
Fax 340-715-5517
lorraine.lynch@vipd.vi.gov

*Faith is not believing that God can,
it is knowing that he will!*
Hebrews 11:1



3814 CROWN BAY
 ST. THOMAS USVI 00802
 PHONE: (340) 775-8800
 FAX: (340) 775-3170
 www.msiv.com

3814 CROWN BAY
 ST. THOMAS USVI 00802
 PHONE (340) 775-1855
 FAX (340) 775-3109
 www.interiorsvi.com

SOLD TO
 FACILITIES MAINTENANCE POLICE DEPART
 MUSTACE JOSEPH PO BOX 07 AND CROSS
 CHARLOTTE AMALIE, VI 00802

SHIP TO
 FACILITIES MAINTENANCE POLICE DEPART
 MUSTACE JOSEPH PO BOX 07 AND CROSS
 CHARLOTTE AMALIE, VI 00802



ACCOUNT #	CLIENT #	TERMS	DATE ENTERED	CURRENCY	EXPIRATION DATE
2812	10095847	NET 10TH FOLLOWING	07/27/18	041	04/08/18
ORDER #	UOM	DESCRIPTION	PRICE	AMOUNT	
		*** QUOTE ***			
11	EA	3X10X24 #1 BTR 84S 50PCS/BDL TRD 0.14 GC DCA-C EX 0X24 LN# : 10	180.960	180.96	
12	EA	3/4" #1-11 5" TREATED PLYWOOD 50 SHEETS/BLK 3/4"X16" LN# : 20	52.190	631.82	
13	EA	2X12X20 #1 BTR 84S 80PCS/BDL TRD 0.14 GC DCA-C EX 0X20 LN# : 10	49.130	731.96	
15	EA	2X12X20 #1 BTR 84S 64PCS/BDL TRD 0.08 GC DCA-C EX 0X20 LN# : 40	93.890	1877.80	
16	EA	#410 STEEL REBAR GRADE 60 106PCS/MT - 15PCS/ST EX 0G60 LN# : 50	11.800	104.08	
18	EA	#410 STEEL REBAR GRADE 60 166PCS/MT - 15PCS/STAMER STEEL EX 0G60 LN# : 50	9.350	1102.50	
19	EA	#X20 STEEL REBAR GRADE 60 296PCS/MT - 266PCS/ST EX 0-60 LN# : 60	4.110	124.50	
July 26, 2018 10:46:5			OT:DL		
***** = QUOTE = *****			PAGE 1 OF 2 10	MERCHANDISE OTHER FREIGHT TOTAL	



3814 CROWN BAY
ST. THOMAS USVI 00802
PHONE: (340) 776-1800
FAX: (340) 774-3170
www.msi.com

3814 CROWN BAY
ST. THOMAS USVI 00802
PHONE (340) 776-1855
FAX (340) 776-3109
www.msi.com

SOLD TO
FACILITIES MAINTENANCE POLICE DEPART
POSTAGE JOSEPH TO PICK UP AND ORDER
CHARLOTTE ANNIE, VI 00802

SHIP TO
FACILITIES MAINTENANCE POLICE DEPAR
POSTAGE JOSEPH TO PICK UP AND ORDER
CHARLOTTE ANNIE, VI 00802



ACCOUNT #	QUOTE #	TERMS	DATE ENTERED	SUBMIT DATE	EXPIRATION DATE
20127	0035847	NET 10TH FOLLOWIN	07/24/18		08/08/18
ORDERED	QTY	UOM	DESCRIPTION	PRICE	AMOUNT
1		EA	GRABBER GARD SCREW VIBROURG 4" 18 BOX 285/EA CERAMIC COATED AGGSS LN# : 80	67.990	263.95
1		EA	GRABBER GARD SCREWS 90000 2 1/2" 18 BOX CERAMIC COATED 20/28285 LN# : 90	61.990	241.98
100		EA	L670Z SIMPSON SKEWERS ANGLE WOODEN ANGLE L670Z LN# : 100	3.620	362.00
50		EA	SIMPSON 1/8"X5" WOOD ANCHOR S/1 1/8X5SSWA LN# : 310	2.150	107.50
1		BX	N10D 1 1/2" SIMPSON GALV NAIL - JOINT HARDEN FASTENERS 100 P N10D LN# : 110	20.190	62.17
11		EA	TURNER WIRE NAIL 1" 16D 50 SOLD BY THE BOX 31/11550 LN# : 110	67.510	67.51
July 24, 2018 10:46 AM				NET TOTAL	18623.10
***** * QUOTE * *****				OTHER	0.00
PAGE 2 OF 2 1 10					0.00
				FREIGHT	0.00
				TOTAL	18623.10



SEA CHEST
 3808 CROWN BAY
 ST. THOMAS, USVI 00802
 PHONE: (340) 774-0495
 FAX: (340) 778-2547
 www.seachestusvi.com

SOLD TO
 POLICE FACILITY MAINTENANCE
 ALEXANDER FARRELLY COMPLEX
 CRIMINAL JUSTICE COMPLEX
 ST. THOMAS, VI 00802

SHIP TO
 POLICE FACILITY MAINTENANCE
 ALEXANDER FARRELLY COMPLEX
 CRIMINAL JUSTICE COMPLEX
 ST. THOMAS, VI 00802



RECEIVED
 JUL 29 11:11 AM
 OFFICE OF THE ATTORNEY GENERAL
 ST. THOMAS, VI

ACCOUNT #	QUOTE #	TERMS	DATE ENTERED	SHIP TO	INVOICE DATE
PO2444	50012119	Net 60 Days	07/24/18	HG	7/31/18
ORDERED	U/M	DESCRIPTION	PRICE	AMOUNT	
		**** QUOTE ****			
12	EA	TOPCOAT COLONIAL RED 6-700 5 5 GAL PAIL TC011-50 LN# : 10	265.000	3180.00	
12	EA	9*X1/2" TREBLON/9R-32 RT-29032 LN# : 20	5.950	71.40	
4	EA	501 ROLLER FRAME 123B450 LN# : 30	6.950	27.96	
12	EA	BRUSH, CHIPPER THICK 4X5/8 RT-14052 LN# : 40	3.500	42.00	
12	EA	BRUSE, CHIP 3" RT-14052 LN# : 50	1.500	18.00	
8	EA	TOPCOAT FLASHING - 5 GAL PAIL TC012-50 LN# : 60	250.000	2000.00	
10	EA	SOLARFLEX ELASTOTAPE 4*X150' HE296195 LN# : 70	22.500	225.00	
5	EA	ESS EXT SG LIX WHT 5G 1995208 LN# : 80	156.990	784.95	
24	EA	BLADE CUTOFF 4*X1/16"MTL 2106896 LN# : 90	2.590	62.16	
July 24, 2018 11:05:41 OT:HG			MERCHANDISE	6411.47	
***** * QUOTE *****			OTHER	0.00	
Not an Invoice!!				0.00	
PAGE 1 OF 1 2 40			FREIGHT	0.00	
			TOTAL	6411.47	



ORTALIS CONCRETE
3004 Estate Altona
Suite 12
St. Thomas, VI 00802
(340) 774-4056

INVOICE

Eustace Joseph
 Police Department Forensic Bld
 134 Subbase
 St. Thomas VI 00802

Customer No. EUSJOSEP
 Invoice Date 8/28/2018
 Invoice Number 4321 Page 1
 Job Id VIPD PACAD
 Credit Terms Prepay Customer

Date	Ticket	Qty	Description	Price	Amount
08/28/18	4321	1.00 EA	Pump Truck w/Attachments	\$650.00	\$650.00

ORTALIS Concrete is a Division of ORTALIS Properties, LLC.
 We appreciate your business and in order to remain the Four People's Choice,
 we look forward to your prompt payment. Please remit payment to our
 St. Thomas office, to the Attention of: Accounts Receivable.

Sub-Total \$650.00
Sales Tax - VI \$0.00
Invoice Total \$650.00



ORTALIS CONCRETE
 3004 Estate Altona
 Suite 12
 St. Thomas, VI 00802
 (340) 774-4056

QUOTE

Eustace Joseph
 VIPD Forensic Bldg 134 Subbase
 St. Thomas VI 00802

Quote ID: VIPD PACAD
 Customer No: EUJOSEPH
 Date: 8/24/2018
 Quoted By: OC

CODE	U/M	QTY	DESCRIPTION	PRICE	EXT PRICE
PUMP	EA	1.00	Pump Truck w/Attachment	\$650.00	\$650.00

QUOTE TOTALS	NON-TAX \$.00	TAX \$.00	TAXABLE \$650.00	TOTAL \$650.00
---------------------	-------------------------	---------------------	----------------------------	--------------------------

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**Government of
The Virgin Islands of the United States**



**VIRGIN ISLANDS POLICE DEPARTMENT
TRAINING BUREAU**

**Captain Maria Colon-Jones
Acting Training Director**

September 16, 2018

TRAINING BUREAU
#45 Mars Hill
Frederiksted
St. Croix, U.S.V.I.
00840
(340) 719-6737 Office
(340) 719-6714 Fax

TO: Curtis Griffin
Assistant Police Commissioner

Jason Marsh
Deputy Commissioner

FROM: Captain Maria Colon-Jones 
Acting Training Director

Bldg. #116 Sub Base
St. Thomas, U.S.V.I.
00802
(340) 774-3214: Office
(340) 714-4947: Fax

SUBJECT: *Assessment on Citizen Complaints*

On Saturday, September 15, 2018 a meeting was held with the Training Staff in St. Thomas to review the data provided by the Analyst, Ms. Gilbert (see attached). This report reflected information from January 1, 2018 to September 14, 2018 as it relates to Citizen Complaints Territory wide. Present and assisting in the assessment of the data were the following personnel: Captain Maria Colon Jones, Sgt. David Sullivan, Sgt. Bruce Taylor, and Sgt. Ludrick Thomas. The purpose of this meeting was to evaluate the data provide and conduct an assessment for training needs. The second quarter audit was also utilized to identify deficiencies that were noted during the auditing period. Listed below are the findings and training assessment that the group came up with collectively:

- In the STT/STJ District there were 51 cases reported during the reporting time period. Of the 51 cases that were reported 29 or 56 % were completed.
- In the STX District there were 60 cases reported during the reporting time period. Of the 60 cases reported 49 or 81% of cases were completed.

Training Recommendations: In reviewing the case closure in each district an assessment should be done by Operations to ensure that the outstanding cases are within the time limits outlined in policy 7.3. If cases are found to be untimely ensure there is an approved waiver, if not administrative action is recommended. By doing this assessment the cases that are outstanding can be addressed rapidly and avoid the number of outstanding cases to increase that can potentially lead to an unmanageable back log.

Training Needs Assessment: Based on the information in the Audit Report the groups decided to develop a Roll Call Training to address timelines not only in Citizen Complaints, but also in Use of Force Cases. A 10-question test will also be included and administered via Power DMS. Roll Call Training will start mid-October on this module. The target audience for this training will be the Supervisory Personnel.

- In reviewing the allegations reported in the STT/STJ District it was noted that highest complaint category at 14 cases or 12% was Failure to be tactful, controls temper, and exercise the utmost, etc. The second highest category with 12 cases reported or 11% was Failure to take appropriate action on the occasion of a crime.
- In reviewing the allegations reported in the STX District it was noted that highest complaint category at 21 cases or 15% was Using, rude, coarse, violent, profane, and vulgar, sarcastic language. The second highest category with 19 cases reported or 14% was Actions amounting to harassment and/or intimidation of a citizen.

Training Recommendations: In reviewing the data with the type of allegations reported it is recommended by the training staff that operations need to take a closer look at those cases, this review can include looking at the actual complaint and the officers involved. The types of complaint that have been reported the most can be a potential for serious behavioral issues that Training is not able to address. In addition, the best option to address these issues is by utilizing the EIP Policy. This action will allow Supervisors to work closer and monitor their officers who are displaying behavioral issues. EIP action plans can be developed on Officers even if they haven't reached thresholds as outlined by policy.

Training Needs Assessment: The issued discussed based on the allegations type reported, and the Audit Report, Training have decided to develop a Roll Call Training to address EIP Policy and developing Action Plans. A 10-question test will also be included and administered via Power DMS. Roll Call Training will start mid-November on this module. The target audience for this training will be the Supervisory Personnel. Dr. Marshall service can also be used for Officers evaluation.

The information provided in this assessment report was generated by discussion with the Training Supervisory Staff on St. Thomas the data reviewed in the report provided by M. Gilbert on citizen complaints and the 2nd quarterly audit report.

CC: File
Training Coordinators
Chief Office

Citizen complaint incidents received between Jan 1, 2018 - Sep 14, 2018		
By Allegation-----STTSTJ		
Citizen complaint incidents received between Jan 1, 2018 - Sep 14, 2018		
By Month rec'd		
Jan 2018:	6	11.76%
Feb 2018:	11	21.57%
Mar 2018:	6	11.76%
Apr 2018:	7	13.73%
May 2018:	7	13.73%
Jun 2018:	4	7.84%
Jul 2018:	2	3.92%
Aug 2018:	6	11.76%
Sep 2018:	2	3.92%
Citizen complaint incidents received between Jan 1, 2018 - Sep 14, 2018		
By Status		
Active:	4	7.84%
Completed:	29	56.86%
Forwarded:	16	31.37%
Suspended:	2	3.92%
Citizen complaint incidents received between Jan 1, 2018 - Sep 14, 2018		
By Disposition		
[No data entered]:	22	43.14%
Administrative Closure:	1	1.96%
Exonerated:	3	5.88%
Not Sustained:	15	29.41%
Sustained:	8	15.69%
Unfounded:	2	3.92%
Citizen complaint incidents received between Jan 1, 2018 - Sep 14, 2018		
By Allegation		
A:1 Failure to take appropriate action on the occasion of a crime, di	3	2.75%
A:12 - Failure to be tactful, controls temper...discretion in the per	14	12.84%
A:18 Failure to know the rules,regulations...or orders of the dept. &	4	3.67%
A:22 Failure to Prepare a Departmental Report when required:	6	5.50%
A:54 Failure to take appropriate action on occasion of a crime...or c	12	11.01%
Any Act or Omission:	1	0.92%
B:1 Employee shall not undertake on any financial obligations.... pa	1	0.92%
B:29 Unsatisfactory Performanc: Failure to thoroughly search for pers	6	5.50%
B:3 Failure to assist any person...making complaints or reports, etc.	5	4.59%
B:31 Using rude, coarse, insulting....language or conduct to public	5	4.59%
B:37-Intentionally make an arrest, search or seizure which they know	1	0.92%
C.32: Conduct involving an act of violence where elements of Misdemea	1	0.92%
C:1 Failure to prepare RRR in accordance wth Dept Policy:	1	0.92%
C:17 Failure to treat official investigation...Reports of the depart	5	4.59%
C:22 Knowingly and willfully making false entry....Either written or	1	0.92%
C:29 - Regular or continous associations or dealings with persons who	2	1.83%
C:3 Performing any act or ommission prejudicial to good order...:	11	10.09%
C:32 Unprofessional conduct involving an act of violence where elemen	3	2.75%
C:38 - Failure to handle persons in custody in accordance with law an	3	2.75%
C:5 Actions Amounting to Harassment and/or Intimidation of citizen, d	5	4.59%
Complaint against police services:	1	0.92%
Criminal Conduct:	1	0.92%
D:14 - Knowingly interfere with Departmental investigations or any ot	2	1.83%
D:28- Unprofessional Conduct where elements of a felony are met...:	5	4.59%
Discourtesy to Citizen:	1	0.92%
Failure to conduct thorough investigation:	2	1.83%
Failure to file issued citation with AG:	1	0.92%
Neglect of Duty:	2	1.83%
Unauthorized Towing:	1	0.92%
Use of Force:	3	2.75%

STX		
Citizen complaint incidents received between Jan 1, 2018 - Sep 14, 2018		
By Month rec'd		
Jan 2018:	8	13.33%
Feb 2018:	7	11.67%
Mar 2018:	5	8.33%
Apr 2018:	10	16.67%
May 2018:	7	11.67%
Jun 2018:	5	8.33%
Jul 2018:	10	16.67%
Aug 2018:	6	10.00%
Sep 2018:	2	3.33%
Citizen complaint incidents received between Jan 1, 2018 - Sep 14, 2018		
By Status		
Active:	4	6.67%
Completed:	49	81.67%
Forwarded:	6	10.00%
Suspended:	1	1.67%
Citizen complaint incidents received between Jan 1, 2018 - Sep 14, 2018		
By Disposition		
[No data entered]:	11	18.33%
Administratively Closed:	1	1.67%
Exonerated:	3	5.00%
Not Sustained:	36	60.00%
Sustained:	6	10.00%
Unfounded:	3	5.00%
Citizen complaint incidents received between Jan 1, 2018 - Sep 14, 2018		
By Allegation		
A.12: Failure to be tactful, controls temper, & exercise the utmost	15	11.36%
A.22: Failure to prepare a departmental report when required:	3	2.27%
A.4: Eating on duty while conducting official business.:	1	0.76%
A.53: Failure to submit a written request for off-duty employment for	1	0.76%
A.54: Failure to take appropriate action on the occasion of a crime, d	15	11.36%
B. 18: Incident not involving an act of violence where elements of a	1	0.76%
B.1: Employees shall not undertake any financial obligations which the	1	0.76%
B.10 Failure of employees who are given an otherwise proer order which	2	1.52%
B.12.: Failure to direct and/or control or otherwise effectively supe	1	0.76%
B.15: Failure to report through the proper channels any violation of	12	1.52%
B.29: Unsatisfactory Performance: Failure to thoroughly search for pe	3	2.27%
B.3: Failure to assist any person rqst information or advice, or maki	1	0.76%
B.31: Using rude,coarse,violent, profane,vulgr,sarcastic, or insultin	21	15.91%
B.34 Attempt to dissuade any citizen from lodging a complaint against	1	0.76%
B.37: Intentionally make an arrest, search or seizure which they know	3	2.27%
B.40: Refusal to obey any lawful order or directive :	3	2.27%
C.1: Failure to prepare Response to Resistance Reports in accordance	7	5.30%
C.17: Failure to treat the official investigations, reports, &/or comm	1	0.76%
C.22: Knowingly and willfully making a false entry and/or report, ei	1	0.76%
C.22: Knowingly and willfully omitting and/or deleting information fr	1	0.76%
C.3: Performing any act or omission not specifically covered in the ru	18	13.64%
C.32: Unprofessional conduct involving an act of violence where elemen	3	2.27%
C.38: Failure to handle persons in custody in accordance with law an	1	0.76%
C.40: Improper handling, misuse and/or display of firearms contrary t	1	0.76%
C.46: Excessive use of force that results in injuries:	2	1.52%
C.5: Actions amounting to harassment and/or intimidation of a citize	19	14.39%
D.28: Unprofessional Conduct...elements of a felony met...:	3	2.27%
Part II Section....Community Relations:	1	0.76%



Government of the United States Virgin Islands
Virgin Islands Police
Department



Standard Operating Procedure

TRAINING ADVISORY COMMITTEE

The Virgin Islands Police Department (VIPD) shall utilize a Training Advisory Committee (TAC) to provide ongoing formal evaluations of all In-Service, Specialized Training Programs and Police Officer Standard Training (POST) conducted by the VIPD Training Bureau.

The mission of the TAC is to provide a means of gathering input from all areas of the police department and to continuously improve training standards, practices and outcomes through the examination of training content, delivery, tactics, policy and equipment.

I. TRAINING ADVISORY COMMITTEE

A. The Training Advisory Committee is composed of the following representatives:

1. Chief of Police
2. Deputy Chief of Police
3. Training Director or Designee
4. Training Coordinator or Specialist
5. One Zone Commander from each district
6. Use of Force Instructor (designated by the Training Director)
7. One Representative from the LESU (appointed by the President of the Union for a one year term.)
8. One Representative from the PBA (appointed by the President of the Union for a one year term)
9. A representative from the Policy Committee

B. Support Staff ;

1. An analyst from the IAB who will assist the TAC members in understanding data reports and charts provided by IAB.
2. A representative from IAB who can address IAB information and conclusions drawn from FRB or command reviews.

C. The Director of Training or a designee shall serve as chairperson for the committee and will coordinate and appoint a Deputy Police Chief from each District, on an alternating basis, as the Co-chairperson.

II. PROCEDURES

A. The Training Advisory Committee shall identify annual training needs of the Department by completing a needs assessment. At the minimum, the needs assessment shall consider the following:

1. Use of Force Issues
2. Trends and issues in Citizens Complaints
3. Review of department issued force tools, their application and training, as well as other Department utilized items.
4. Concerns reflected in court decisions
5. Any changes to Territorial or Federal laws
6. Zone Level needs
7. Department-wide training issues as submitted by any department personnel through a system to be established by the TAC. This system will include anonymous suggestions.
8. The needs assessment will include use of department job descriptions and class specifications to ensure that all Knowledge, Skills and Abilities (KSA) and Job Tasks noted therein are accounted for in both the assessment and subsequent training programs. At a minimum, this needs assessment will be conducted for the Entry Level and In-Service Training Programs, expanding into other specialized programs as needed.

B. The Training Advisory Committee shall meet quarterly or more frequently as determined by the TAC Chairperson.

C. Meetings of the Training Advisory Committee shall include, but not be limited to, the following agenda items:

1. Use of Force training evaluations and current issues.
2. A review of the previous quarter's training programs, including all items included in II. A., above.
3. While Level One critiques (instructor evaluations) by training participants will be considered, emphasis will be placed on the results of Level Two (Testing) and Level Three evaluations (follow up on training with job performance, via survey). These Level Two and Three evaluations will be conducted in accordance with generally accepted professional standards. These evaluations will be used to both identify training needs and/or shortcomings as well as indicate areas that should have training developed.
4. Identification, development and update of training modules based on recommendations that identify current job-related training needs.
5. Semi-annual review of force related lesson plans and related curricula materials to ensure compliance with policy, procedure, and current best policing practices. The results of these reviews will be documented in a report for each lesson plan.
6. Review deficiency reports, corrective measures, and discipline as it relates to Use of Force and Citizen Complaints (provided by Internal Affairs) in assessing training needs.

D. The TAC Chairperson will

1. Conduct the meeting;
2. Submit the findings of each meeting to the Police Commissioner and or his Designee, and
3. Prepare a report of the evaluation of each lesson plan reviewed to include
 - a. Issues found,
 - b. Corrective action taken,
 - c. Changes, if any to policy, procedures, or practices.
4. Maintain a log of all reviewed materials indicating:
 - a. Date transmitted to the TAC members for review.
 - b. Date of TAC meeting
 - c. Brief description of corrections recommended.
 - d. Date reports transmitted to Training Bureau and Policy Committee
 - e. Date report forwarded to the Commissioner
 - f. Date changes were made to affected training materials or policies.
 - g. Date updated training materials and/or policies were approved by other agencies

h. Date updated training materials and/or policies were uploaded to Power DMS.

E. Appendix A, attached outlines the process utilized for reviewing Data, Policies, and Training Curricula.

III. ATTENDANCE REQUIREMENTS AND APPOINTMENT TERMS

1. Upon notification of meeting dates, members should indicate their ability to attend the meeting through e-mail to the chairperson or co• chair, as noted in the meeting notification email.
2. If a member is unable to attend, the member shall designate a person to attend as a proxy member of the Committee.
3. If a member is unable to attend and fails to send a proxy member for two consecutive meetings, the member may be asked to step down from his position
4. Should a member show a pattern of inconsistent attendance outside that which has been previously discussed, a member may be asked to step down from their position.
5. Members will hold staggered terms of three years and may be recommended to serve consecutive terms.

Delroy Richards, Sr.
Police Commissioner

DATE: _____

APPENDIX A TO TAC SOP (Dated _____)

1. Use of Force Policies and related Lesson Plan will be reviewed during the 2nd and 4th Quarter. Note: Policies/Lesson Plans will be identified for review before the meetings and forwarded to committee members by the Training Staff.
2. A policy review form, developed in conjunction with the Policy Committee, will be utilized to outline the discussions and recommended changes if any to policies resultant of the TAC meeting and review. A copy will be sent to the Policy Committee and included in the TAC Report to the Police Commissioner.
3. A lesson plan review form will be developed by the Training Bureau and utilized to outline the review process and associated discussion and subsequent recommended changes if any, this will be included in the TAC Report to the Police Commissioner.
4. Policies that are non-use of force related will be reviewed and spread equally throughout the year on a schedule established by and updated as necessary by the Policy Committee in conjunction with the Training Bureau, ensuring that mandated Use of Force polices and training materials are reviewed on a semi-annual basis. Copies of the completed policy review form for such reviews will be forwarded to the policy committee and sent with the TAC Report to the Police Commissioner.
5. Copies of both the Policy and Training Materials review forms, as well as the TAC Report to the Commissioner, will also be transmitted to the USDOJ, CRT and the IMT upon sign-off of the TAC Meeting Report by the Commissioner.
6. The review of Use of Force lesson plans and related policies will proceed as follows:
 - a. The related Use of Force policy will be reviewed for any pending modifications required since the last review, such as law changes or Commissioner Directives that are due for inclusion in the policy.
 - b. Any reports from FRB hearings or command review of investigation will be presented and discussed, focusing on recommended changes to policy, training, or tactics.
 - c. The data reports and analysis from IAB will be presented by the IAB analyst. Which include a written conclusion drawn from the data and the analyst attending the TAC meeting should be prepared to brief the members on these conclusions.
 - d. Training evaluations will be reviewed.
 - e. Recommendations and identified shortcomings from VIPD Audits and IMT Quarterly Reports.
 - f. Trends and errors identified within EIP generated data displays such as effectiveness ratios for force, injuries sustained by any party, improper use, etc.

g. The lesson plans and related curricula (Power Points, Evaluation checklists, handouts, tests, etc.) will be reviewed using above items.

i. The committee will identify any changes needed to either policy or training and log same in appropriate reporting forms.

j. The Training Bureau or Policy Committee will then have 60 days to finalize all required modifications and submit them to appropriate review authorities.

From: [Gregory Davila](#)
To: [Curtis Griffin](#); [Jason Marsh](#); [Atty. Terri Griffiths](#); [IMT-Monitor Mail](#); [IMT-PW DKW Services](#); [IMT-PW Monitor Mail](#); [Fleisher, Aaron \(CRT\)](#); [Murray, Jeff \(CRT\)](#); [Killebrew, Paul \(CRT\)](#)
Subject: FW: Consent Decree Weekly Meetings
Start: Tuesday, March 6, 2018 12:00:00 PM
End: Tuesday, March 6, 2018 1:00:00 PM
Location: Commissioner's Conference Rooms
Importance: High

Please see outlook calendar item regarding weekly consent decree command meetings. Task#: 11; Page 21 - item 4(D) & Page 3, item B

-----Original Appointment-----

From: Gregory Davila

Sent: Wednesday, February 28, 2018 10:04 AM

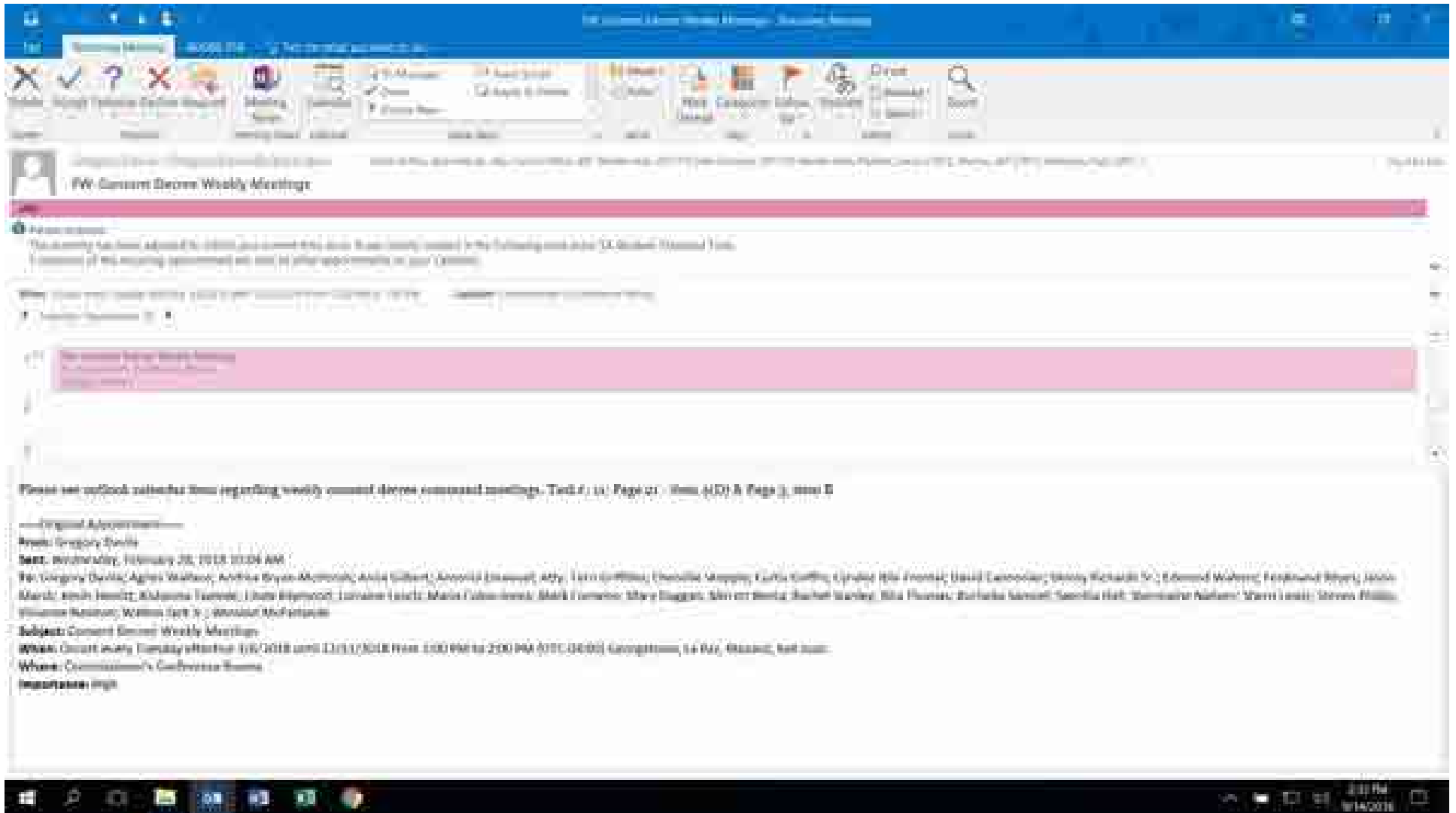
To: Gregory Davila; Agnes Wallace; Andrea Bryan-McIntosh; Anna Gilbert; Antonio Emanuel; Atty. Terri Griffiths; Chenelle Skepple; Curtis Griffin; Cyndee Ible-Frontal; David Cannonier; Delroy Richards Sr.; Edmund Walters; Ferdinand Reyes; Jason Marsh; Kevin Hewitt; Kishauna Tweede; Linda Raymond; Lorraine Lynch; Maria Colon-Jones; Mark Corneiro; Mary Duggan; Mirrett Benta; Rachel Stanley; Rita Thomas; Ruchella Samuel; Sanchia Hall; Shermaine Nielsen; Sherri Lewis; Steven Phillip; Vivianne Newton; Walton Jack Jr.; Winsbut McFarlande

Subject: Consent Decree Weekly Meetings

When: Occurs every Tuesday effective 3/6/2018 until 12/31/2018 from 1:00 PM to 2:00 PM (UTC-04:00) Georgetown, La Paz, Manaus, San Juan.

Where: Commissioner's Conference Rooms

Importance: High





**Government of
The Virgin Islands of the United States**



**VIRGIN ISLANDS POLICE DEPARTMENT
TRAINING BUREAU**

**Captain Maria Colon-Jones
Acting Training Director**

TRAINING BUREAU
#45 Mars Hill
Frederiksted
St. Croix, U.S.V.I. 00840
(340) 719-6737 Office
(340) 719-6714 Fax

September 14, 2018

Bldg. #116 Sub Base
St. Thomas, U.S.V.I. 00802
(340) 774-3214: Office
(340) 714-4947: Fax

TO: Curtis Griffin
Assistant Police Commissioner
Consent Decree Compliance Officer
Virgin Islands Police Department

FROM: Captain Maria Colon-Jones CAPT. M. Colon-Jones
Acting Training Director

SUBJECT: ***In-service Training***
IAPRO and Blue Team Training

As per our conference call yesterday on the task #12 identified by the Draft joint report and proposed order to the court, this document serves as confirmation that IAPRO and Blue Team Training will be included in the yearly In-Service Training. These training modules will be taught in either classroom sessions or via Power DMS. Additionally, information has already been requested from Internal Affairs on the materials they have available for the subjects and have requested that notification is provided to the Training Bureau of any updates or changes. Please feel free to contact me if you have any questions.

CC: Deputy Commissioner Jason Marsh
Training Coordinators
File



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
01.3 POL Written Directives System

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
07/20/2015	07/19/2016	787	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	07/30/2015	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr **Type** **Title**
02.10 POL Brady Disclosures

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
02/06/2016	02/05/2017	586	Y	02/06/2016
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	02/06/2016	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

Duplicated policy number with Tourism Police; Duggan notified 051317.
 110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
02.7 POL Audit and Inspection Policy

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
09/01/2013	09/01/2014	1474	Y	05/11/2015
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u> 09/01/2013		<u>PDMS Rev Nbr</u>	

IMT Comments and Action History
 110717-no record of review

Revision History (If Any)

Revision Date	Revision Nbr	Comments

Associated Forms (If Any)

Policy Nbr **Type** **Title**
02.8 POL Establishment of the Office of Professional Standards

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
05/20/2015	05/19/2016	848	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u> 05/20/2015		<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

050117-This policy was duplicated under 2-9 dated 5/20/15. The 2.9 was used again as noted under separate record here for restructuring the Insular Investigations Office;
 051917-Duggan advised

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr Type Title
03.1 POL Use of Force Policy

Pub Date	Revision Due	Days Past Due	Over Due	IMT Last Review
05/05/2015	05/04/2016	863	Y	04/01/2016
CD Related?	YES	Para		
In PDMS	y	PDMS Pub Date	03/30/2011	PDMS Rev Nbr

IMT Comments and Action History

042817-Copy on PowerDMS has a date of 2011

1110917-No record of any review since last IMT review date.

Revision History (If Any)

Revision Date	Revision Nbr	Comments
05/05/2015	2	Updated with FRB and FIT references

Associated Forms (If Any)

Form nbr	Form name	Form date
UOF-1	Response to Resistance Repo	10/01/2014

Policy Nbr Type Title
03.10 POL Deflation Devices

Pub Date	Revision Due	Days Past Due	Over Due	IMT Last Review
11/05/2015	11/04/2016	679	Y	
CD Related?	YES	Para		
In PDMS	y	PDMS Pub Date	11/05/2015	PDMS Rev Nbr
				1

IMT Comments and Action History

This is a duplicate number with Spike Strips but since it was revised and Spike Strips was not, it is possible that this is the current policy that replaced Spike Strips; Duggan notified 051317

110917-No record of any review since last IMT review date.

091418-Removed CD ref for Spike Strips in favor of this policy because of revision date.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
03.11 POL Canine (K-9) Operations

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
09/17/2013	09/17/2014	1458	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	09/17/2013	<u>PDMS Rev Nbr</u>	1

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Revision Date **Revision Nbr** **Comments**

09/07/2013 1
 09/17/2013 1

Associated Forms (If Any)

Policy Nbr **Type** **Title**
03.12 POL Special Operations- Special Response Team & Hostage Negotiations Team

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
12/12/2011	12/11/2012	2103	Y	08/17/2015
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	12/12/2011	<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

110917-no record of review since review data entry date

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
03.13 POL Sniper Operations

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
12/12/2011	12/11/2012	2103	Y	03/21/2016
CD Related? YES Para				
In PDMS y	PDMS Pub Date 12/12/2011	PDMS Rev Nbr		

IMT Comments and Action History

Draft revised in file dated 081715; redlined with comments, in Word format dated 032116

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr **Type** **Title**
03.14 POL Vehicle Accident Policy

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
09/21/2014	09/21/2015	1089	Y	
CD Related? YES Para				
In PDMS y	PDMS Pub Date 09/21/2014	PDMS Rev Nbr		

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Note-there is another 3.14 policy titled "Electronic Messaging (email) Policy" in file with a date of 052117; this appears to be another duplicated policy number as a previous policy 3.14 titled Vehicle Accident Policy was published under this 3.14 number and is dated 092114 with no subsequent reviews.091318-Duplicated policy no longer on PDMS.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
03.15 POL Force Investigation Team

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
09/01/2015	08/31/2016	744	Y	03/29/2016
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	09/01/2015	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

Linked with 3.2 and 3.3
 032916-IMT forwarded recommended changes to FIT based on completion of FIT SOP; no record of any action by the VIPD

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr **Type** **Title**
03.16 POL Active Shooter

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
02/06/2017	02/06/2018	220	Y	11/04/2016
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	n	<u>PDMS Pub Date</u>		<u>PDMS Rev Nbr</u>

IMT Comments and Action History

110416- IMT fwd review comments in mark up

042817-Not found on PowerDMS

110917-No record of any review since last IMT review date.

091318-No record on PDMS.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
03.18 POL **Surveillance Operations (DRAFT)**

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
11/14/2016	11/14/2017	304	Y	11/14/2016
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	n	<u>PDMS Pub Date</u>		<u>PDMS Rev Nbr</u>

IMT Comments and Action History

110717-This is another potentially a draft policy already set up in VIPD format , redlined but not signed.
 110917-No record of any review since last IMT review date. IMT records show this was reviewed and sent back with minor changes (IACP Model Policy) but never implemented.

Revision History (If Any)

Associated Forms (If Any)

Form nbr	Form name	Form date
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Policy Nbr **Type** **Title**
03.19 POL **Drug Testing Policy**

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
11/30/2016	11/30/2017	288	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	11/30/2016	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

Form nbr	Form name	Form date
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VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
03.2 POL Reporting, Investigating, Review of Use of Force Policy

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
08/01/2015	07/31/2016	775	Y	08/25/2018
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	08/01/2015	<u>PDMS Rev Nbr</u>
				2

IMT Comments and Action History

110917-No record of any review since last IMT review date.
 062618- IMT returned comments on Draft revision to Policy 3.2 initiated by the VIPD on 061218. DOJ had previously returned their comments on 962418.
 082518-Returned to VIPD with comments.
 091318-Further discussed with DComm. IMT has issue with definition of force as noted in most current from VIPD.

Revision History (If Any)

Revision Date **Revision Nbr** **Comments**

08/01/2015 1
 08/01/2015 2

Associated Forms (If Any)

Policy Nbr **Type** **Title**
03.21 POL Confidential Informats

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
11/30/2016	11/30/2017	288	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	11/30/2016	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
03.24 POL Recording Police Activity

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
12/04/2016	12/04/2017	284	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	12/04/2016	<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr **Type** **Title**
03.3 POL Force Review Board

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
09/01/2015	08/31/2016	744	Y	03/29/2016
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	09/01/2015	<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

Linked with 3.15 and 3.2

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
03.4 POL Firearms

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
05/03/2011	05/02/2012	2326	Y	10/22/2015
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	05/03/2011	<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr **Type** **Title**
03.5 POL Impact Weapons

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
03/30/2011	03/29/2012	2360	Y	10/22/2015
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	03/30/2011	<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
03.6 POL Electronic Control Weapons

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
03/30/2011	03/29/2012	2360	Y	10/20/2015
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	03/30/2011	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

041517-IMT issues with Taser cases were addressed by VIPD with Roll call training and a recommended change by IAB (Newton) to TAC

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr **Type** **Title**
03.7 POL O.C. Spray

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
11/20/2015	11/19/2016	664	Y	12/03/2015
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	11/20/2015	<u>PDMS Rev Nbr</u>
				2

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

<u>Revision Date</u>	<u>Revision Nbr</u>	<u>Comments</u>
11/06/2015	1	Unknown why revised



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
03.8 POL Off-duty Official Action

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
11/06/2015	11/05/2016	678	Y	10/22/2015
<u>CD Related?</u> YES		<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	11/06/2015	<u>PDMS Rev Nbr</u>	1

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Revision Date **Revision Nbr** **Comments**

11/06/2015 1
 11/06/2015 1 Found on PowerDMS

Associated Forms (If Any)

Policy Nbr **Type** **Title**
03.9 POL Vehicle Pursuit

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
03/30/2011	03/29/2012	2360	Y	11/06/2014
<u>CD Related?</u> YES		<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	03/30/2011	<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

IMT previously provided suggested re-wording and comments in the draft document

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
04.1 POL Domestic Violence Involving a Police Officer

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
11/03/2016	11/03/2017	315	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	12/03/2016	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr **Type** **Title**
04.6 POL Psychological Fitness for Duty Evaluation Policy

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
03/13/2012	03/13/2013	2011	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	03/13/2012	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
06.1 POL Data Input Plan

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
09/22/2011	09/21/2012	2184	Y	03/03/2017
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	09/22/2011	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

2016-IMT , along with VIPD and DOJ worked this policy thru early Dec 2016, with final copy forwarded to VIPD in early early Dec.

2017-More tranactions in Feb, with IMT final version fwd to VIPD 030317

110717-Draft remains in hands of VIPD executive staff.

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr **Type** **Title**
06.2 POL Early Intervention Program

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
11/06/2015	11/05/2016	678	Y	03/04/2017
<u>CD Related?</u>	YES	<u>Para</u>	60	
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	11/06/2015	<u>PDMS Rev Nbr</u>
				2

IMT Comments and Action History

2016-Review interaction between the parties June 2016 fwd, with final IMT/DOJ draft review sent to the VIPD 121616

110717-Draft remains in VIPD executive level with last IMT action 030417.

Revision History (If Any)

Associated Forms (If Any)

Revision Date **Revision Nbr** **Comments**

10/28/2013 1

11/06/2015 2



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
06.3 POL Blue Team Protocol

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
06/27/2013	06/27/2014	1540	Y	03/03/2017
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u> 06/27/2013		<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

2016- work on policy between June and Dec with final sent to VIPD 122116
 2017-additional work by IMT in Feb and Mar with final sent to VIPD 030317
 110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr **Type** **Title**
06.4 POL Behavioral Health Services

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
09/21/2014	09/21/2015	1089	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u> 09/21/2014		<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
07.1 POL Disciplinary Policy

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
11/01/2013	11/01/2014	1413	Y	03/17/2017
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	07/25/2015	<u>PDMS Rev Nbr</u>
				1

IMT Comments and Action History

06/01/16- Received copy of original policy dated 11/01/13 from VIPD per IMT request.
 IMT system was updated.
 2016-Lot of review activity during June to Dec 2016, with a final edit copy fwd to VIPD late Dec 2016
 2017-More work, with IMT final edit version fwd 031717; inquiry as to status with Policy Chair 081517 and again 110717; result policy remains with VIPD executive staff under review.

Revision History (If Any)

Associated Forms (If Any)

Revision Date **Revision Nbr** **Comments**

07/25/2015 1

Policy Nbr **Type** **Title**
07.2 POL Acceptance of Citizen Complaint

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
08/02/2011	08/01/2012	2235	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	08/02/2011	<u>PDMS Rev Nbr</u>

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr **Type** **Title**
07.3 POL Investigating Misconduct and
 Citizen Complaints

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
08/02/2015	08/01/2016	774	Y	03/30/2017
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	07/20/2015	<u>PDMS Rev Nbr</u>
				1

IMT Comments and Action History

Revision was still under review by DOJ on 080415

2016-Review activity began in June 2016 and continued through Dec 2016, with numerous versions back and forth; last version in 2016 was transmitted 101916

2017-Reviews continued with heavy action in Feb followed by March; last IMT version fwd 033017 although tele-conferences continued through June 2017; last inquiry was from AC Griffin on 103017 and followed by CAG to coordinate with AC Griffin on final 110517- status on hold in suspense system.

Revision History (If Any)

Revision Date **Revision Nbr** **Comments**

07/20/2015	1	This is a signed copy of the revised policy however as of 08/04/15 the draft is still under review by DOJ , so it is questionable if this is an approved copy.
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Associated Forms (If Any)

Policy Nbr **Type** **Title**
10.1 POL Annual Training, In-Service
 Training, Remedial training

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
		2458376	Y	
<u>CD Related?</u>	YES	<u>Para</u>	(1)	
<u>In PDMS</u>		<u>PDMS Pub Date</u>		<u>PDMS Rev Nbr</u>

IMT Comments and Action History

Revision History (If Any)

Associated Forms (If Any)



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

Policy Nbr Type Title

10.2 POL Field Training and Evaluation Program

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
09/21/2011	09/20/2012	2185	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	09/21/2011	<u>PDMS Rev Nbr</u>	

IMT Comments and Action History

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

Policy Nbr Type Title

10.4 POL Roll Call Protocol and Training Policy

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
05/12/2015	05/11/2016	856	Y	05/30/2015
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u> y	<u>PDMS Pub Date</u>	05/12/2015	<u>PDMS Rev Nbr</u>	1

IMT Comments and Action History

2015-IMT commented on th need for separation of the Roll Call Policy from the Roll Call Training policy.

2015-VIPD WD TOC shows this as Career Development; but actual document has this as Roll Call Protocol and Training Policy; current version in PDMS shows revision but no revision date; has current pub date as that we carry as Revision 1 date.

110917-No record of any review since last IMT review date.

Revision History (If Any)

Associated Forms (If Any)

<u>Revision Date</u>	<u>Revision Nbr</u>	<u>Comments</u>
05/12/2015	1	Issues were raised about current status and VIPD undertook a review and IMT commented. VIPD did not



VIPD Policies and Directives In Effect Status List

Run Date
09/14/2018

Report Covers Written Directives = POL and Are CD Related? =YES

accept all IMT recommendations

05/12/2015 1

Policy Nbr **Type** **Title**
12.1 POL Arrest Policy

<u>Pub Date</u>	<u>Revision Due</u>	<u>Days Past Due</u>	<u>Over Due</u>	<u>IMT Last Review</u>
07/20/2015	07/19/2016	787	Y	
<u>CD Related?</u>	YES	<u>Para</u>		
<u>In PDMS</u>	y	<u>PDMS Pub Date</u>	07/20/2015	<u>PDMS Rev Nbr</u> 2

IMT Comments and Action History

Not on VIPD TOC

110917-No record of any review since last IMT review date.

Revision History (If Any)

Revision Date **Revision Nbr** **Comments**

1 Date is unknown

07/20/2015 2

Associated Forms (If Any)

Number of Written Directives Reporting: 38

policylist_rev_a
e:\cd_mgt\policy_logs.set

Policies indicated under PARA with a (1) were found on a VIPD supplied list in April 2015 and were explained as pending development.



Government of

The Virgin Islands of the United States

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VIRGIN ISLANDS POLICE DEPARTMENT
INTERNAL AFFAIRS AND APPLICANT SCREENING BUREAU



50F2 Hannahs Rest
Suite #2
Frederiksted
St. Croix, U.S.V.I. 00840
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September 11, 2018

Police Operations and
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St. Croix, U.S.V.I. 00840
(340)778-2211

Criminal Justice Complex
Charlotte Amalie
St. Thomas, U.S.V.I. 00802
(340)774-2211

Leander Jurgen Command
Cruz Bay
St. John, U.S.V.I. 00830
(340)693-8880

Memorandum

To: All IAB Staff

From: Chenelle Skepple 
Acting Director, IA&ASB

Subject: Return of Investigations/Deficiency Letters

Pursuant to Policy 7.3-Investigating Misconduct and Citizen Complaint, the Internal Affairs staff conduct reviews of completed investigations forwarded to the unit for closure. Whenever the investigation fails to meet the required standards, the case is returned to the commander with instructions to correct the identified deficiency. Moving forward, in each instance when an investigation is returned to the commander, the instructions to correct the deficiency will be documented on a Return of Investigation Form or Deficiency Letter and attached to the case in IAPRO. The Internal Affairs Staff generating the letter that identifies the deficiency will be responsible for forwarding a copy of the Return of Investigation Form or Deficiency Letter to the Audit Unit as well as the Training Bureau.

Forwarding the documents will assist with efforts to ensure the Training Bureau and Audit Unit are aware of the deficiency identified during the review of the cases.



Government of
The United States Virgin Islands

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**VIRGIN ISLANDS POLICE DEPARTMENT
OFFICE OF DEPUTY COMMISSIONER**



**JASON K. MARSH
DEPUTY COMMISSIONER
PROFESSIONAL STANDARDS**

ALEXANDER A. FARRELLY
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LEANDER JURGEN
COMMAND
CRUZ BAY
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POLICE OPERATIONS AND
ADMINISTRATIVE
SERVICES
45 MARS HILL,
FREDERIKSTED
ST. CROIX, V.I. 00841
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PATRICK SWEENEY
HD'QTRS.
RR-02, KINGHILL
ST. CROIX V.I. 00850

To: Assistant Commissioner, Curtis A. Griffin, JD
From: Deputy Commissioner, Jason K. Marsh
Date: September 10, 2018
Re: Policy Committee Members

The following individuals are members of the Policy Committee:

Sgt. Gregory Coward and AD Chenelle Skepple- Internal Affairs
Sgt. Ludrick Thomas and Ofc. Jason Viveros- Training
Sgt. Gail Liburd Audit Unit

Along with the following members appointed by Assistant Chief Steven Phillip who is the Chairperson of the Committee:

STT

Lt. Bridget Conow
Sgt. Sofia Rachid
Det. Richard Velasquez
Ofc. Ann Marie Charles

STX


AC Edmund Walters
Mark Corneiro

Audit and Inspection Unit Standard Operating Procedures (SOP) Updated 09/13/18

appendix e, audit and inspection unit sop (tracks from joint filing, ~~09/13/18~~ report implementation, dated _____)

AIU recurring special audit responsive to above filing:

Task Number	Task Description	Frequency	Source Documentation	Protocol	Due Date
13	Audit units should look at use of force, report to command staff on issues, and document how issues were addressed	Quarterly	AIU Quarterly consent decree Audit Reports	1. AIU will maintain a log of all recommendations generated as a result of Quarterly CD audits. 2. Log will include the following: Recommendation, unit responsible for implementation, date of recommendation, status, Comments. (TRD further)	15 th of the month following publication of the Audit to the Commissioner.
34	Action plans should be included in the RMS, audit unit checks whether action plans were followed through on, audit unit reports deficiencies to Commissioner and court	Monthly	IAPro DIP records	1. AIU will maintain a log of all open IAPro action items that includes: involved employee name, involved employee supervisor name, date opened, status, analysis of effectiveness, date completed. (TRD further) 2. Audit log against status records. 3. Prepare report of all open cases and identify if response was in accordance with department policy, including suggested remedies where not-compliant.	15 th of the Month following reporting month to Commissioner and appropriate unit commanders (TRD further)
36	Supervisors document that they conducted RMS check for new subordinates, audits conducted of the documentation, deficiencies reported to Commissioner and Court	monthly	IAPro user logs and random validation interviews, copies of transfer documentation per CD 008-2018	1. AIU received copies of all transfer documentation per CD 008-2018 and logs same within log associated with requirement. 2. AIU reviews IAPro user logs associated with the transfers to determine if new supervisor logged into the system and checked newly assigned employee records within time period specified in referenced Directive. 3. Reports out findings.	20 th of the Month following reporting month to Commissioner and appropriate unit commanders (TRD further)
37	Audit unit to track all disciplinary actions	Quarterly	IAPro reports sourced by AIU regarding investigations resulting in disciplinary action	1. AIU runs IAPro report for any cases closed during the quarter that resulted in disciplinary action. 2. AIU matches allegations sustained and discipline imposed versus the matrix found in policy 3.4 3. AIU prepares an exception report.	20 th of the Month following reporting month to Commissioner (TRD further)

		Review Date: Sept __, 2019	Effective Date: Sept __, 2018	District: ALL	Reference: VIPD Manual
		Subject: Publishable Administrative Investigation Data [AMENDED]			Number:
Amends:	Rescind:	Distribution:			Page 1 of 2

Purpose

The purpose of this Directive is to provide guidelines for the dissemination of disciplinary data with respect to Administrative Investigations of VIPD officers to the public.

Policy

It is the policy of this department to promote continued transparency between the VIPD and the community it serves.

Definitions

Administrative Investigations- within the meaning of this policy, administrative investigations include, but is not limited solely to: All Complaints and their Disciplinary Hearing Outcomes

Procedures

The Internal Affairs Bureau will be responsible for the disclosure of publishable administrative data. The publishable data is limited to **anonymous information only and does not include the names of citizens or police department employees**. The Police Commissioner retains discretion to periodically add additional fields.

Prior to publishing, the report must be approved by the Deputy Commissioner for Professional Standards.

The data disclosures to be provided to the public are:

1. Citizen Complaints: VIPD will disclose a listing of complaints received for the month and those closed during the same period. The listing shall include:
 - o Case number;
 - o Date Received;
 - o Date of Occurrence;
 - o Allegation(s);
 - o Brief redacted summary (removal of names);
 - o Incident Type;
 - o Due date;
 - o Disposition; and,

**Office of the
POLICE
COMMISSIONER**

DIRECTIVE

Subject: Special Directive on Publishable Admin
Investigation Data Report

Number:
0_-2018

Page:
2 of 2

- Legend (to explain the various disposition types).
- 2. Disciplinary Actions: VIPD will disclose disciplinary actions taken in each month. The Disclosure will include the following information:
 - Active and Completed Disciplinary Cases for the month;
 - Actions Taken (i.e., disciplinary and or non-disciplinary Corrective Action);
 - Final Disposition;
 - Matrix Requirements; and
 - Whether the disciplinary measures imposed deviated from the Matrix.

EXECUTIVE APPROVAL

Pursuant to the authority granted to the Virgin Islands Police Commissioner in Title 3 V.I.C. § 258, this Directive, to be made a permanent part of the Rules and Regulations of the U.S. Virgin Islands Police Department, is/are hereby approved:

Dated and signed at Charlotte Amalie, St. Thomas, USVI, on this _____ day of September 2018.

Approved by:



Delroy Richards, Sr.
Police Commissioner



Government of the United States Virgin Islands Virgin Islands Police Department



Policy and Procedure Manual

Series DRA	Effective Date July 20, 2015	Review Date	Policy Number 1.3
Subject Written Directives System			
Chapter 1 Department Role and Authority		<input checked="" type="checkbox"/> New Policy	
References		<input type="checkbox"/> Replaces-	

I. PURPOSE

The purpose of this policy is to define the structure and application of the Virgin Islands Police Department's (VIPD) Written Directives System (WDS) and provide officers and other employees with a better understanding of its importance, use, and applicability.

II. POLICY

A WDS, in the form of General Orders or Written Directives, have been established in this department in order to inform officers of what is expected of all employees in the performance of their duties. WDS provide guidance, establish the basis for employee accountability and fairly evaluate employees' and Bureau, Section and Unit performance.

III. DEFINITIONS

General Orders: Written directives related to policy, procedures, rules and regulations promulgated by the Commissioner involving more than one organizational unit. General orders typically have a broad statement of policy as well as the procedures for implementing the policy.

Policy Committee: Department personnel designated by the Police Commissioner to review and comment on developing and existing department policies. Members of the policy committee shall serve as determined by the Police Commissioner.

Procedures: Procedures build on the foundation of policy statements to provide specific guidance on methods of operations or conduct. Procedures are more detailed instruction on means and methods for carrying out the policy directive and outline the boundaries of permissible officer discretion in performing specific tasks or duties.

VIPD Policy Manual**Policy No. 1.3**

Rules: Rules define situations where no deviation or exceptions to department-authorized actions are permitted.

Special Orders – Directives regulating one segment of the department or a statement of policy and procedure regarding a specific circumstance or event that is temporary in nature. Executive level or Commanders may issue special orders.

Terms Limiting Officer Discretion: There are three categories of terms used in written directives of this department. Personnel responsible for the development of such directives and officers who carry them out shall be aware of the limitations on officer discretion that these terms convey. These terms are classified as *judgmental*, *discouraging*, and *prohibitive* in nature.

- (1) *Judgmental:* The word "may" is used to convey the utmost discretion to officers. "May" indicates that officers should employ their reasonable judgment in addressing a situation by relying on the totality of the circumstance, experience, training, the stated mission and values of this agency, and the general guidance provided in statements of policy.
- (2) *Discouraging:* The word "should" or "should not" is used to convey the agency's desire for officer actions in given circumstances. Directives should be followed whenever reasonably possible. However, it is recognized that exceptions to desired actions can be anticipated in these circumstances that could require alternative action. Officers are therefore authorized whenever reasonable to use limited discretion to deal effectively with the situation or problem.
- (3) *Restrictive or Prohibitive:* The terms "shall" or "shall not" or "will" or "will not" impose absolute requirements or prohibitions on officer actions. Considering that the full set of circumstances surrounding many situations confronted by officers cannot be fully predicted, such terms must be used with care and with the understanding that failure to abide by such restrictions may result in disciplinary action. Where deemed appropriate, however, these terms may appear in policies, procedures, and rules.

IV. PROCEDURES**A. Directives Development and Approval**

1. Pursuant to Title 3, V.I.C. § 258, the Police Commissioner retains authority for approval of all agency policy to include rules and procedures.

VIPD Policy Manual

Policy No. 1.3

2. Maintenance of the written directive system is assigned to the department's Planning and Research Bureau or an officer designated by the Commissioner. In coordination with affected Bureaus, Divisions and Units, this office or officer shall be responsible for organization, review, revision, update, and purging of the department policy manual on a continuous basis.
3. Bureau, Division and Unit Commanders may issue directives through memoranda or special orders that have bearing only on the specific functions or operations of their area(s) of responsibility. Such directives shall be consistent with established department policy and procedures.
4. It is the concurrent responsibility of all Bureau and Division Commanders to ensure that policies, procedures and other directives affecting their area(s) of responsibility reflect the best practices for accomplishment of organizational and division activities, duties and responsibilities. To this end, Bureau/Division Commanders and their designees are responsible for ensuring that required development, updates, and refinements of all department policies and procedures affecting their area(s) of responsibility are identified and that these requirements are forwarded in a timely manner to the Policy Committee (or officer) and Planning and Research Bureau.
5. Development and refinement of department policy and procedures shall be coordinated by the Planning and Research Bureau (or officer). That Bureau (or officer) shall forward drafts of such documents for review and comment to the Policy Committee.
6. Final drafts of policy and procedure statements and supporting justification documents and personnel comments shall be forwarded to the Commissioner or his or her designee for approval or other action.
7. Approved policies, procedures, rules, and special orders shall be distributed electronically (via E-mail or Power DMS) to all sworn personnel and other appropriate members who are required to document that they have received, read, and understand the directive. Documented roll call or other training regarding the policy shall be conducted no later than 7 days after policy distribution. The Training Bureau shall maintain records of all documented policy training.

B. Manual Components

The department's policy and procedures manual shall include the following primary components:

1. **Purpose of the Policy Manual**
Describes the purpose, use and applicability of the manual
2. **Organization of the Manual**
Identifies the primary component parts of the manual such as department organization, administration, field services, support services, investigations, and the manner in which individual and complimentary series of policy statements are grouped and numbered
3. **Table of Contents**
Sequential listing of topics covered in the manual and their location in the document
4. **Department's Source of Legal Authority**
The statutory authority as outlined within the Virgin Islands Code
5. **Police Officer's Code of Conduct**
The Police Officer's Code of Conduct and Canons of Police Ethics
6. **Department Mission and Core Values Statement**
The department's overall mission statement and the core values adopted by the department that form the foundation for policy, procedures, and rules
7. **Policy and Procedure Statements**
Individual statements of department policy and accompanying procedures with regard to duties, responsibilities, and tasks of departmental officers and civilian personnel
8. **Topical Index**
An index of subjects, topics, and issues addressed in the manual, organized in alphabetical order by key-word(s)
9. **Authorized Forms**
An index to and samples of all forms authorized for use by this department

C. Organization of Policy and Procedure Statements

Each policy and procedure statement will contain the following information:

1. **Name of the Department**
Policy statements will identify the issuing agency on each page of the document.
2. **Subject**
Policies, procedures, and rules will be identified by the topic or issue under consideration.
3. **Series**
Refers to the abbreviated chapter found within the Policy and Procedure Index
4. **Policy Number**
The decimal or other number identifying the sequential placement of the policy in the manual.
5. **Effective Date**
Indicates the date the policy will be placed in force.
6. **Review Date**
The date on which the policy is required to undergo formal review, though modifications may be made at any time as required. Policies designated as sensitive by the department are required to undergo review every six months and all others on a yearly basis unless otherwise designated.
7. **Approval**
Signature or initials of the Police Commissioner or his/her designee.
8. **Reference**
Provides links to related departmental policies, procedures and rules that relate to or have bearing on understanding and use of the present policy (for instance, "motor vehicle search" referenced to "obtaining search warrants").
9. **New Policy**
Refers to a set of principles, rules, and guidelines formulated or adopted by this organization
10. **Rescinds/Replaces**

Indicates a former policy issued under the same or similar title that has been deleted or modified by the present policy.

11. **CALEA Standard (where applicable)**
Reference to the relevant standard defined by the Commission on Accreditation for Law Enforcement Agencies that deals with this policy topic or issue.

D. Policy and Procedure Statement

Each policy and procedure statement will conform to the following format and provide the indicated type of information:

- a. **Purpose**
The policy will be introduced by a succinct (generally one-line) statement concerning what the policy is about and what it is attempting to relate.
- b. **Policy**
The policy statement identifies a problem, need or issue and provides guiding principles for exercising judgment. Rather than providing officers with precise guidance as found in procedures, the policy statement establishes the rationale and overall approach to a problem, situation, issue or concern. As such, it often draws upon the agency's philosophy and values to provide direction.
- c. **Definitions**
New or unfamiliar terms or words will be defined. This includes new, uncommon, or unusual terms, expressions, phrases, to include words or phrases used in law or not generally used in the police profession.
- d. **Procedures**
Procedures will be included in each policy statement to the degree necessary to provide officers with sufficient guidance to carry out the policy in accordance with agency requirements and desires. Procedures provide a method for performing an operation or means for proceeding on a course of action.

E. Reference

Identifies relationships to other related department policies.

A handwritten signature in blue ink, appearing to read "Delroy Richards, Sr.", is written over a horizontal line.

Delroy Richards, Sr.
Police Commissioner

POLICY

- 1.3 Written Directives System (WDS)
- 2.7 Audit and Inspection Policy - Organization and Mana...
- 2.8 ESTABLISHMENT OF THE OFFICE OF PROFESSIONAL...
- 2.9 RESTRUCTURING, REFOCUSING AND BEHAWING IN...
- 2.10 Brady Disclosure Requirements
- 2.10 TOURISM-ORIENTED POLICING (TOP)
- 3.1 Use of Force - Rules of Conduct
- 3.2 Rev # 2 - Reporting, Investigating and Review of Forc...
- 3.3 Use of Force Review Board - Rules of Conduct
- 3.4 Firearms - Rules of Conduct
- 3.5 Impact Weapons - Rules of Conduct
- 3.6 Electronic Control Weapon - Rules of Conduct
- 3.7 Rev #3 OC Spray - Rules of Conduct
- 3.8 Off-Duty Official Action - Rules of Conduct
- 3.9 Vehicle Pursuit - Rules of Conduct
- 3.10 DEFLATION DEVICE POLICY - REVISION #1
- 3.10 Spike Strip - Rules of Conduct
- 3.11 rev.1 Canine (K9) Operations - Rules of Conduct
- 3.12 Special Operations - SRT Hostage Negotiation - Rut...
- 3.13 Special Operations: SRT - Sniper Operations - Rules...
- 3.14 Vehicle Accident Policy

To Do






- Sign 005-2018: Personnel Transfer Policy
- Vote on Bodyworn Camera Policy v1.0

Dashboard

Users

Groups

Documents

	Kirk Feulleleau St. Croix - 3120	44 To E
	Luis Ortiz St. John - 3120	43 To E
	Dino Herbert St. John - 3060	42 To E
	Dave Looby St. Croix - 3070	43 To E
	Antoinette Sargeant	41 To E

POLICY

-  3.12 Special Operations - SRT Hostage Negotiation - Rules of Conduct
-  3.13 Special Operations SRT - Sniper Operations - Rules of Conduct
-  3.14 Vehicle Accident Policy
-  3.15 Force Investigation Team - Rules of Conduct
-  3.19 DRUG TESTING POLICY - RULES OF CONDUCT
-  3.21 CONFIDENTIAL INFORMANTS POLICY
-  3.24 RECORDING POLICE ACTIVITY POLICY
-  4.1 Domestic Violence Involving Police Ofc
-  4.6 Psychological Fitness for Duty Evaluation - Personnel
-  6.1 Data Input Plan (EIP) - Risk Management System
-  6.2 Early Intervention Program (EIP) - Risk Management System
-  6.3 Blue Team Protocol - Risk Management System
-  6.4 BEHAVIORAL HEALTH SERVICES
-  7.1 Disciplinary Policy with Matrix - Disciplinary Procedures
-  7.2 Acceptance of Citizen Complaints - Disciplinary Procedures
-  7.3 Rev. #1 Investigating Misconduct And Citizen Complaints
-  10.2 Field Training and Evaluation Program - Training and Care
-  10.4 Roll Call Protocol Training Policy- Training and Care
-  11.1 Media Relations Policy
-  12.1 Rev. #2 Arrest Policy - Arrest Policies

POST DOCUMENTS

Virgin Islands Police Department

To Do

-  Sign 005-2018: Personnel Transfer Policy
-  Vote on Bodyworn Camera Policy v1.0

Dashboard

Users

Groups

Documents

Worksheets

 Kirk Fieulleteau St. Croix - 3130	44 To Do
 Luis Ortiz St. Croix - 3120	43 To Do
 Dino Herbert St. Croix - 3058	49 To Do
 Dave Looby St. Croix - 3078	42 To Do
 Antoinette Sargeant	41 To Do



Government of The Virgin Islands of the United States

CURTIS A. GRIFFIN, JD
ASSISTANT COMMISSIONER

VIRGIN ISLANDS POLICE DEPARTMENT
OFFICE OF THE POLICE COMMISSIONER

Police Operations and
Administrative Services
#45 Mars Hill, Frederiksted
St. Croix, U.S.V.I. 00840
(340) 778-2211

September 5, 2018

Alexander Farrelly Justice Complex
Charlotte Amalie
St. Thomas, U.S.V.I. 00802
(340) 774-2211

Leander Jurgen Command
Cruz Bay
St. John, U.S.V.I. 00830
(340) 693-8880

Memorandum

To: **Chenelle Skepple**
Acting Director IAB

From: **Curtis A. Griffin, JD**
Assistant Commissioner

Subject: **Remedial Action Tracking**


Whenever, a deficiency is uncovered during the review of any administrative investigation, a Remedial Action incident will be entered in the IAPRO system and forwarded to the appropriate section for further action.

In addition to the Remedial Entry, IAB will create new Remedial Action allegations which will be used to assist with tracking types and numbers of remedial actions recommended per officer. A new performance indicator will be created to trigger and alert when an officer reaches or exceeds two or more remedial actions in a rolling twelve-month period. The new allegations for remedial action will include, but be limited to:

1. Deficiency: Investigative Review
2. Deficiency: UOF Report
3. Deficiency: Leading Questions
4. Deficiency: Analysis of Force
5. Deficiency: Analysis of evidence
6. Deficiency: Interview Witness(s)
7. Deficiency: Complete RCL

Whenever an officer receives remedial action for the same type of deficiencies, an Administrative Investigation will be opened against the involved officer.

xc: **Delroy Richards, Sr., Police Commissioner**
Jason Marsh, Deputy Commissioner

		Review Date: September 17, 2018	Effective Date: October 8, 2018	District: ALL	Reference: Consent Decree
		Subject: <u>YIPD Monthly and Annual Evaluations</u>			Number: 010-2018
Amends:	Rescind:	Distribution: All Sworn and Civilian Personnel			Page 1 of 1

I. PURPOSE

It is the purpose of this directive to ensure that all employees of the Virgin Islands Police Department are evaluated in a timely manner.

II. POLICY

Effective October 8, 2018 evaluations must be conducted monthly using the newly developed monthly evaluations forms which will be distributed by the Human Resources Office by September 30, 2018.

The department's monthly evaluations must be utilized as a source from which information is to be drawn when compiling the employee's annual performance rating at the end of the rating period, which will be done online through the department Performance Management System.

The Performance Management System is designed primarily to evaluate and measure the level of performance of the officers. It is intended also to provide supervisory and command personnel as well as the department head with the total job performance of the subordinate employees.

III. EXECUTIVE APPROVAL

Pursuant to the authority granted to the Virgin Islands Police Commissioner in Title 3 V.I.C. § 258, this Directive, to be made a permanent part of the Rules and Regulations of the U.S. Virgin Islands Police Department, is/are hereby approved:

Dated and signed at Frederiksted, St. Croix, USVI, on this 17th day of September 2018.



*Delroy Richards, Sr.
Police Commissioner*

xc: All Sworn & Civilian Personnel of the VIPD
File

CHAPTER 10. MONTHLY PERFORMANCE EVALUATION REPORT10.1 POLICY:

All members of the Virgin Islands Police Department up to and including the rank of Assistant Commissioner are to be rated on a monthly basis by their immediate supervisors. Probationary employees whose probationary period should not exceed one year except upon request by the department head as provided for in the V.I. Rules and Regulations 452-191, are to be rated in a similar manner. Probational employees shall be rated for the first half of the probation period and for the last half of the probation period, and such ratings should be submitted to the Department head, through the Personnel Management Section, four weeks before such ratings are due. Two weeks prior to the anniversary date of the completion of the probationary period, the rater, through the reviewer, shall recommend to the Department head whether or not the employee be granted permanent civil service status.

Government's Employees Performance Report are to be filed for probationary employees both semi-annually and annually. They are also to be filed annually for permanent employees on their anniversary date and for permanent employees whose status had been affected (changed) during the preceding year.

The Department's Monthly Performance Evaluation Report will thus be utilized for its intended purpose and as a source from which information is to be drawn when compiling the Government's Employee Performance Report.

The Department's Monthly Performance Evaluation Report neither supercedes nor rescinds the Government's Employees Performance Report but merely serves as a supplement thereto.

10.2 PURPOSE:

The purpose of this Order is to establish guidelines setting forth the responsibilities for supervisory and command personnel to be at times referred to as the Rater and Reviewer.

10.3 This Order consists of the following Sections:

1. Responsibilities and procedures for Supervisory and Command Personnel.
2. Responsibilities of the Personnel Management Section.
3. The Importance of the Performance Evaluation System.
4. Responsibilities and Procedures for Subordinate Employees Who Feel That They Have Been Rated Unfairly.

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10.3.1

Responsibility of the Rater and Reviewer.

Members charged with the responsibility of evaluating the performance of subordinate personnel shall do so with strict objectivity and shall adhere to and be guided as follows:

(a) Employees who function in non-supervisory capacities are to be rated by their immediate supervisors using only those factors numbered 1 through 10 on the VIPD form #PM-39.

(b) Supervisory personnel are to be rated on all 20 factors appearing on VIPD form # PM-39.

(c) The rating shall be accomplished by giving each of the four factors numerical values with the higher value being applicable to Supervisory personnel. The values will be assigned as follows:

1. Values of (2 or 6) Not Satisfactory: indicate that deficiency has reached serious proportions and that the employee has had ample opportunity to correct it but has failed to do so.
2. Values of (3 or 7) Requires Improvement: Indicates some need for improvement. It means that the employee has shown some indications or evidence that he is not entirely satisfactory.
3. Values of (4 or 8) Meets Standards: Means that an employee is acceptable and his overall performance is satisfactory.
4. Values of (5 or 9) Exceeds Standards: Indicates that an employee is functioning above a general satisfactory level.

(d) Civilian employees will be rated consistent with the provisions of this General Order as well.

(e) Where an employee received an overall rating of "Exceeds Standards" or an overall rating of "Not Satisfactory" a written justification must be included in Section B, or Section E, respectively.

2. The Rater will prepare the rating and then forward it to the employee for review and signature.

3. The employee will review and sign his rating. The employee's signature does not necessarily mean that he agrees with the rating received.

4. Ratings will be typed on the Performance Evaluation Report, signed by the Rater, and initialed by the Reviewing Officer.

10

10

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5. The Government's Employee's Performance Evaluation Report is to be prepared in quadruplicate and forwarded to the Personnel Management Section for processing and distribution.

The Department's Monthly Performance Report will be prepared in duplicate and distributed as follows:

- a) The Original to be issued to the employee.
- b) One xerox copy remains, with the Zone Commander, Bureau or Section Head's file.

6. The required date of submission for the Monthly Performance Evaluation Reports shall be not later than the fifth (5th) day of the succeeding month.

10.3.2 Responsibility of Personnel Management Section

1. The Departmental Personnel Officer shall be custodian of all personnel records. He shall maintain a separate file on each employee inclusive of the employee's performance evaluation. He shall notify the Department's head forthwith of any delinquency in filing of the Government's Employee's Performance Evaluation Report by the various commanders, bureau and section heads.

10.3.3 The Performance Evaluation System

1. The Performance Evaluation System is designed primarily to evaluate and measure the level of performance of all personnel. It is intended also to provide supervisory and command personnel as well as the Department's head with the total job performance of subordinate employees. It shall not be used as a method of disciplinary action. However, the final evaluation may be reflective of some disciplinary action taken in the past.

2. The Employee: Through the Performance Evaluation System the employee is kept constantly abreast of his strong points and weaknesses as they relate to job performance. Through the evaluation system he would be able to improve on his weak points. Supervisor/subordinate interactions are encouraged.

3. The Rater: The Rater must be quick to identify the employee's weaknesses and immediately undertake some corrective actions. He must be able to measure the level of knowledge, skills and abilities of the employee with a view towards improved performance.

10.3.4 Recourse Available to Employees Who Feel That They Have Been Rated Unfairly.

1. An employee who feels that he has been unfairly rated by his supervisor may appeal the results of his evaluation to the Reviewing Officer who shall be his Division Head, e.g., Chief of Police, Administrator or the Commissioner or his designee.
2. The grievance procedures will be as follows:
 - (a) The notice of appeal shall be in writing and directed to the Reviewing Officer with a copy to the Personnel Management Section, provided that no more than five (5) days (for classified non-police personnel) and three (3) days (for police personnel) shall have passed from the day that the employee was first served a copy of his rating and the time of filing the appeal.
 - (b) The Reviewing Officer shall convene a hearing within five (5) days (for police personnel) and within three (3) days (for classified non-police personnel and school crossing guards of receipt of any such appeal.
3. The hearing should be a simple procedure in which the following should take place:
 - (a) The employee shall make known his dissatisfaction with the evaluation by presenting his case to the Reviewing Officer.
 - (b) The Rater will be available to answer any question advanced by the employee and or the Reviewing Officer. The Rater will be able to defend his actions and present a summary justification for same.
 - (c) The Reviewing Officer will examine the facts and resolve the issue. Within five (5) days of the hearing, he shall respond in writing to the employee advising him of his decision. He shall specifically state the basis for his decision. A copy of the decision is to be forwarded to the Personnel Management Section.
 - (d) In the event the employee is not satisfied with the decision of the Reviewing Officer, he may choose to follow the grievance procedures outlined in his respective contract, i.e., PBA, LESU, Civilian, School Crossing Guard.

VIRGIN ISLANDS POLICE DEPARTMENT
UNITED STATES, VIRGIN ISLANDS

PERFORMANCE STANDARDS

- | | |
|----------------------|--|
| Exceeds Standards | 1. <u>JUDGMENTS & DECISIONS</u> |
| | a). Specific demonstrated ability to properly analyze situations that employee responds to, making consistent and reliable decisions under regular circumstances, to include under stress. |
| Meets Standards | b). An employee who normally and with a certain degree of regularity makes the proper decision and judgment not equal to the employee who excels on a constant basis. |
| Requires Improvement | c). An employee who needs frequent guidance and correction in exercising his/her own judgment. This employee also encounters difficulty in knowing when to consult a supervisor for assistance. |
| Not Satisfactory | d). This employee does not have a good sense of judgment and regularly encounters difficulty in this area. He or she has failed to grow with the offered supervision and continues to error. |
| | 2. <u>JOB KNOWLEDGE</u> |
| Exceeds Standards | a). Exceptional ability to apply the learned knowledge and skills of his/her profession. This employee is consistent in excellent work habits and continues to develop the required abilities of the profession. |
| Meets Standards | b). Possesses good job skills and a working knowledge of procedures that are commonly used. |
| Requires Improvement | c). This employee lacks knowledge in some work oriented procedures and has difficulty relating to assignments because of it. Improvement is seen, however, more is required. |
| Not Satisfactory | d). This employee displays a poor working knowledge of the basic procedures as well as governing law and applicable procedure. There is little or no motivation on the part of the employee to correct this problem. |

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- Exceeds Standards 3. DEPENDABILITY
 a). All assignments given this employee are done with confidence that it will be properly handled. This employee accepts responsibility and direction, never giving up.
- Meets Standards b). This employee works well without supervision, never quits and take each assignment as a personal challenge. He/she can accomplish on a better than average level.
- Requires Improvement c). Direction and supervision must frequently be clarified to complete assignment.
- Not Satisfactory d). Completion of assignments is the exception rather than the rule. The employee fails to accept direction and to assume responsibility; considerable supervision is needed.
- Exceeds Standards 4. RELATIONSHIP WITH PEOPLE
 a). Demonstrated use of tact and cooperation in dealing with associates and the public. This employee maintains self control under all situations.
- Meets Standards b). Demonstrates fair and impartial attitude for all persons.
- Requires Improvement c). Often displays an antagonistic or disagreeable attitude with citizens, supervisors and/or peers. Receives one or more verbal reprimands and/or citizens' complaints during rating period in this area.
- Not Satisfactory d). Shows little or no ability to work with others, lacking an emotional maturity equal to his/her profession. Receives verbal and written reprimands in this area during rating period.
- Meets Standards 5. ATTENDANCE (Criteria for standards were based on attendance survey of Departmental personnel; the higher the offense frequency, the lower the standard.)
 a). Always present and on time; begins work assignments immediately. Seldom absent or tardy; notifies supervisor of necessary absence or tardiness.
- Requires Improvement b). Often tardy, absent and/or reports sick

Up to four (4) to six (6) days per month.

Not Satisfactory

c). Has a pattern of sick leave use or habitual use of sick leave privileges, not connected with service related injury, with consideration given to those illnesses that are not of dubious origin.

Exceeds Standards

6. QUALITY OF WORK

a). Consistently produces neat, accurate and acceptable work.

Meets Standards

b). Completes work assignments satisfactorily without excessive supervision.

Requires Improvement

c). Demonstrates some unsatisfactory work, depicting careless errors.

Not Satisfactory

d). Continuously produces unacceptable work, incomplete reports, bad use of discretion.

Exceeds Standards

7. INITIATIVE

a). Consistently acts to produce more efficient, productive or economical methods and procedures through practical suggestions or constructive criticism. Accepts responsibilities assigned to him/her without hesitation.

Meets Standards

b). Shows evidence of thoroughness and handles all duties assigned without seeking help or advice except in unusual circumstances.

Requires Improvement

c). Seldom shows initiative; performance is routine in handling assigned duties.

Not Satisfactory

d). Shows no initiative, avoids assignments or fails to follow-up on situations.

Meets Standards

8. GROOMING, DRESS AND APPEARANCE

a). Consistently clean, neat, well-groomed and appropriately dressed in compliance with departmental standards.

Requires Improvement

b). Inconsistent in observing proper attire for work and rules of good grooming.

Not Satisfactory

c). Un-shaven, unkempt hair, dirty shoes, uniforms or clothing, sloppy posture. Total lack of personal hygiene.

9. VOLUME OF ACCEPTABLE WORK

- Exceeds Standards a). Consistently produces more acceptable work than is required.
- Meets Standards b). Work of employee meets departmental standards.
- Requires Improvement c). Production potentials are rarely realized.
- Not Satisfactory d). Fails to meet set goals and objectives and fails to put forth extra efforts.
- Exceeds Standards 10. OPERATION AND CARE OF EQUIPMENT
a). Consistently checks equipment to ascertain its cleanliness and serviceability; request maintenance and repairs when necessary.
- Meets Standards b). Makes periodic checks of equipment; practice safe driving techniques and safeguards equipment from loss, theft or destruction.
- Requires Improvement c). Frequently careless with equipment.
- Not Satisfactory d). Fails to inspect equipment, is grossly negligent in operating equipment.
- Exceeds Standards 11. SUPERVISORY CONTROL
a). Consistently maintains proper discipline and is in full control of subordinates at all times. Is thorough and accurate in analysis of reports, investigations, procedures, data and facts.
- Meets Standards b). Exacts obedience to commands without resentment, maintains discipline of subordinates and reviews the work of subordinates to ensure the presence of all essential facts.
- Requires Improvement c). Is lenient in maintaining discipline. At times lacks control of subordinates; is inconsistent in reviewing the accuracy of work of subordinates.
- Exceeds Standards 12. LEADERSHIP
a). Gains confidence of subordinates and supervisors. Evaluations are consistently objective and indicate when and how subordinates work can be improved. Makes subordinates want to work through example.

- Meets Standards b). Willingness to listen, to adopt the ideas of others; the ability to influence subordinates' attitude towards positiveness and exhibits fairness and firmness in evaluating and dealing with subordinates.
- Requires Improvement c). Allows the opinions of others to persuade him/her to act unwisely; lenient in evaluating subordinates. Does not treat all subordinates impartially.
- Not Satisfactory d). Fails to inspire confidence. Unable to effectively substantiate evaluation given subordinates. Lacks the ability to motivate subordinates.
- Exceeds Standards 13. PLANNING, ORGANIZING, SCHEDULING AND COORDINATING
- Meets Standards a). Constantly keeps alert to possibilities or work simplifications, analyzes and then puts into effect improved and more efficient work processes and schedules.
- Requires Improvement b). Plans improvements or changes and places them into effect in a logical and systematic manner. Effects the necessary scheduling and coordination of work.
- Not Satisfactory c). Very little planning and organizing on his own; goes along with others' recommendations.
- Exceeds Standards d). Makes no attempt to improve the work process; fails to keep supervisor informed of problems.
- Meets Standards 14. TRAINING AND INSTRUCTING
- Requires Improvement a). Consistently provides training and instructions to subordinates on changing rules, procedures and techniques of the department and assists subordinates in self-development programs.
- Not Satisfactory b). Provides periodic instructions and training to subordinates on specific standards of procedures and for the correction of any technical skill deficiencies.
- Meets Standards c). Limits training and instructions of subordinates to roll call. Holds infrequent meetings with staff.
- Requires Improvement d). Makes no attempt to train and instruct

subordinates.

15. EVALUATING SUBORDINATES

- Exceeds Standards a). Evaluations are consistently objective and indicates when and how subordinates work can be improved.
- Meets Standards b). Exhibits fairness and firmness in evaluating and dealing with subordinates and dealing with subordinates, and in turn receives respect from them. Needs only minimal direction from supervisor.
- Requires Improvement c). Allows the opinions of others to unwisely effect his/her job performance. Often too lenient in evaluating subordinates and deals with them on an impartial basis.
- Not Satisfactory d). Fails to inspire confidence and cannot effectively substantiate evaluation provided for subordinates. Overall lack of ability to motivate subordinates.

16. MANAGING FINANCIAL AND MATERIAL RESOURCES

- Exceeds Standards a). Excellent demonstration of fiscal accountability and efficient utilization of resources. Excellent coordination in executing budget and material planning. consistent concern with unit productivity and manpower utilization to include over-time requirements.
- Meets Standards b). A good overall demonstrated ability of fiscal management and utilization of means to accomplish same. Usually can be counted on to apply sound management principles and develops control and techniques to ensure accomplishment.
- Requires Improvement c). Cannot be categorized to be reliable in all aspects of control of the financial and material resources at his disposal. Usually needs correction or assistance in completing tasks in this area, however, does possess a will to improve.
- Not Satisfactory d). Unreliable in performance of management of material and financial resources. Cannot conceptualize needs of department nor organize necessary programs and procedures to increase effectiveness and efficiency of his/her command. Shows no

improvement nor desire to change performance.

17. MEETING DEADLINES
- | | | |
|----------------------|-----|---|
| Exceeds Standards | a). | Consistently meets reasonable deadlines. |
| Meets Standards | b). | Makes an honest attempt to meet deadlines; gives advance notice when deadlines cannot be met. |
| Requires Improvement | c). | Seldom meets deadlines. |
| Not Satisfactory | d). | Shows no attempt to meet deadlines and is consistently and excessively late in meeting deadlines. |
18. MANAGING HUMAN RESOURCES
- | | | |
|----------------------|-----|---|
| Exceeds Standards | a). | Excellent ability in securing cooperation of subordinates. Obtains optimum results by the efforts of others. Shows great skill in relating to peers and subordinates. |
| Meets Standards | b). | Provides a fairly consistent ability to accomplish tasks by using manpower at his/her disposal. Has some problems in accomplishing total results. |
| Requires Improvement | c). | Exhibits a need for improvement in managing those who work within his/her command, resulting in little or no trust or respect from subordinates. |
| Not Satisfactory | d). | A need for great change and improvement. No teamwork exists within his/her command and he does not have the ability to achieve results through the efforts of others. |
19. MANAGING WORK SYSTEMS AND OPERATIONS
- | | | |
|----------------------|-----|--|
| Exceeds Standards | a). | Excels in planning, organizing and controlling of duties accountable to position. Develops the activities that create efficiency and effectiveness with the department's interest in mind. |
| Meets Standards | b). | Shows good ability in short and long term planning, and is adaptable to change. Often exhibits good skills; little assistance from supervisor is required to accomplish goals or objectives. |
| Requires Improvement | c). | Delegation of tasks is not always clear and as a result, responsibilities of |

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subordinates tend to suffer in performance. Improvement is required so that adequate and acceptable control of subordinates is maintained.

Not Satisfactory d). Unable to provide acceptable management of programs and activities that improve efficiency and effectiveness of command and department. No indication that change is occurring and cannot conceptualize what is required to accomplish acceptable standards.

Exceeds Standards 20. MANAGING INFORMATION

a). Displays excellent performance in written and verbal communications and encourages open communication with all subordinates. All reports are timely, concise and understandable.

Meets Standards b). Shows good skill in communicating with others and produces acceptable reports. Suggestions are listened to and in turn staff is informed. Little supervision is needed to have tasks fulfilled.

Requires Improvement c). Performance in communicating to subordinates is poor, however, a recognizable effort is made. Utilization of information sources is sporadic and requires assistance on a frequent basis. Self-recognition of shortcomings is evident, however, a problem to overcome.

Not Satisfactory d). Performance in written and verbal communication is poor with no effort to upgrade abilities.

Section B Record Job Stereotypes and Superior Performance Incidents

Section C Record progress achieved in attaining previously set goals for improved work performance, or career development

Section D Record specific goals or improvement programs to be undertaken during the next evaluation period

Section E Record specific work performance deficiencies or job behavior requiring improvement or correction. Points in Column (A) must be explained.

(Rater's Signature) (Title) (Date)

(Reviewer's Signature) If no so indicate (Title) (Date)

(Employer's Signature) (Title) (Date)

Employee I certify that this report has been discussed with me. I understand my signature does not necessarily indicate agreement.

Employee's Comment _____

**MONTHLY PERFORMANCE EVALUATION REPORT
VIRGIN ISLANDS POLICE DEPARTMENT
UNITED STATES, VIRGIN ISLANDS**

ST. CROIX ST. THOMAS ST. JOHN

Employee Name _____
Last First Middle Initial Rank

Type of Duty Performed _____, Command or Office Assigned _____

Period Covered by This Evaluation From _____ To _____

PERFORMANCE MEASUREMENTS

<u>Non-Supervisory Employee</u>	<u>Points Scored</u>	<u>Supervisory Employee</u>	<u>Points Scored</u>
Exceeds Standards	_____	Exceeds Standards	_____
Meets Standards	_____	Meets Standards	_____
Requires Improvement	_____	Requires Improvement	_____
Not Satisfactory	_____	Not Satisfactory	_____

Section A PERFORMANCE FACTORS

Instructions: (Supervisors) Supervisors must indicate the appropriate points for each factor. Points in columns (A) & (B) must be explained in Sections B & C. Refer to General Order No. 01-2 for further instructions.

	A	B	C	D
Points	2 or 0	3 or 1	4 or 0	5 or 0

All Employees

1. Judgment and Decisions				
2. Job Knowledge				
3. Dependability				
4. Relationship with People				
5. Attendance				
6. Quality of Work				
7. Initiative				
8. Growing Work and Appearance				
9. Volume of Assignable Work				
10. Operation and Care of Equipment				

Supervisory Employees Only

11. Supervisory Control				
12. Leadership				
13. Planning and Organizing				
14. Training and Instructing				
15. Evaluation Subordinates				
16. Managing Financial and Material Resources				
17. Meeting Deadlines				
18. Managing Human Resources				
19. Managing Work Systems and Operations				
20. Managing Information				

GOVERNMENT OF THE U. S. VIRGIN ISLANDS		(CLERICAL & ADMINISTRATIVE) EMPLOYEE PERFORMANCE REPORT					
(READ THE REVERSE SIDE BEFORE FILLING OUT)							
EMPLOYEE NAME		JOB CLASSIFICATION	DEPARTMENT				
REASON FOR EVALUATION DATE (1)			RATING PERIOD				
(2)			FROM TO:				
<input type="checkbox"/> PROBATION <input type="checkbox"/> FINAL PROBATION <input type="checkbox"/> ANNUAL <input type="checkbox"/> SPECIAL (EXTENSIONS, ETC.)							
SECTION A—FACTOR CHECK LIST Immediate Supervisor Must Check Each Factor in the Appropriate Column		A	B	C	D	E	SECTION B— Record job STRENGTHS and superior performance incidents.
		Not Satisfactory	Requires Improvement	Meets Standards	Exceeds Standards	Does Not Apply	
1 Obstructance of Work Hours							SECTION C— Record PROGRESS ACHIEVED in attaining previously set goals for improved work performance, or career development.
2 Attendance							
3 Grooming and Dress							SECTION D— Record specific GOALS or IMPROVEMENT PROGRAMS to be undertaken during next evaluation period.
4 Compliance With Rules							
5 Safety Practices							SECTION E— Record specific work performance DEFICIENCIES or job behavior requiring improvement or correction. (Explain checks in Column A)
6 Attitude Towards Public							
7 Attitude Towards Employees							SUMMARY EVALUATION— Check Overall Performance— Satisfactory () Requires Improvement () Effective Meets Standards () Exceeds Standards () Not
8 Knowledge of Work							
9 Work Judgments							RATER: I certify this report represents my best judgment () I do () Do not recommend this employee be granted permanent status. (For final probation reports only)
10 Planning and Organizing							
11 Job Skill Level							(Rater's Signature) (Title) (Date)
12 Quality of Work							
13 Volume of Acceptable Work							Department Head:
14 Meeting Deadlines							
15 Accepts Responsibility							REVIEWER: (If Non-Su Indicate) (Reviewer's Signature) (Title) (Date)
16 Accepts Direction							
17 Accepts Change							EMPLOYEE: I certify that this report has been discussed with me. I understand my signature does not necessarily indicate agreement.
18 Effectiveness Under Stress							
19 Appearance of Work Station							Comment:
20 Operation and Care of Equipment							
21 Work Coordination							(Employee's Signature) (Date)
22 Initiative							
23 (Additional Factors)							Checks in Column (A) Must be explained in Section E
24							
25							SEE INSTRUCTIONS ON REVERSE SIDE
26							
27							PERSONNEL COPY
28							
29							
FOR EMPLOYEES WHO SUPERVISE OTHERS							
30 Planning and Organizing							
31 Scheduling and Coordinating							
32 Training and Instructing							
33 Productivity							
34 Evaluating Subordinates							
35 Judgments and Decisions							
36 Ability to Motivate Employee							
37 Operational Economy							
38 Supervisory Control							
39 (Additional Factors)							
40							
41							
(PRELIMINARY EVALUATION)							
RATED BY: DATE:							
DEPT. HEAD: DATE:							

INSTRUCTIONS

FOR USE OF THE PERFORMANCE EVALUATION REPORT FORM

GENERAL: 1. After marking lightly with pencil each factor in Section A, the rater should review the report with his own principal or department head. If any markings and comments should then be typed or inked in. Either the rater or customer (or both) should then review the rating with the employee in a private interview. All signatures shall be in ink. Changes and corrections shall be initialed by the employee.

2. If space for comments is inadequate, similarly dated and signed attachments may be made (either type written or in ink).

3. Due dates shall be observed and are particularly important for final probationary reports. Filing dates for these are flexible, and both the first and the final reports may be filed at any time between their receipt and the printing due date.

4. Unscheduled reports may be filed at any time for either permanent or probationary employees.

5. The "Guide to Performance Evaluation of Classified Employees" should be consulted for suggestions, definitions, interpretations and further instructions.

6. All performance evaluation reports in an employee's Personnel Department file are subject to review by principals or department heads whenever the employee is certified for transfer or promotion.

SECTION A: Check (✓) one column for each factor. Column (e) may be checked when a factor is not considered applicable to a particular job. Additional spaces have been provided to write in any additional factors. Each check mark in Column (a) requires specific explanation in Section E.

SECTION B: May be used to describe outstanding qualities or performances, particularly when check marks in Column (d) do not seem adequately descriptive.

SECTION C: Use to record progress or improvement in performance resulting from employee's efforts to reach previously set goals.

SECTION D: Record agreed-upon or prescribed performance goals for the next evaluation period.

SECTION E: Give specific reasons for check marks in Column (a). Explanations of check marks in Column (b) are optional. Record here any other specific reasons why the employee should not be recommended for permanent status, or—if the employee is already permanent—any specific reasons for required improvement.

SUMMARY EVALUATION: Check the overall performance here, taking into account all factors and total performance over the full period of service being evaluated.

Exceeds Standards: Total performance is well above normal standards for the position. This evaluation should be reflected by marks for critical factors in Section A, and superior or excellent performance should be noted in Section B. Only a few employees would normally qualify for this rating.

Effective—Meets Standards: Consistently competent performance meeting or exceeding standards in all critical factors for the position. If margin is narrow and standards barely met, explain in Section E. Most employees would be rated in this category.

Requires Improvement: Total performance periodically or regularly falls short of normal standards. Specific deficiencies should be noted in Section E. This evaluation indicates the supervisor's belief that the employee can and will make the necessary improvement.

Not Satisfactory: Performance clearly inadequate in one or more critical factors as explained or documented in Section E. Employee has demonstrated inability or unwillingness to improve or to meet standards. Performance not acceptable for position held. (Note: Such summary evaluation bars the employee from promotional examinations for one year.)

SIGNATURES: Both the rater and the employee shall date and sign the report. The employee's signature indicates that the conference has been held and that he has had an opportunity to read the report. If he refuses to sign for any reason, explain that his signature does not necessarily imply or indicate agreement with the report, and that space is provided for him to state any disagreement. Further refusal to sign shall be recorded on the report, after which it shall be forwarded.

APPEAL: Evaluation reports express the judgment and opinions of supervisory authority, and as such are not subject to appeal under rules of the Merit System unless there has been a resultant action taken to suspend demote, or demote a permanent employee, or to deny within-grade salary increases.

INSTRUCTIONS FOR PREPARATION OF THE GOVERNMENT'S
EMPLOYEE PERFORMANCE REPORT

Although the Department's Monthly Performance Evaluation Report lists only twenty (20) performance factors as compared to the Government's Employees Performance Report which lists thirty-one (31) performance factors, all of the factors in the Government's Employee Performance Report are incorporated in the Department's Monthly Performance Evaluation Report.

This is achieved by combining all similar and duplicated performance factors under one factor.

An analysis of both reports will show that the Department's Monthly Performance Evaluation Report is applicable to the Government's Employees Performance Report. (See enclosed report)

INSTRUCTIONS for converting the numerical indicators to a letter, re: "X"

In the preparation of the Government's Employee Performance Report (which is prepared annually or in a change of status of an employee) the supervisor shall be guided by the following steps:

STEP 1. of the four performance standards, indicate the number of points received for each factor from the employee's monthly performance report for the rating period.

STEP 2. Multiply the total number of points received for each standard, (Exceed Standard, Meets Standard, Requires Improvement and Not Satisfactory) by the number of times the employee received those points throughout the rating period for each factor.

A). The highest number of points received of the four standards, when multiplied, shall indicate that employee's overall performance for that factor. Follow this procedure for all factors.

Step 2 shall also be utilized to determine the overall score on a monthly basis.

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EXAMPLE

STANDARDS

- EXCEEDS STANDARDS = 5 or 9 points
- MEETS STANDARDS = 4 or 8 points
- REQUIRES IMPROVEMENT = 3 or 7 points
- NOT SATISFACTORY = 2 or 6 points

STEP 1.

FACTORS	MONTHS										
	1	2	3	4	5	6	7	8	9	10	11
1. Judgement and Decisions											
2. Job Knowledge											
3. Dependability											
4. Relationship with people											
*5. Attendance:											
Times late/absent/sick											
Points											
0											
1-3											
4-6											
7 or more											
6. Quality of work	4	5	4	2	3	4	4	5	3	3	
7. Initiative											
8. Grooming, Dress and Appearance											
9. Volume of Acceptable Work											
10. Operation & Care of Equipment											
11. Supervisory Control											
12. Leadership											
13. Planning & Organizing											
14. Training and Instructing											
15. Evaluating Subordinates											
16. Managing Financial & Material Resources											
17. Meeting Deadlines											
18. Managing Human Resources											
19. Managing Work Systems & Operations											
20. Managing Information											
* Frequencies of offenses shall decrease the number of points.											

STEP 2. (eg., non supervisory employee)

- 2X5 = 10
- 4X4 = 16 Meets Standards
- 4X3 = 12
- 2X2 = 4

STEP 2 CONT.

1.	Judgements and Decisions	
2.	Job Knowledge	
3.	Dependability	
4.	Relationship with People	
5.	Attendance	
6.	Quality of Work	
7.	Initiative	
8.	Grooming, Dress and Appearance	
9.	Volume of Acceptable Work	
10.	Operation and Care of Equipment	
11.	Supervisory Control	
12.	Leadership	
13.	Planning and Organizing	
14.	Training and Instructing	
15.	Evaluating Subordinates	
16.	Managing Financial and Material Resources	
17.	Meeting Deadlines	
18.	Managing Human Resources	
19.	Managing work Systems and Operations	
20.	Managing Information	
STANDARDS		
	Exceeds Standards	10
	Meets Standards	16
	Requires Improvement	12
	Not Satisfactory	4

These overall points received for each factor from the Department's Monthly Performance Evaluation Report shall be appropriately transferred by marking "X" to the correspondence factor (s) and standards on the Government's Employee Performance Report.

This system shall be followed through in determining the "Summary Evaluation " on the Government's Employees Performance Report.

If an equal amount of points are accumulated for more than one standard when multiplied, re: Meets Standards and Requires Improve-

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ment, each having highest points of sixteen (16), the overall total number of points will be divided by the total number of factors involved. Supervisors should base his final decision as to which factor gets the credit by re-examining employee's performance during the marking period.

The thirty-one (31) performance factors listed in the Government Employees Performance Report is incorporated in the Department's Performance Evaluation Report in the following manner:

The below performance factors were selected by the Department because:

1. They are easily observed, frequently performed, clearly understood functions which are relevant to getting the job properly done.
2. They are consistent and demonstrably associated with all jobs performed within the Virgin Islands Police Department and consist of the entire range of behavior essential to performing the job.
3. Yet, they are flexible enough so that achievement measures can be set to reflect accurately and realistically the requirements of different positions, levels of assignments and operating conditions.

The number (s) listed on the right of each factor below signifies the corresponding number of that factor on the Government Employee's Performance Report. Therefore, in the preparation of the Government Employee Performance Report, points and standards given to a factor on the Department's Monthly Performance Evaluation Report shall correspond with all other such factors listed below.

1. Judgment and Decisions #35

- Work Judgment #19
- Effectiveness Under Stress #18
- 2. Job Knowledge
 - * Compliance with Rules #4
 - Knowledge of Work #8
 - Job Skill Level # 11
- 3. Dependability
 - Accepts Responsibility #15
 - Accepts Direction #16
 - Accepts Change #17
- 4. Relationship with People
 - Attitude towards Public #6
 - Attitude towards employees #7
- 5. Attendance #2
 - Observance of Working Hours #1
- 6. Quality of Work #12
- 7. Initiative #22
- 8. Grooming, Dress and Appearance #3
- 9. Volume of Acceptable Work #13
 - Productivity #33
- 10. Operation and Care of Equipment #20
 - * Safety Practices #5
 - Appearance of Work Station #19
- 11. Supervisory Control #38
- 12. Leadership
 - Ability to motivate employee #36
- 13. Planning and Organizing #10 & #30
 - Scheduling and Coordinating #31

Work Coordination #31

14. Training and Instructing #32
15. Evaluating Subordinates #34
16. Managing Financial and Material Resources
Operational Economy #37
17. Meeting Deadlines #14
18. Managing Human Resources
19. Managing Work Systems and Operations
21. Managing Information

* Wherein an employee receives an "Exceeds Standards" for Job Knowledge or Operation and Care of Equipment on the Department's Monthly Performance Evaluation Report, that employee should be rated "Meets Standards" for Compliance with Rules and Safety Practices respectively, when preparing the Government Employee Performance Report.

ASSIGNMENT ORDER

(For Internal Use Only)

AFFECTED EMPLOYEE	RANK/TITLE	ACTION TAKEN	EFFECTIVE DATE
MARK CORNEIRO	LIEUTENANT	TRANSFER	MONDAY JULY 16, 2018
FROM	TO	AREA ASSIGNED	COMMANDER
OFFICE OF THE CHIEF OF POLICE	OFFICE OF THE POLICE COMMISSIONER	INTERNAL AFFAIRS AND APPLICANT SCREENING BUREAU	ASSISTANT COMMISSIONER CURTIS GRIFFIN, JD
AMEND/RESCIND	DISTRIBUTION		
Curtis A. Griffin, JD, Assistant Commissioner Jason K. Marsh, Deputy Commissioner Winsbut McFarland, Sr., Territorial Chief of Police Edmund Walters, Acting Assistant Chief – STX Cpt. Mary Duggan, Special Assistant to the Commissioner IAU/H.R./Payroll Section File			

Your transfer from the Office of the Chief of Police to the Office of the Police Commissioner will take effect as noted above. Prior to the effective date, you shall contact Assistant Commissioner Griffin for briefing and instruction.

Deputy Chiefs, Commanders, Managers and Supervisors per EIP Policy 6.2 are required to review EIP system records of all officers recently transferred to their Zones, Bureaus and Section/Unit within Five (5) days following the transfer action.

Dated this: 10th day of July, 2018

By Order Of:



Delroy Richards, Sr.
Commissioner

Note:

Re-Assignment takes place when an employee is removed from one activity center to another within the same division. Transfer takes place when an employee is moved from one division to another.

ASSIGNMENT ORDER

(For Internal Use Only)

AFFECTED EMPLOYEE	RANK/TITLE	ACTION TAKEN	EFFECTIVE DATE
RICHARD MATTHEWS	LIEUTENANT	TRANSFER	MONDAY JULY 16, 2018
FROM	TO	AREA ASSIGNED	COMMANDER
OFFICE OF THE CHIEF OF POLICE	OFFICE OF THE POLICE COMMISSIONER	INTERNAL AFFAIRS AND APPLICANT SCREENING BUREAU	ASSISTANT COMMISSIONER CURTIS GRIFFIN, JD
AMEND/RESCIND	DISTRIBUTION		
Curtis A. Griffin, JD, Assistant Commissioner Jason K. Marsh, Deputy Commissioner Winsbut McFarland, Sr., Territorial Chief of Police Edmund Walters, Acting Assistant Chief – STX Cpt. Mary Duggan, Special Assistant to the Commissioner IAU/H.R./Payroll Section File			

Your transfer from the Office of the Chief of Police to the Office of the Police Commissioner will take effect as noted above. Prior to the effective date, you shall contact Assistant Commissioner Griffin for briefing and instruction.

Deputy Chiefs, Commanders, Managers and Supervisors per EIP Policy 6.2 are required to review EIP system records of all officers recently transferred to their Zones, Bureaus and Section/Unit within Five (5) days following the transfer action.


Dated this: 10th day of July, 2018

By Order Of:

**Delroy Richards, Sr.
Commissioner**

Note:

Re-Assignment takes place when an employee is removed from one activity center to another within the same division. Transfer takes place when an employee is moved from one division to another.

		Review Date: None	Effective Date: September 7, 2018	District: ALL	Reference: VIPD Manual
		Subject: Force Investigations Inspector (FII)			Number: 2018-006
Amends: N/A	Replaces:	Distribution: All Personnel			Page 1 of 1

I. PURPOSE

The purpose of this directive is to establish a Force Investigation Inspector (FII) who will review and approve Level 2 and 3 Use of Force Investigations. This will aid in the facilitation of accurate, thorough and complete investigations.

II. POLICY

The authority to use force carries with it the need for accountability in order to safeguard the rights of the public, preserve the integrity of the VIPD, and the jurisdiction that provides this authority. The policy of the VIPD is to value and preserve human life when exercising lawful authority to use force.

As such, it is the policy of this department that ALL use of force incidents, as designated herein, shall be reported, investigated, and reviewed in a timely, complete, and accurate manner, as prescribed by this policy. Any officer or supervisor, who used force, who was present during the incident, or who authorized conduct leading to the use of force shall not be allowed to conduct the investigation.

III. PROCEDURES

A. Force Investigation Inspector

1. There shall be an FII in each District
2. The FII shall have a rank of Lieutenant or above
3. Shall display exemplary knowledge of force investigation requirements,

**Office of the
POLICE
COMMISSIONER**



DIRECTIVE

Subject: Force Investigations Inspector (FII)

Number:
2018-003

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4. Shall be selected by the Deputy Commissioner or designee

B. Level 2 or 3 Investigations: (Force Investigation Inspector)

Responsibilities

1. The FII shall review supervisors' Level 2 and Level 3 investigations and shall ensure the following:
 - a. That the supervisors responded to the scene of the reportable use of force;
 - b. That all applicable Response to Resistance Reports were submitted within the specified time;
 - c. That the forms were reviewed and signed by the supervisor;
 - d. The use of force is reported accurately and completely, and that all information concerning the incident is consistent in all reports. Where there are discrepancies between the reports, the FII shall make further inquiry into the matter and, if necessary, return the reports to the supervisor for corrections, clarification, and review before final approval;
 - e. Require the supervisor to conduct any further investigation of the incident as may be deemed necessary;
 - f. Evaluate each investigation conducted by supervisors, identify deficiencies in those reviews, and require supervisors to correct any deficiencies.
2. In the event the investigating Supervisor has recommended the Force Review Board review the force incident the FII may:
 - a. Concur with the Supervisor's recommendations;
 - b. Not-concur with the Supervisor's recommendations and clearly document the reasons within the conclusion of the review document.

**Office of the
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COMMISSIONER**

DIRECTIVE

Subject: Force Investigations Inspector (FII)

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3. FII and/or Commanders shall hold supervisors accountable for the quality of their investigations. Appropriate non-disciplinary corrective action and/or disciplinary action shall be taken when a supervisor fails to conduct a timely and thorough investigation, neglects to recommend appropriate corrective action, or neglects to implement appropriate corrective action.
4. Investigations shall be returned by the reviewing FII to the investigating supervisor for further investigation, if needed, *providing the investigation is within the specified time limitations.*
5. Approve Level 2 or Level 3 use of force investigations and issue appropriate disposition letters.
6. The FII shall submit findings and conclusions to the Internal Affairs within five (5) days after receipt of the completed investigative case file from the investigating supervisor.

THIS DIRECTIVE SHALL BE READ IN ROLL CALL FOR FIVE (5) CONSECUTIVE DAYS.

**Office of the
POLICE
COMMISSIONER**

DIRECTIVE

Subject: Force Investigations Inspector (FII)

Number:
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V. EXECUTIVE APPROVAL

Pursuant to the authority granted to the Virgin Islands Police Commissioner in Title 3 V.I.C. § 258, this Directive, to be made a permanent part of the Rules and Regulations of the U.S. Virgin Islands Police Department, is/are hereby approved:

Dated and signed at Charlotte Amalie, St. Thomas, USVI, on this _____ day of September 2018.

Approved by:



Delroy Richards, Sr.
Police Commissioner

Date: 9/7/18

District of St. Croix

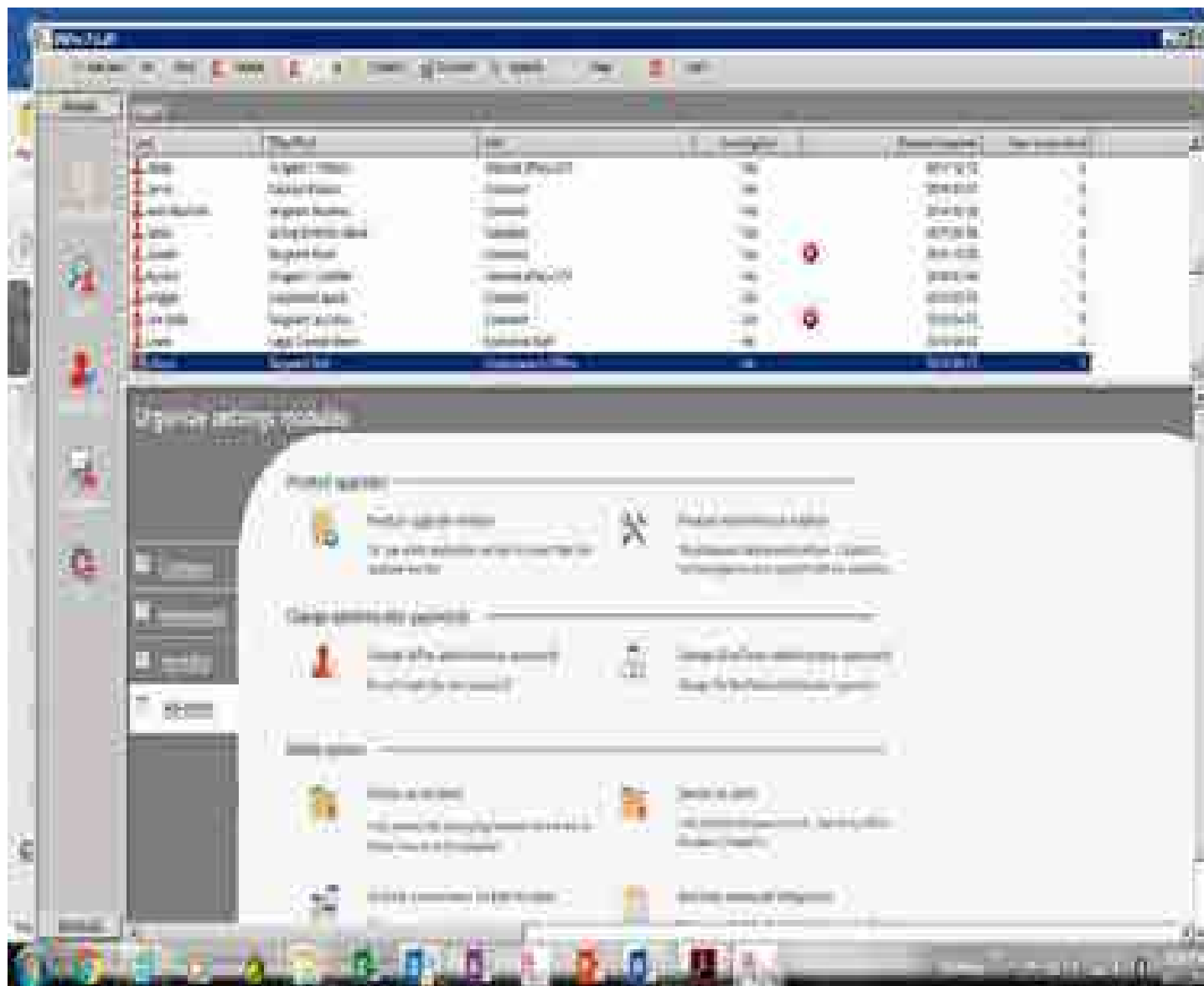
Special Operations Bureau	IA Case No	Respondent Officer	Incident type	Received Dt	Allegation(s)	Investigator	Due Dt	Status	Disposition	Completed Dt	Days Out	Investigative Issues - Please insert reasons for delay in investigation
Special Ops: Squad I	CCX2018-0003	[REDACTED]	Citizen complaint	17-Jan-18	B. 31: Using rude, coarse, violent, profane, vulgr, sarcastic, or insulting language &/or conduct to the public or officer / C.5: Actions amounting to harassment and/or intimidation of a citizen, department or government employee	[REDACTED]	16-Feb-18	Completed	Not Sustained	6-Mar-18	207	
Special Ops Squad II	CCX2018-0017	[REDACTED]	Citizen complaint	18-Feb-18	A. 12: Failure to be tactful, controls temper, & exercise the utmost patience & discretion in the performance of duties	[REDACTED]	20-Mar-18	Completed	Not Sustained	19-Mar-18	175	
K-9 Unit	CCX2018-0032	[REDACTED]	Citizen complaint	27-Apr-18	C. 32: Unprofessional conduct involving an act of violence where elements of a misdemeanor are met, regardless of whether	[REDACTED]	16-Aug-18	Completed	Sustained	15-Aug-18	26	
	CCX2018-0034	Unk Officer	Citizen complaint	30-Apr-18	C. 5: Actions amounting to harassment and/or intimidation of a citizen, department or government employee	[REDACTED]	19-Jun-18	Completed	Not Sustained	16-Jul-18	84	
SOB 500-1700	CCX2018-0038	[REDACTED]	Citizen complaint	11-May-18	A. 54: Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attent	[REDACTED]	10-Jun-18	Completed	Sustained	12-Jun-18	93	
SOB 500-1700	CCX2018-0038	[REDACTED]	Citizen complaint	11-May-18	A. 54: Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attent	[REDACTED]	10-Jun-18	Completed	Sustained	12-Jun-18	93	
Special Ops: Squad I	CCX2018-0041	[REDACTED]	Citizen complaint	30-May-18	C. 46: Excessive use of force that results in injuries / C. 1: Failure to prepare Response to Resistance Reports in accordance with the Reportable Use of Force Policy.	[REDACTED]	29-Jun-18	Active			74	
SOB 600-1800	CCX2018-0043	[REDACTED]	Citizen complaint	8-Jun-18	C. 5: Actions amounting to harassment and/or intimidation of a citizen, department or government employee / B. 31: Using rude, coarse, violent, profane, vulgr, sarcastic, or insulting language &/or conduct to the public or officer	[REDACTED]	8-Jul-18	Completed	Not Sustained	24-Jul-18	65	
SOB 500-1700	CCX2018-0043	[REDACTED]	Citizen complaint	8-Jun-18	B. 31: Using rude, coarse, violent, profane, vulgr, sarcastic, or insulting language &/or conduct to the public or officer	[REDACTED]	8-Jul-18	Completed	Not Sustained	24-Jul-18	65	
SOB 600-1800	CCX2018-0043	[REDACTED]	Citizen complaint	8-Jun-18	B. 31: Using rude, coarse, violent, profane, vulgr, sarcastic, or insulting language &/or conduct to the public or officer	[REDACTED]	8-Jul-18	Completed	Not Sustained	24-Jul-18	65	
K-9 Unit Sup	CCX2018-0043	[REDACTED]	Citizen complaint	8-Jun-18	B. 31: Using rude, coarse, violent, profane, vulgr, sarcastic, or insulting language &/or conduct to the public or officer	[REDACTED]	8-Jul-18	Completed	Not Sustained	24-Jul-18	65	
K-9 Unit	CCX2018-0049	[REDACTED]	Citizen complaint	11-Jul-18	A. 53: Failure to submit a written request for off-duty employment for approval prior to engaging in such employment / D. 28: Unprofessional Conduct... elements of a felony met... / C. 5: Actions amounting to harassment and/or intimidation of a citizen, department or government employee	[REDACTED]	10-Aug-18	Completed	Sustained	6-Sep-18	32	
	CCX2018-0051	Unk Officer	Citizen complaint	17-Jul-18	A. 22: Failure to prepare a departmental report when required	[REDACTED]	16-Aug-18	Completed	Administratively Closed	19-Jul-18	26	
Command	CCX2018-0061	[REDACTED]	Citizen complaint	28-Aug-18	B. 31: Using rude, coarse, violent, profane, vulgr, sarcastic, or insulting language &/or conduct to the public or officer / A. 54: Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attent / B. 29: Unsatisfactory Performance: Failure to thoroughly search for persons, property & locations, or collect, preserve... / B. 3: Failure to assist any person rqst information or advice, or making complaints, reports, by telephone or in person	[REDACTED]	27-Sep-18	Forwarded			-16	
	CCX2018-0061	Unk Officer	Citizen complaint	28-Aug-18	None Linked	[REDACTED]	27-Sep-18	Forwarded			-16	
Command	CCX2018-0062	[REDACTED]	Citizen complaint	28-Aug-18	A. 54: Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attent / A. 12: Failure to be tactful, controls temper, & exercise the utmost patience & discretion in the performance of duties	[REDACTED]	27-Sep-18	Forwarded			-16	
Special Ops: Squad I	CAX2018-0011	[REDACTED]	Command Investigation	18-Apr-18	C. 4: Abuse, or negligently damaging or losing Department equipment: or intentionally damaging and/or destroying departmen	[REDACTED]	18-May-18	Completed	Not Sustained	24-May-18	116	

District of St. Croix

Command	CCX2018-0063	[REDACTED]	Command Investigation	2-Sep-18	C.5: Actions amounting to harassment and/or intimidation of a citizen, department or government employee	[REDACTED]	2-Oct-18	Active				-21
Command	CAX2018-0032	[REDACTED]	Command Investigation	6-Sep-18	C.4: Abuse, or negligently damaging or losing Department equipment; or intentionally damaging and/or destroying departmen	[REDACTED]	6-Oct-18	Initial				-25
	CAX2018-0033	Unk Officer	Command Investigation	7-Sep-18	A. 48: Failure to immediately notify a supervisor of a traffic accident involving a Department Vehicle	Un-assigned	7-Oct-18	Forwarded				-26
Special Ops Squad II	UOFX2018-0004	[REDACTED]	Level 2 UOF	6-Feb-18	None Linked	[REDACTED]	8-Mar-18	Completed	Justified: w/i Policy	22-Mar-18		187
Special Ops Squad II	UOFX2018-0008	[REDACTED]	Level 3 UOF	6-Feb-18	None Linked	[REDACTED]	7-Mar-18	Completed	Justified: w/i Policy	22-Mar-18		188
Special Ops Squad II	UOFX2018-0006	[REDACTED]	Level 3 UOF	6-Feb-18	None Linked	[REDACTED]	7-Mar-18	Completed	Justified: w/i Policy	22-Mar-18		188
Special Ops Squad II	UOFX2018-0005	[REDACTED]	Level 3 UOF	6-Feb-18	None Linked	[REDACTED]	7-Mar-18	Completed	Justified: w/i Policy	22-Mar-18		188
Special Ops Squad II	UOFX2018-0015	[REDACTED] icer	Level 3 UOF	26-Feb-18	None Linked	[REDACTED]	28-Mar-18	Completed	Justified: w/i Policy	13-Jun-18		167
Special Ops Squad II	UOFX2018-0016	[REDACTED]	Level 3 UOF	26-Feb-18	None Linked	[REDACTED]	28-Mar-18	Completed	Justified: w/i Policy	13-Jun-18		167
K-9 Unit	UOFX2018-0014	[REDACTED]	Level 3 UOF	26-Feb-18	None Linked	[REDACTED]	26-Mar-18	Completed	Justified: w/i Policy	13-Jun-18		169
Special Ops: Squad I	UOFX2018-0031	[REDACTED]	Level 3 UOF	5-Jun-18	None Linked	[REDACTED]	4-Jul-18	Active				69
SOB 600-1800	UOFX2018-0035	[REDACTED]	Level 3 UOF	7-Aug-18	None Linked	[REDACTED]	6-Sep-18	Completed	Justified: w/i Policy	8-Sep-18		5
Special Ops Squad II	UOFX2018-0036	[REDACTED]	Level 3 UOF	7-Aug-18	None Linked	[REDACTED]	6-Sep-18	Completed	Justified: w/i Policy	8-Sep-18		5
Commander	UOFX2018-0001	[REDACTED]	Level 4 UOF	3-Jan-18	None Linked	[REDACTED]	13-Jan-18	Completed	Justified: w/i Policy	21-Feb-18		241
Special Ops Squad II	UOFX2018-0010	[REDACTED]	Level 4 UOF	11-Feb-18	None Linked	[REDACTED]	14-Mar-18	Completed	Justified: w/i Policy	28-Feb-18		181
SOB 600-1800	UOFX2018-0025	[REDACTED]	Level 4 UOF	28-May-18	None Linked	[REDACTED]	27-Jun-18	Completed	Justified: w/i Policy	10-Jul-18		76
K-9 Unit	UOFX2018-0026	[REDACTED]	Level 4 UOF	28-May-18	None Linked	[REDACTED]	27-Jun-18	Completed	Justified: w/i Policy	10-Jul-18		76
SOB 600-1800	UOFX2018-0027	[REDACTED]	Level 4 UOF	28-May-18	None Linked	[REDACTED]	28-Jul-18	Completed	Justified: w/i Policy	10-Jul-18		45

Operations St. Thomas									
IA Case No	Respondent Officer	Incident type	Received Dt	Allegation(s)	Investigator	Due Dt	Status	Days Out	Investigative Issues - Please insert reasons for delay in investigation
CCT2017-0056	[REDACTED]	Citizen complaint	8-Jun-17	C:5 Actions Amounting to Harassment and/or Intimidation of citizen, dept or gov employee	[REDACTED]	8-Jul-17	Forwarded	430	
CCT2017-0066	[REDACTED]	Citizen complaint	13-Jul-17	B:31 Using rude, coarse, insulting.... language or conduct to public or officer / C:33- Appear for duty.or be on duty while under the influence of intoxicants, or with an order of intoxicants on their.. / B: 40 Refusal to Obey any Lawful order or directive	[REDACTED]	6-Sep-18	Suspended	5	
CCT2017-0078	[REDACTED]	Citizen complaint	14-Aug-17	C:3 Performing any act or omission prejudicial to good order...	Un-assigned	13-Sep-17	Active	363	
CCT2017-0082	[REDACTED]	Citizen complaint	24-Aug-17	A:12 - Failure to be tactful, controls temper...discretion in the performance of duties	[REDACTED]	23-Sep-17	Forwarded	353	
CCT2017-0096	Unk Officer	Citizen complaint	8-Nov-17	A:54 Failure to take appropriate action on occasion of a crime...or condition deserving police attention /	[REDACTED]	9-Dec-17	Active	276	
CCT2017-0104	[REDACTED]	Citizen complaint	22-Nov-17	C:5 Actions Amounting to Harassment and/or Intimidation of citizen, dept or gov employee	[REDACTED]	29-Dec-17	Active	256	
CCT2017-0112	[REDACTED]	Citizen complaint	8-Dec-17	A:12 - Failure to be tactful, controls temper...discretion in the performance of duties / A:22 Failure to Prepare a Departmental Report when required	[REDACTED]	24-Aug-18	Suspended	18	
CAT2017-0031	[REDACTED]	Command Investigation	9-Sep-17	B: 40 Refusal to Obey any Lawful order or directive	[REDACTED]	9-Oct-17	Active	337	
CAT2017-0032	[REDACTED]	Command Investigation	24-Sep-17	Damage to Government Property	[REDACTED]	24-Oct-17	Active	322	
CAT2017-0038	[REDACTED]	Command Investigation	19-Oct-17	C:5 Actions Amounting to Harassment and/or Intimidation of citizen, dept or gov employee	[REDACTED]	18-Nov-17	Forwarded	297	
IAT2017-0005	[REDACTED]	IA Investigation	31-May-17	C:32 Unprofessional conduct involving an act of violence where elements of a misdemeanor are met	[REDACTED]	31-Aug-18	Suspended	11	
IAT2017-0006	[REDACTED]	IA Investigation	12-Jun-17	Criminal Conduct / D:28- Unprofessional Conduct where elements of a felony are met...	[REDACTED]	12-Sep-18	Suspended	-1	
IAT2017-0007	[REDACTED]	IA Investigation	22-Jun-17	C:32 Unprofessional conduct involving an act of violence where elements of a misdemeanor are met / C:5 Actions Amounting to Harassment and/or Intimidation of citizen, dept or gov employee / C:22 Knowingly and willfully making false entry....Either written or electronic / D:7 Fail to cooperate fully in any internal administrative investigation conducted by this department / D:9 Giving false or misleading stmnts or willful omissions...criminal or admin investigation	[REDACTED]	29-Aug-18	Suspended	13	
IAT2017-0010	[REDACTED]	IA Investigation	31-Jul-17	B: 40 Refusal to Obey any Lawful order or directive	[REDACTED]	15-Sep-18	Suspended	-4	
Operations St. John									
CCT2017-0093	[REDACTED]	Citizen complaint	19-Oct-17	B:14- Failure to report any violations they have personal knowledge of committed by employee	[REDACTED]	19-Nov-17	Active	296	
CCT2017-0096	Unk Officer	Citizen complaint	8-Nov-17	A:54 Failure to take appropriate action on occasion of a crime...or condition deserving police attention /	[REDACTED]	9-Dec-17	Active	276	
CCT2017-0104	[REDACTED]	Citizen complaint	22-Nov-17	C:5 Actions Amounting to Harassment and/or Intimidation of citizen, dept or gov employee	[REDACTED]	29-Dec-17	Active	256	
IAT2017-0010	[REDACTED]	IA Investigation	31-Jul-17	B: 40 Refusal to Obey any Lawful order or directive	[REDACTED]	15-Sep-18	Suspended	-4	
Special Operations									
CCT2017-0096	Unk Officer	Citizen complaint	8-Nov-17	A:54 Failure to take appropriate action on occasion of a crime...or condition deserving police attention /	[REDACTED]	9-Dec-17	Active	276	
UOFT2017-0022	Officer []	Level 1 UOF	26-Mar-17	None Linked	[REDACTED]	23-Apr-17	Active	506	

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Government of
The Virgin Islands of the United States

VIRGIN ISLANDS POLICE DEPARTMENT



Use of Force
Workgroup

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August 9, 2018

TO: Curtis A. Griffin, JD, Assistant Commissioner
Chief Compliance Officer

FROM: Deputy Commissioner Jason K. Marsh *Jason K. Marsh*
Chairperson, Use of Force Workgroup

SUBJECT: **Use of Force Workgroup**
Re: Response to IMT's 2nd Quarter Draft Report

This document was prepared to provide a response to the IMT's second quarterly report draft.

- On Page 6 of the report, it states that Paragraph 33b is not in compliance. VIPD was given compliance with that subparagraph on August 8, 2018 which places the entire paragraph in substantial compliance.
- On page 17 of the report, Subparagraph 36b is listed as being in partial compliance. Based on the conference call that occurred on July of 2018 IMT and DOJ agreed that VIPD should be given compliance with the subparagraph last quarter. According to the IMT report, 87.93% compliance achieved. For the present quarter, the report indicates VIPD is at 87.5%. These numbers demonstrate that VIPD has been consistent for the past 2 quarters and should be given substantial compliance with the subparagraph which will place the entire paragraph into substantial compliance.
- Page 18 of the report states that subparagraph 37B is not in substantial compliance. A review of the language shows that it is not a requirement of VIPD as stated. It states: ***"of reportable use of force incidents, the Chief and/or Deputy Chief provided a written, signed and dated finding on whether the use of force was justified under VIPD's DOJ approved use of force policies and all other requirements of 31(a)-(g) of the consent decree."*** The language for paragraph 37 was changed in 2012 so this subparagraph needs to be removed or noted as N/A.
- On Page 24 of the report, there are several recommendations for the revisions of the FIT SOP and Policy. This was discussed with the IMT as VIPD realized that there was a policy and SOP failure in the way the investigations were conducted by having the FIT from the alternate island conduct the investigations. VIPD realized that this became very time consuming and advised IMT that the revisions will be made and forwarded to them. This was discussed during the meeting during the week of July 17-21, 2018 with IMT

Use of Force Workgroup
RE: IMT 2nd Quarter Report
Page 2 of 3

and VIPD on St. Croix. The revisions were forwarded to IMT on July 26, 2018. However, this wasn't included in the report.

- On page 24 of the report, IMT also recommended that the Attorney General's Office provide a written declination on serious use of force inquiries and/or prosecutorial opinions. VIPD met with the Attorney(s) at the AG's Office on July 27, 2018 and it was agreed that the Attorney General's Office will provide VIPD with an opinion within 30 days of the submitted investigative package. Whenever additional time is required, it will be noted by the investigator.
- On Page 86 of the report, Table 13 shows that policy 3.2 cannot be found on PowerDMS. If the IMT(s) need assistance in locating the policy, VIPD will be glad to assist, however the policy can be located on PowerDMS.
- On page 95, in the final comments section, IMT comments reference 1Q2017 and 2Q2017, however further on states that they will continue to work with the Training Director in 3Q2018 that seems to be an error. The Use of Force Planning Worksheet was sent out to the Supervisors and Commanders on July 16, 2018 to aid in the documentation of the investigative process.
- In the assessment of UOFT2018-0028-0029 it states that the officers should have made an assessment regarding whether there was enough evidence to make an arrest. According to the VI Code, officers are unable to make arrest of misdemeanors that did not occur in their presence. Based on the summary of the report, the incident is a Simple Assault and did not occur in their presence. Therefore, they were unable to make an arrest.
- On page 110 of the report, the assessment of UOFX2018-0014,0015,0016,0017, mentions questions noted as being leading questions for justification of the force. VIPD disagrees that the following questions were not used for the justification of the force even though they are leading questions: ***"Interview #1/ 2:00 "did you see any force being used on the subject?"; Interview #2/ 2:10 "were you in the room when force was used on the subject?"; Interview #3/ 1:25 "did you see any use of force on anybody?"; #4/ 1:05 "ever witness any force on the subject?"***
- Page 23 of the report indicated ten serious use of force investigations remain open. Six of those cases have been closed, three require additional revisions after IMT's review and last report is also being revised.
- Page 24 of the report mentions a walk through that occurred months after the original incident and recommended that the walk through should occur within hours of a shooting incident. The IMT is aware that the walk through that occurred months after the incident, was not a shooting incident. IMT is also aware that VIPD does not conduct a walk through within hours of the incident and has never posed an objection to VIPD waiting for the moonlight conditions to be as close to the lighting conditions as the date of the

*Use of Force Workgroup
RE: IMT 2nd Quarter Report
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incident. This usually takes approximately three weeks to occur and VIPD received positive reviews in the past from IMT for implementing this process.

- Page 25 of the report indicated IMT reported use of force incidents or civil rights violation in the first Quarter Report, but that the cases mentioned were citizen complaints involving allegations of Excessive Use of Force and other Civil Rights violations and not use of force incidents.
- Page 25 also indicated table 3 includes incidents involving use of force, racial profiling, rude conduct and civil rights violations. The cases listed does not include incidents involving use of force, but rather does include citizen complaints of excessive use of force. IMT admitted to their error in including complaints involving rude conduct but have included rude conduct in cases displayed in table 3.
- Table 3 listed on page 26, displays eight active cases that were not included in the table displayed in the first quarter report. Three of the eight cases do not involve citizen complaints with allegations of excessive use of force and other civil rights complaints.
- On Page 116 on the Tables subparagraph 31f IMT list as out of compliance, discussion during the meeting on July 12-21 and thereafter IMT requested roll call inspections from both districts. VIPD provided the documentation requested, this subparagraph needs to be reassessed and put into compliance based on the discussion.
- In reference to the whispering the following were the words whispered by Sgt. Grant to the officer:

Interviewer- Sgt. Elton Grant
Officer- Carol Tatum

At 2:36 minutes, someone whispered “pocket”.
At 3:05 minutes, another whisper of “box cutter”.
At 7:11 minutes, another whisper of “Dr. Barrot”.



**Government of the United States Virgin Islands
Virgin Islands Police Department**



Policy and Procedure Manual

Series	Effective Date	Review Date	Policy Number	
ROC	Sept. 1, 2015	Annually	3.15	
Subject			Revision#	Date
FORCE INVESTIGATION TEAM				
Chapter				
3 - RULES OF CONDUCT				
References:			<input checked="" type="radio"/> New Policy <input type="radio"/> Replaces	
Use of Force (3.1) Reporting, Investigation and Review of Force (3.2) Force Review Board (3.3)				

I. PURPOSE:

It is the purpose of this policy to establish within the VIPD a Force Investigation Team (FIT). This policy provides the force investigation team with guidelines to conduct fair, impartial and highly professional reviews of use-of-force incidents involving VIPD officers. In order to protect citizens and employees, the Virgin Islands -Police Department (VIPD) is committed to documenting and investigating use of force incidents. Accurate and timely reporting of reportable use of force is essential for constitutional policing, public safety, and VIPD monitoring and training development. The FIT will conduct a precise review of an officer's actions as they relate to the use of force. This review will include:

- A determination of whether the force was consistent with applicable laws of the United States and the U.S. Virgin Islands.
- A determination of whether the use of force was consistent with VIPD's policies and training.

II. POLICY:

The authority to use force carries with it the need for accountability in order to safeguard the rights of the public and preserve the integrity of the VIPD and the jurisdiction that provides this authority. The policy of the VIPD is to value and preserve human life when exercising lawful authority to use force.

As such, it is the policy of this department that all Level 1 uses of force, as defined in policy 3.2; in-custody deaths; and any Use of Force investigation that is elevated and approved by the Commissioner due to: (1) New information causes the response level

to be raised or (2) Circumstances may require more comprehensive response shall be administratively investigated by the VIPD's Force Investigation Team.

III. **DEFINITIONS:**

- A. Critical Firearm Discharge: A discharge of a firearm by a VIPD officer. Range and training discharges, and discharges at animals, are not included under this definition.
- B. Lethal Force: Any physical force that can reasonably be expected to cause death or serious physical injury.
- C. Force: Any physical strike or instrumental contact with a person, any intentional attempted physical strike or instrumental contact that does not take effect or any significant physical contact that restricts the movement of a person. The term includes the discharge of a firearm, pointing a firearm in the direction of a human being, use of chemical spray, neck restraint holds or hard hands; taking of a subject to the ground; and the deployment of a canine. The term does not include escorting or unresisted (cooperative) handcuffing. The term does include handcuffing individuals to objects other than (authorized) Security Rings installed at zones, sub-stations and tactical vehicles; and using multiple handcuffs on a subject except in cases where the subject is oversized and the use of a single pair of handcuffs would more likely result in injury to the subject.
- D. Force Investigation Team (FIT): A team of VIPD personnel specially trained, according to FIT policy and procedures, in the investigation of serious uses of force incidents.
- E. Less Lethal Force: Any force used by an officer that would not reasonably be expected to cause death or serious physical injury.
- F. Level 1 use of force:
 - a. All serious uses of force, as defined in this policy;
 - b. Any use of force investigation that is elevated to a Level 1 by a Commander, Director, or Chief and approved by the Commissioner due to:
 - i. New information that causes the response level to be raised; or
 - ii. Circumstances that may require a more comprehensive response.
- G. Officer: Any sworn law enforcement member of the VIPD.
- H. Response to Resistance Report: The report officers are required to complete to document all uses of force, consistent with policy 3.2..

- I. Resisted Handcuffing: When a person actively resists being placed in handcuffs.
- J. Serious Physical Injury: A bodily injury that creates a substantial risk of death, serious permanent disfigurement, or results in long-term loss or impairment of the function of any bodily member or organ or results in admission to a hospital.
- K. Serious Use of Force: Any action by an officer that involves:
 - 1. all uses of lethal force;
 - 2. Any use of force resulting in death;
 - 3. all critical firearm discharges, regardless of injury;
 - 4. all uses of force resulting in serious physical injury, loss of consciousness, or requiring admission to a hospital; and
 - 5. all head, neck, and throat strikes with an object or choke hold/ neckrestraints
- L. Unresisted (cooperative) Handcuffing: occurs whenever the subject, during a valid arrest or lawful action, complies with the officer's verbal commands and/or unresistingly allows the officer to position their arms in order to apply handcuffs or the subject positions their arms as commanded for the application of handcuffs.
- M. Use of Force Review Board (Force Review Board): A panel of VIPD personnel trained, per policy 3.3, in conducting an impartial review and analysis of use of force incidents.
- ~~N. Use of Force Review Board Territorial Administrator (Force Review Board Administrator): Sworn Officer of the rank of Lieutenant or greater, appointed by the Commissioner and responsible for the coordination of all Use of Force Review Board activities, including the acceptance of all completed force investigations to be reviewed and any other activities deemed appropriate by the Commissioner.~~
- ~~N. Civilian Employee or Sworn Officer of the rank of Lieutenant or greater, appointed by the Commissioner and responsible for the coordination of all Use of Force Review Board activities, including the acceptance of all completed force investigations to be reviewed and any other activities deemed appropriate by the Commissioner.~~
- O.

IV. PROCEDURES:

A. Authority and Responsibility of the Force Investigation Team:

- 1. The team is an organizational component of the Virgin Islands Police Department and has direct authority of the Police Commissioner's Office. The Team's procedures and related requests for assistance have the full authority of that office.
- 2. The team will be responsible for the investigation of:

VIPD Policy Manual

Policy No. 3.15

- a. All Level 1 uses of force:

- b. In-custody Deaths
- c. Any Use of Force investigation that is elevated and approved by the Commissioner due to: (1) New information causes the response level to be raised or (2) Circumstances may require more comprehensive response.

B. Team Composition

The FIT shall be comprised of the following minimum team members for each District:

- 1. 2 Supervisors
- 2. 4 Investigators
- 3. 2 Forensic Tech/Officers
- 4. V.I. Assistant Attorney General
- 5. Any member as approved by the Commissioner
- 6. The Force Review Board Administrator.

Team members' duties and responsibilities are included in the Standard Operating Procedure for the Force Investigation Team.

C. Activation of FIT

Upon notification of a Level 1 use of force, to include critical firearms discharges, the FIT supervisor shall notify the team members and the FIT will immediately respond to the scene.

D. Procedures for FIT Investigations

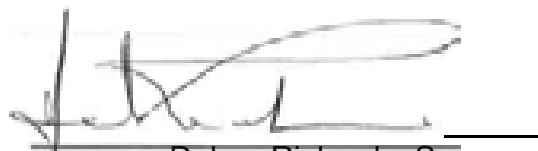
The FIT shall follow the guidelines set forth in the Reporting, Investigation and Review of Force Policy 3.2 Section IV.E.1.e

E. Training of Force Investigation Team Members

The VIPD shall provide FIT members an annual ~~minimum up to of 80 40~~ hours of continuing education and training in force investigations and best practices, as well as legal updates ~~as they become available~~.

G. Commissioner's Responsibilities

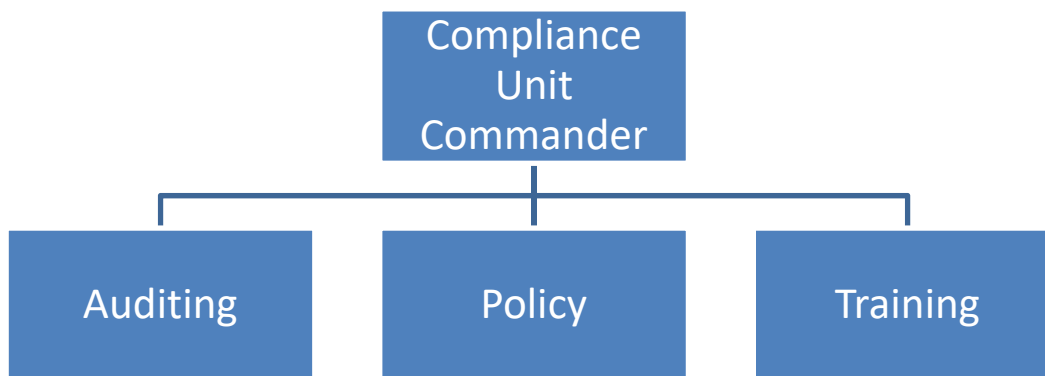
~~The Commissioner shall ensure and expedite the FIT travel and accommodations between Districts as required by this Policy.~~



Delroy Richards, Sr.
Police Commissioner

IMT Working Draft

U.S. Virgin Islands Police Department Compliance and Change Management Unit



IMT Working Draft

The Mandate

VIPD has been in a Consent decree for ten years with the majority of forward compliance progress within the last four years. As of the recent court hearing, the VIPD fell short of a few remaining paragraphs to begin the initial substantial compliance period. The presiding Federal District Court Judge set a goal of September 21, 2018 for full compliance with the 50 paragraphs, which will then trigger a two year maintenance period. The VIPD must remain in substantial compliance within the two-year period, which if any compliant paragraph slips into non-compliance, the two year period clock will start over. Continuing under a Consent Decree is costly to the Territory, further incentivizing completing the compliance requirements.

Situational Factors

The Independent Monitoring Team (IMT), as the Court's Monitors, has urged for several years that the VIPD consolidate its compliance effort into one focused unit that has several capacities, in some cases mirroring that of the proposed Policy and Change Team (PCT). One critical element of these proposals has been and expanded and aggressive auditing capacity. Recently the VIPD has increased its auditor staff from three to five, resultant of review of a CD compliance unit within the New Orleans Police Department (NOPD); this collaboration with NOPD has also resulted in an increased desire to move toward more real time monitoring efforts. NOPD is a fairly recent CD but has moved rapidly toward compliance by using this dedicated compliance unit staffed by auditors and inspectors as well as compliance managers. While VIPD has had varied responses to CD generated compliance required, using ad-hoc workgroups, the IAB staff and other staff from involved units within the VIPD, the IMT has always felt that the focus needed to be consolidated to a central unit.

In the IMT view, and based on the PCT Power Point (PPT) provided, the change management effort noted is not dissimilar to change that has occurred within the VIPD resultant of CD mandates. There have been internal organizational changes as well as procedural and value based changes that were directed at similar problems described within the PCT PPT. CD mandated or related policies were brought up Constitutional policing standards, especially those related to Use of Force (UOF); e.g. criteria for use of force has been based upon the objectively reasonable standard since 2011, Force Investigation Teams and Force Review Boards since 2016, among others. In other cases, such as public transparency there has been little effort until lately and the VIPD now seems energized to engage and inform the public from several viewpoints, thus creating some change management resource requirements. Lastly, the VIPD introduced Procedural Justice within the agency and they need to continue their efforts with this emphasis.

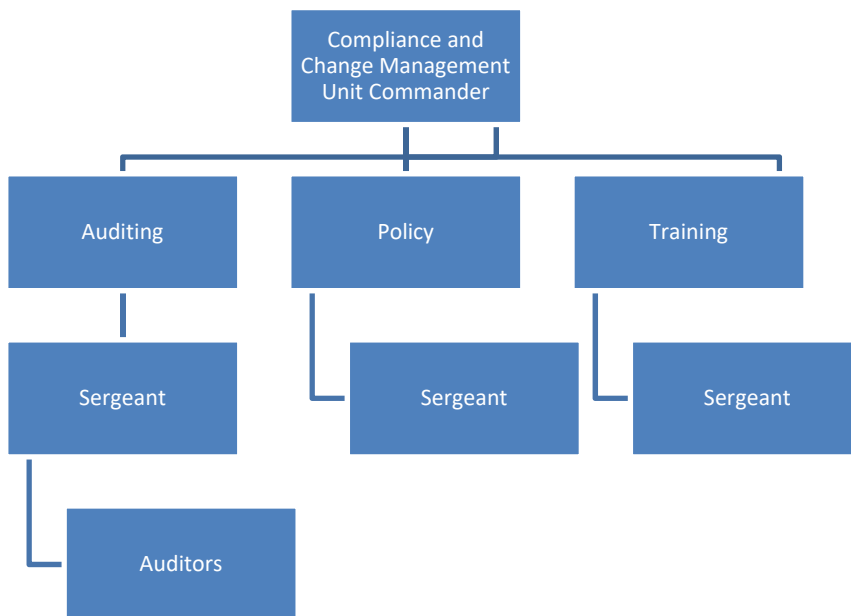
For the VIPD, given the current state of CD compliance and the recent desire of the Federal Judge to gain Initial Substantial Compliance (ISC) by the Court's target date and remain in compliance, the challenge at the moment is maintaining compliance status as they move toward and into the two year compliant period without errors. This is not to say that change may not be needed concurrently as issues arise or in the future, but rather is realistic that the VIPD needs to keep a close eye on the ball and end goal which

IMT Working Draft

is Substantial Compliance and the termination of the CD. That can only be accomplished by intense monitoring and auditing of the CD compliance requirements.

This does not, in the IMT view, negate the need for change management within the VIPD as well as other critical skills such as strategic planning. But at the same time it must be understood that the VIPD suffers from a lack of depth in staffing capacity. Recent efforts to add staffing to the Internal Affairs Bureau (IAB) that was an objective of the Court, was stymied by this lack of staffing resources. This indicates, in the IMT’s opinion that the VIPD cannot afford to staff both a compliance unit and a change management unit. Keeping with that view, we suggest a combination of the two efforts into one unit with staffing as shown below:

Compliance and Change Management Unit Structure



The following outlines a mechanism for the VIPD to maintain substantial compliance with the Consent Decree and enable change management within the department. The Compliance and Change Management Unit function will potentially result in a stronger policing agency in terms of capacity, supervision, and management. Below are examples of tasks, which are not all conclusive.

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Auditing¹

- Identifies areas where policy and training may need adjustments
- Ensures the department is following their own polices and the Consent Decree
- Allows for the identification of patterns and trends, which can bring about focused attention to personnel issues; crime patterns; other risk-management issues impacting the department
- Thoroughly reviews and assesses all use of force, citizen complaint, and other risk-management incidents to ensure consistency with VIPD Policy and CD
- Refers all deficient audit assessments to the appropriate command staff for corrective action
- Enables the department to identify areas, which impact financial and budgetary constraints
- Promotes consistency in practice and procedure

Policy

- Receives training and audit recommendations, which can be coordinated and produce timely policy changes to department
- Consistent and timely yearly policy reviews
- Maintain up-to-date with current and national law enforcement trends
- Ensure department rules, polices, directives, and standard operating procedures are current

Training

- Receives policy and audit recommendations, which can be coordinated and produce timely training to personnel
- Continual efforts with Procedural Justice, as an example for fostering “change management”
- Incorporation of Community & Problem-Oriented Policing Principles
- Identifies risk-management issues impacting department and initiates appropriate training plans
- Identify entry-level, in-service, supervision and management core components, which will sustain department reform efforts
- Conduct a yearly needs assessment training plan

¹ As the IMT testified in the 2nd QTR 2018 Court Hearing, the VIPD should use “caution” with the transition of the Use of Force Work efforts to the Audit Unit. The VIPD intends to discontinue the use of the Work Group as an additional review process and have the Audit Unit conduct audits. The Work Group should coordinate with the Audit Group in this transition. In addition, as heard from Court testimony, the current auditors do not have formal auditing training. The VIPD should seek formal auditing training for entry-level auditing personnel and continue with yearly in-service training.

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This new process consisting of auditing, training, and policy will bring about continued efforts by the VIPD in their progress toward substantial compliance with the Consent Decree and long-term change management. The process is continual and all three components are dependent on each area to bring about department improvement with core areas for the betterment of the agency; personnel growth; providing Constitutional Policing for all.



Court Oversight

Recently, the Federal Judge commissioned his own expert report to identify issues preventing compliance for the VIPD. The report contained several suggestions and pathways to compliance. Specifically, the report strongly suggested a Compliance Unit. The VIPD, Department of Justice (DOJ), and IMT coordinated efforts to review and assess the Court's Expert Report. Further, the Court has expressed interest in full participation from everyone in the agency to assist in the VIPD's efforts to sustained compliance along with openness and transparency to the residents of the Territory.

Implementation Steps

IMT believes that to implement this recommendation, the VIPD should develop a Policy document describing the purpose and scope of the unit's responsibilities in order informs the department of the unit's authority and organizational elements. In addition, the unit commander should develop a Standard Operational Procedure (SOP) that details the internal procedures, operational responsibilities, and audit protocols to use to conduct compliance audits of the CD requirements. The IMT can provide assistance in this, as we did with the FIT and FRB documents should the VIPD desire. Appropriate training for unit members should also be identified and sourced.

Closing

The VIPD is embarking toward their substantial compliance period with the Consent Decree. This progress has been long-coming for the VIPD and the Territory. The VIPD is in a momentum, which now

IMT Working Draft

calls for a paradigm shift to ensure their achievements and success are sustained for the long-term. In order to sustain all of the to-date progress, the VIPD should immediately transition to a Compliance and Change Management Unit. This Unit will focus, coordinate, and ensure solidification for a well-organized police agency.

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Government of The Virgin Islands of the United States

CURTIS A. GRIFFIN, JD
ASSISTANT COMMISSIONER

VIRGIN ISLANDS POLICE DEPARTMENT
OFFICE OF THE POLICE COMMISSIONER

Police Operations and
Administrative Services
#45 Mars Hill, Frederiksted
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(340) 778 2211

September 13, 2018

Alexander Farrelly Justice Complex
Charlotte Amalie
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(340) 774 2211

Memorandum

TO: JASON MARSH, DEPUTY COMMISSIONER
WINSBURT MCFARLANDE, TERRITORIAL CHIEF

FROM: CURTIS A. GRIFFIN, JD
ASSISTANT COMMISSIONER

SUBJECT: EIP QUARTERLY REVIEW
RE: EXECUTIVE REVIEW

Leander Jurgen Command
Cruz Bay
St John, U S V I 00830
(340) 693 8880

In an effort to gain and sustain compliance with paragraphs 59b and 64, we determined that an EIP Executive Committee comprised of the DC of PSB, Director of IAB, Director of Training, the three Assistant Chiefs, the audit unit supervisor, the designated Change Management Team Commander and I, should be created to facilitate and administer the EIP process. Initially, our first act will be to conduct reviews of EIP data prior to the Assistant Chief's review with the Commanders. This will allow the committee to identify any patterns or trends and recommend corrective actions where needed. This review and recommendations will then be presented to the Command Staff by the Assistant Chiefs. To assist with the Executive review, the EIP Analyst will facilitate the meeting presenting data from the system.

The Executive reviews will occur at least three days prior to the Command Staff review. Please advise your respective members of this new process and ensure they understand the process. Additionally, should any designated team member be unable to attend, they must send a representative. This new process will go into effect immediately upon receipt of this correspondence.

xc: Delroy Richards, Sr. Commissioner
Lt. Mirrett Benta, Designated Change Management Team Commander
Gregory Davila, CD Compliance Unit



**Government of the United States Virgin Islands
Virgin Islands Police Department**



Policy and Procedure Manual

Series RMS	Effective Date January 1, 2013	Review Date Annually	Policy Number 6.2	
Subject: EARLY INTERVENTION PROGRAM			Revision #2	Date 11/06/15
Chapter: 6 – RISK MANAGEMENT SYSTEM			<input type="checkbox"/> New Policy	
References			<input checked="" type="checkbox"/> Replaces- 6.2	

I. PURPOSE

This policy is intended to assist police supervisors and managers in identifying officers and other employees whose performance warrants review and, where appropriate, intervention in circumstances that may have negative consequences for the employee, fellow employees, this department, and/or the general public.

II. POLICY

It is the policy of this department to establish a system for tracking and reviewing incidents of risk to this department and the involved employees. To this end, the Early Intervention Program (EIP) shall be used as a means to identify and assess employee performance and intervene where appropriate.

III. DEFINITIONS

EIP: VIPD's Risk Management System designed to extract information from databases and forms to track work performance activities for each member of the VIPD in order to identify and alert supervisors and executives of the possible need for intervention or special recognition. The system allows supervisors to document regular reviews of member's work performance and any actions taken to correct poor performance and/or recognize exemplary performance.

IAPro: The Internal Affairs software used by this department to operate the EIP.

EIP Team: is comprised of a manager and coordinator assigned to IAB who are responsible for the administration of the EIP.

VIPD Policy Manual

Policy No. 6.2

Performance Indicator: a specific event or conduct by a member of the VIPD that is tracked by the EIP System.

Report of Action/Recommendations Plan (Action Plan): the written plan of action employed by the supervisory and command staff of the member's command in an attempt to mitigate risk and improve work performance.

Blue Team Dashboard: IAPro's field software used by this department that allows the Commissioner, Chiefs, Managers, Commanders, and supervisors to view performance indicators within the EIP from the field to include: amongst others, use-of-force, complaints, vehicle accidents and pursuits.

IV. PROCEDURES

A. General

1. The EIP is designed to assist Managers, Commanders, and supervisory personnel in monitoring employee performance.
2. The Internal Affairs & Applicant Screening Bureau (IAB) shall be responsible for maintaining and administering the EIP.
3. IAB will conduct quarterly audits of the system to ensure action is taken according to the applicable procedures outlined in this policy.
4. The EIP Team will generate reports on a monthly basis describing data analyzed from the system identifying individual and unit patterns. Reports will be completed by the 5th day of each month and reviewed and approved by the Director of IAB or his designee. Individual or unit patterns identified which may indicate potential risk will be disseminated to District Deputy Chiefs.
5. District Deputy Chiefs, Commanders, Managers, and supervisors will review system reports, identified by the IAB Director, and evaluate individual officer(s), Supervisor(s), and unit activity on a quarterly basis. The evaluation will consider, among other factors, any patterns or trends and specifically focus on individuals who are identified as operating outside the averages.
6. District Deputy Chiefs, Commanders, Managers, and supervisors will review the EIP system records of all officers recently transferred to their sections and units within 5 days following the transfer action. Records are intended to assist supervisory personnel to evaluate and guide their subordinates.

VIPD Policy Manual

Policy No. 6.2

B. Reporting Procedures

The EIP will include for all incidents included in the database, appropriate identifying information for each involved officer (e.g., name, badge number, PDN#, shift and supervisor) and civilian (e.g., race, ethnicity or national origin, if available). IAB shall receive copies of the following and enter the data in the EIP system:

1. Complaints lodged against employees in accordance with provisions of this department's policies on "Investigation of Employee Misconduct/Citizen Complaint Procedures", to include the following:
 - a. Complaints lodged by one employee against another;
 - b. Summary disciplinary actions taken against an Officer by a supervisor with or without a formal complaint;
 - c. Complaints lodged by citizens against department personnel;
 - d. Dispositions of all Citizen Complaint investigations;
 - e. Disciplinary actions taken against employees;
 - f. Any reports of on-duty injury;
 - g. Any loss of equipment;
 - h. Complaints lodged against employees received anonymously (*i.e. crime-stoppers, or citizens opting to remain anonymous, etc.*); or
 - i. Any other examples of improper actions and/or improper conduct to be defined by the Commissioner.

2. All Use-of-Force Incidents, to include but not limited to:
 - a. All uses of force;
 - b. K9 bites;
 - c. Number of canisters of Chemical Spray used by officers;
 - d. All Critical Firearm Discharges, both on or off-duty;
 - e. The pointing of a firearm at a person(s);
 - f. The Reportable Use of Force report shall include:
 - i. Name, Rank, Permanent Designator Number (PDN), and assignment of the involved Officer;
 - ii. Name, rank, PDN and assignment of the supervisor and/or internal affairs investigator that responds to the scene of the use of force incident;
 - iii. Name, rank, PDN and assignment of any other Officers at the scene of the use of force incident, even if they did not themselves use force;
 - iv. IAPro number, date of the incident, and the 1A (DR) number;
 - v. Name of subject(s), race, ethnicity or national origin, if available;
 - vi. Location of the incident;
 - vii. Nature of force and weapon used by the officer and subject, and injuries sustained by the officer and subject(s), if any;
 - viii. Summary of the chain of command review and comments; and
 - ix. Final Disposition(s).

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3. Performance-based and related information shall also be included in the EIP system, to include the following:
 - a. Officer involved vehicle accidents;
 - b. Vehicle pursuits, both within and out of policy;
 - c. Civil lawsuits and claims;
 - d. Criminal proceedings initiated against officer(s);
 - e. Personal Bankruptcy and failure to pay just debts;
 - f. Domestic Violence incidents;
 - g. Assaults on an officer (i.e., officer as victim);
 - h. Officer reports of force being used and subject is charged with Interfering with officer or Disturbance of the Peace (Disorderly conduct);
 - i. Arrested Subject Injuries;
 - j. Sick leave used;
 - k. Tardiness;
 - l. Loss of Issued Equipment;
 - m. Involvement in Critical Incidents such as those resulting in a fatality;
 - n. Excessive Overtime (Payroll Data);
 - o. Below Satisfactory Performance based on monthly performance evaluations;
 - p. Criminal arrests made;
 - q. Commendations and awards; and
 - r. Training certificates.

C. Data Analysis and Pattern Identification

1. The EIP Team will conduct a peer analysis from existing data according to the following criteria:
 - a. Number of incidents for each data category by individual officer and by all officers in a unit/similar activity group or District wide;
 - b. Average level of activity for each data category by individual officer and by all officers in a unit/similar activity group or District wide;
 - c. Identification of patterns of activity for each data category by individual officer and by all officers in a unit/similar activity group or District wide.
2. Actions taken will be based on all relevant and appropriate information, including the nature of the officer's assignment, crime trends and crime problems, and not solely on the number or percentages of incidents in any category of information recorded in the risk management system.
3. Threshold levels (based on multiple methodologies):
 - a. Department set levels
 - i. Any single civil or criminal actions filed against a VPPD officer, reportable use of force resulting in death, sustained disciplinary complaints, and Critical Firearm Discharges meets a department set threshold.
 - ii. Vehicle Pursuits and vehicle accidents (where an officer is found negligent) equals two in a twelve month period.
 - iii. Number of Containers of O.C. Spray used equals two in a twelve month period.

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- b. Performance Indicator Ratios
 - i. Reportable use of force thresholds will be determined by a Use of Force to arrest ratio.
 - ii. Canine Bite Ratios: number of bites to number of deployments.
- c. Peer officer averages
 - i. Citizen complaints and administrative investigations: An officer meets the threshold if they meet or exceed the average by three.
- d. Threshold levels will be reviewed on an annual basis and adjusted as may be appropriate.

D. Review and Intervention

1. First Line Supervisors:

- a. It is the duty of line supervisors to directly monitor the performance and behavior of personnel under their charge on a daily basis.
- b. The EIP is designed to assist supervisory personnel in monitoring employee performance.
- c. Supervisory personnel shall be familiar with alternatives and authorized actions they may take in response to personnel exhibiting behavioral problems with or without information provided through the EIP.
- d. Supervisors will review on a daily basis their Blue team Dashboard to identify any patterns in an officer's performance which may require immediate attention.

2. EIP Supervisors:

- a. The system will alert when an officer reaches a department set numerical value for a performance indicator. This will trigger a review but will not by itself trigger an intervention.
- b. Once the employee has been documented on an EIP report for any of the above criteria, the EIP Coordinator will notify the employee's immediate supervisor by memorandum via chain of command with a Summary of Employee Performance Report (SEPR) attached.
- c. The EIP Team shall prepare the SEPR which will include but is not limited to, a summary of complaints, use-of-force incidents, peer analysis, and/or performance indicators and their respective dispositions where available. Reports shall draw no conclusions nor make any determinations concerning job performance. Reports are intended to assist supervisory personnel in evaluating and guiding their subordinates. Reports alone shall not form the basis for disciplinary action, or necessary an intervention.
- d. Supervisors involved shall sign the EIP "non-disclosure agreement" prior to receiving the SEPR from the EIP Coordinator. Where necessary, the supervisor will be allowed to review other administrative files (i.e. personnel file, performance ratings, etc.) for additional information which may aid in identifying prior performance indicators.

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3. EIP/ Chain of Command

- a. The supervisor shall provide a copy of the report to the Deputy Chief of Police and Commander of the involved officer within five (5) days of receipt.
- b. The Deputy Chief, Commander or bureau head, and the subject officer's supervisor shall meet to discuss the report and other relevant information and determine if corrective actions are warranted. These actions may include but are not limited to the following:
 - i. Supervisors may review the SEPR with the subject officer and encourage him or her to comment on the itemized incidents and problems identified in the report.
 - ii. Require that the officer participate in department-authorized training, targeting personal or professional problems that the officer may be facing (e.g., communications, cultural awareness, coping with stress, or anger management);
 - iii. Increase monitoring by supervisor.
 - iv. Initiate reassignment, transfer or termination, recognizing that this may not generally be the first corrective action taken until other alternative actions have been attempted;
 - v. Refer the officer to the department psychologist, department authorized counselor or to any other healthcare provider for counseling and/or treatment;
 - vi. Conclude that the officer's actions do not warrant immediate need for corrective action.
- c. A "Report of Action Recommendations" (Action Plan) and justification for those recommendations created after consultation by the Deputy Chief, Commander, and EIP Coordinator shall be prepared by the supervisor and forwarded to the Commissioner, or his designee for approval within ten (10) working days of receipt of the alert. The Commissioner, or his designee, will review the Action Plan within five (5) days of receipt. Once approved, the Action Plan will be returned to the supervisor through the chain of command for implementation. Copies of the approved plan will be immediately forwarded to the EIP team for tracking and follow-up. *When an agreement cannot be reached, the EIP Coordinator shall engage higher authority, such as the Chief, Commissioner or his designee who shall make the final determination. (Note: details of the communications are to remain confidential)*
- d. Once approved, the employee shall follow the plan to completion. The employee's progress shall be monitored by the supervisor and formally reported to the Deputy Chief at least monthly and preferably more frequently in the early stages of corrective action. Indications of employee compliance or noncompliance, to include evidence on completion, of the agreed upon plan should be included in the employee's EIP file for future reference.
- e. At the conclusion of the intervention action, an assessment report shall be prepared and forwarded up the Chain of Command to the Deputy Chief of Police within Five (5) days of the completed action.
- f. The Deputy Chief will be responsible for reviewing and approving the final assessment report within five (5) days of receipt.
- g. Copies of the assessment report will be forwarded to the EIP team and Commissioner within two (2) days of final approval.

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D. Intervention Types

There are both mandatory and voluntary intervention types. The employee(s) decision to participate in an intervention will depend upon the reason for the intervention. If the intervention is due to a performance indicator that can be corrected by counselling or training then the employee will be mandated to follow whatever course of action is directed by their chain of command. If on the other hand the suggested intervention is personal in nature and clearly not affecting employee performance the employee is under no obligation to accept the offered intervention. If the intervention identifies policy deficiencies, then the EIP team will forward a recommendation for policy review to the Policy Committee.

- **Mandatory:** If counselling or remedial training is found to be necessary to assist the employee in improving their work performance.
- **Voluntary:** The employee may choose whether or not to participate in any recommended counselling for issues of a personal nature that does not necessarily affect the officer's work performance.

E. Training and Evaluation

1. Designated IAB staff will attend annual IAPRO training.
2. All department personnel will receive annual training on the Blue Team Field support system.
3. The Commissioner, Chiefs, Deputy Chiefs, Commanders, Managers, and Supervisor will receive annual training on IAPRO's reporting and charting features.
4. Deputy Chiefs, Commanders, Managers, and supervisors will be evaluated on their ability to use the EIP system to enhance effectiveness and reduce risk by the Commissioner or his designee.
5. Deputy Chiefs and the Chief of police for the respective district will conduct quarterly reviews of all relevant EIP information to evaluate officer performance territory-wide, and evaluate and make appropriate comparisons regarding the performance of all VIPD units in order to identify any significant patterns or series of incidents.

F. Audit

1. IAB will conduct quarterly audits of the system to ensure action is taken according to the process described above.

G. Quarterly Review Procedures

1. Deputy Chiefs in each respective district will conduct no less than quarterly status meetings with personnel identified in the protocol where they will conduct reviews and evaluations of EIP data, in accordance with the protocol. At the conclusion of these status meetings, a report detailing the results of the reviews, findings, recommended corrective action(s), identification of poor and/or superior performance indicators, and any additional information identified as enumerated in the EIP protocol, shall be prepared and forwarded to the respective Chief of Police, copying the Assistant Commissioner, Commissioner, and EIP Section. This report shall be received at the respective addressees by the 10th Day of the

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month following the end of the quarter. *(A quarter is designated as January to March (1st Qtr), April to June (2nd Qtr), July to September (3rd Qtr), and October to December (4th Qtr).*

2. The report shall be outlined in accordance with the requirements of the protocol and signed by the respective deputy Chiefs.
3. In addition to this requirement, Deputy Chiefs will meet no less than on a quarterly basis, to discuss and report on Territorial data based on the requirements of the EIP protocol. This report may be a part or separate to the individual district reports.
4. The respective Chief will use these reports to evaluate the Deputy Chiefs and their respective management team on their ability to use system data to enhance effectiveness and reduce risk to the department. Evaluation reports shall be forwarded to the Assistant Commissioner and Commissioner within five working days following receipt of the quarterly reports.

H. Records

1. VIPD will maintain all personally identifiable information about an officer included in the EIP system during the officer's employment with the VIPD for at least five years after separation.
2. Information necessary for aggregated statistical analysis will be maintained indefinitely in the EIP system.
3. On an ongoing basis, the VIPD will enter information into the EIP in a timely, accurate, and complete manner and maintain the data in a secure and confidential manner.


¹ In the interim the system will alert once an officer reaches 2 uses of force in 6 months. The EIP team will conduct a review and analysis and provide a report to the officer's supervisor who will determine whether further action or no action is required. All actions will be documented and reviewed by the Deputy Chief and Commander of the identified officer.



Delroy Richards Sr.
Police Commissioner

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		Review Date: N/A	Effective Date: September 2, 2018	District: ALL	Reference:
		Subject: Personnel Transfer Policy			Number: 005-2018
Amends: N/A	Rescind:	Distribution: All Unit Commanders and Supervisors and Unit Heads			Page 1 of 5

I. PURPOSE

The purpose of this policy is to define the requirements, conditions and process for the transfer and rotation of sworn personnel duty assignments within the Virgin Islands Police Department (VIPD).

II. Policy

Duty assignments available in this department vary widely with regard to required skills, knowledge and abilities, job demands, benefits and desirability, as well as the potential for advancement and achievement of related personal career objectives. Considering these and related factors, it is the policy of this department to provide a fair and impartial system for the transfer and rotation of personnel that will, to the degree possible, advance personal career goals and interests consistent with the efficient and effective use of manpower and delivery of police services to the community.

III. Definitions

Blue Team: The software used by this department that allows officers and supervisors to enter and manage incidents from the field to include: use-of-force (Response to Resistance forms), citizen complaints, vehicle accidents and vehicle pursuits.

Blue Team Dashboard: refers to IAPro's field software used by this department that allows the Commissioner, Chiefs, Managers, Commanders, and supervisors to view performance indicators within the EIP from the field to include: amongst others, use-of-force, complaints, vehicle accidents and pursuits.

IAPro: The Internal Affairs software used by this department to assists in identifying potential problems early on, so that proactive action can be taken. IAPro is used by IAB for the efficient handling of citizen complaints, administrative investigations, use-of-force reporting, and other types of incidents, while providing the means to analyze and identify areas of concern.

Human Resources Section (HR) Person(s) responsible for personnel administration and processing in this department.

Selection Process: The system whereby individuals are chosen to fill vacancies, to include advertising vacancies, accepting and reviewing applications, conducting components of the selection process, making and announcing a selection, reviewing the selection process and debriefing the candidates.

IV. PROCEDURES



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A. General

1. Nothing in this policy restricts the Commissioner from assigning or transferring any employee to a duty assignment that is deemed to be in the best interest of the department.
2. Officers holding the rank of sergeant or above may be transferred as needed without a selection process at the direction of the Chief of Police, the Commissioner or their designee.
3. The use of up-to-date eligibility lists to avoid the unnecessary repetition of lengthy selection processes may be considered by the Commissioner on a case-by-case basis. Such lists shall be valid for no longer than six months.
4. Vacant positions will be filled with the most qualified candidates available consistent with federal and local equal employment opportunity laws and regulations and in accordance with applicable Collective Bargaining Agreements (CBA).
5. Transfers shall not be used solely for disciplinary reasons.

A. Vacancies

1. Commanders/Managers/Supervisors shall notify the HR Section as soon as position vacancies occur or are anticipated.
2. Personnel circulars used to announce anticipated job vacancies shall include information on opening and closing dates for submission, minimum qualifications for applicants, job description, responsibilities and working conditions, such as days off and shift hours. Announcements shall be posted for a minimum of 10 working days.
3. Candidates must agree to the job responsibilities and working conditions before being considered for filling a vacant position.
4. The HR Section has oversight over the following:
 - a. preparing and disseminating position vacancy announcements;
 - b. accepting applications for transfer,
 - c. screening applicants for minimum qualifications;
 - d. notifying unqualified applicants and candidates that are not selected prior to departmental announcement of the results;
 - e. forwarding candidate applications and qualifications to the selection committee, where applicable;
 - f. ranking eligible candidates;
 - g. incorporating transfer information into employees' permanent files; and
 - h. preparing reports of personnel transfer activity as directed by the Commissioner.

B. Transfer Procedures

1. Employees requesting transfer are responsible for completing and submitting transfer request forms and any accompanying information to HR before the vacancy closing date.
2. The personnel authority shall maintain a copy of each request and forward the original to the candidate's supervisors for approval/disapproval and comment.
3. In the event a sufficient number of qualified applicants are not received, the HR section may issue additional announcements for the vacancy, or the Commissioner may issue a transfer order to fill the vacancy at his discretion.
4. All applicants for transfer may receive a debriefing as desired by the HR section upon completion of the selection process.
5. Positions that require specialized qualifications may necessitate that candidates demonstrate such skills through written or physical tests, oral boards, simulation of work requirements or other procedures to demonstrate knowledge, skills or abilities.
 - a. The Commissioner, his designee and HR section shall be responsible for identifying, documenting and validating any specialized job qualifications in a manner that is consistent with this department's policy as well as local and federal law, and or applicable CBA.
 - b. A selection committee, designated by the Commissioner or his designate, shall be responsible for overseeing the screening, testing and selecting of applicants for assignments requiring specialized qualifications in a manner that is consistent with departmental policy.
 - c. Candidates that meet minimum qualifications shall be classified as "recommended with reservation", "recommended" and "highly recommended", and submitted to the Commissioner for selection.
6. In the case of ranking officers, a committee shall be appointed composed of a stratified sample of officers of equal or higher rank than the candidate.
7. The questions or tasks employed by the selection committee shall be developed jointly by the unit commander in which the vacancy occurs and the Director of Human Resources, or his/her designee, and other individuals as necessary to ensure a fair, impartial, job-related evaluation and testing process.
8. The selection committee shall determine the candidate most suitable for the position and shall notify the same of their selection.
9. All scores and evaluations of candidate performance and the basis for selection or non-selection of candidates shall be recorded and returned to the HR section for retention and debriefing of candidates as required.

C. Rotation

**Office of the
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COMMISSIONER**



DIRECTIVE

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1. Selected job assignments in this department require mandatory minimum assignment periods in order that the department may sufficiently benefit from investments of specialized training and/or education for key personnel. All positions requiring minimum periods of assignment shall be designated in job position descriptions and announcements of job openings. In all cases, the Commissioner reserves the right to establish minimum and maximum terms of service for selected duty assignments that may serve the best interest of the department.
- D. Transfer or Reassignment Documentation**
1. Assignment orders are required for the following circumstances:
 - a. Transfer;
 - b. Reassignment; or
 - c. Temporary or Special Assignments
 2. Routing: The Authority initiating the transfer or reassignment of personnel shall ensure the approved transfer form is accompanied by the affected personnel's IAPRO generated report detailing the employee's history of complaints/investigations. In addition to the standard notification of the transfer or reassignment, the following sections will be provided with a copy of the employee's IAPRO generated report in addition to the transfer or reassignment order:
 - a. Training Bureau
 - b. Assistant/Deputy Chief of Police
 - c. Internal Affairs
 - d. Officers Commander and Supervisor
 - e. Audit Unit
 - f. HR Section
 3. Zone Commanders or Unit Heads Responsibility
 - a. Commanders/Unit heads in receipt of a newly transferred employee shall access the employee's history of cases via IAPRO and review the system's records.
 - b. The Zone Commander or Section Head will notify Internal Affairs within 24 hours of the employee's area of assignment and the immediate supervisor.
 4. Internal Affairs Responsibility
 - a. IAB Director shall ensure that the IAPRO system tracks and records all newly transferred/reassigned personnel by area of assignment and direct supervisor within 24 hours of the start date of the transfer/reassignment.
 5. Supervisors Responsibility
 - a. The Immediate supervisor of the newly transferred or reassigned employee shall log-in to Blue Team and view their purview to ensure the newly assigned employee is under their assignment in the Blue Team system. If the newly assigned employee does not

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appear under the purview of the new supervisor, he or she shall notify Internal Affairs within 24 hours so that the purview can be corrected.

E. State of the Emergency/ Special Detail Assignments

1. In the event of a declared state of an emergency, all changes in the work schedule to include transfers, reassignment temporary or permanent; and, squad changes shall be documented on a new work schedule or assignment order and forwarded to Internal Affairs and the Audit Unit.

V. EXECUTIVE APPROVAL


Pursuant to the authority granted to the Virgin Islands Police Commissioner in Title 3 V.I.C. § 258, this Directive, to be made a permanent part of the Rules and Regulations of the U.S. Virgin Islands Police Department, is/are hereby approved:

Dated and signed at Frederiksted, St. Croix, USVI, on this 29 day of August, 2018.



*Delroy Richards, Sr.
Police Commissioner*

xc: All Sworn & Civilian Personnel of the VIPD
File

		Review Date: None	Effective Date: September 7, 2018	District: ALL	Reference: VIPD Manual
		Subject: Transfer/Assignment Order Form			Number: 2018-006
Amends: N/A	Replaces:	Distribution: All Personnel			Page 1 of 2

PURPOSE

The purpose of this directive is to standardize the Transfer/Assignment orders documentation throughout the Virgin Islands Police Department.

POLICY

It is the policy of the Virgin Islands Police Department to transfer employees through proper documentation and notification. The Transfers/Assignment of Employees shall be consistent with Commissioner's Directive 005-2018.

PROCEDURES

The Assignment/Transfer order (VIPD-AO-2018) Shall be used for all employee transfers as listed below:

- Transfers-when the employee is moved from one division to another
- Re-Assignments-Takes place when the employee is moved from one activity center to another within the same division
- Temporary/Special Assignments-Takes place when the employee is assigned to an area for a short term
- Intra-is internal within a Bureau, Unit, Section, or Squad.

**Office of the
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Subject: Force Investigations Inspector (FII)

Number:
2018-003

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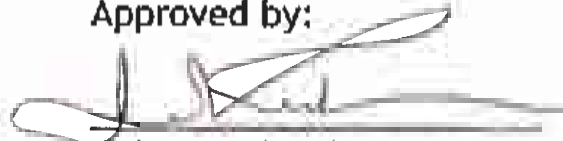
THIS DIRECTIVE SHALL BE READ IN ROLL CALL FOR FIVE (5) CONSECUTIVE DAYS.

V. EXECUTIVE APPROVAL

Pursuant to the authority granted to the Virgin Islands Police Commissioner in Title 3 V.I.C. § 258, this Directive, to be made a permanent part of the Rules and Regulations of the U.S. Virgin Islands Police Department, is/are hereby approved:


Dated and signed at Charlotte Amalie, St. Thomas, USVI, on this 12 day of September 2018.

Approved by:



Delroy Richards, Sr.
Police Commissioner

Date: 9/12/18

		Review Date: None	Effective Date: September 7, 2018	District: ALL	Reference: VIPD Manual
		Subject: Transfer/Assignment Order			Number: 2018-006
Amends: N/A	Replaces:	Distribution: All Personnel			Page 1 of 2

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DIRECTIVE

Subject: Force Investigations Inspector (FII)

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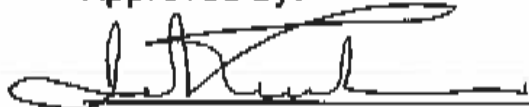
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Dated and signed at Charlotte Amalie, St. Thomas, USVI, on this 12 day of September 2018.

Approved by:



Delroy Richards, Sr.
Police Commissioner

Date: 9/12/18

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Government of

The United States Virgin Islands

VIRGIN ISLANDS POLICE DEPARTMENT
OFFICE OF DEPUTY COMMISSIONER



JASON K. MARSH
DEPUTY COMMISSIONER
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PATRICK SWEENEY
HD'QTRS
RR-02 KINGHILL
ST CROIX V I 00850

To: Sergeant, Gail Liburd
From: Deputy Commissioner, Jason K. Marsh *Jason K. Marsh*
Date: September 7, 2018
Re: Review of Disciplinary Cases

As part of the duties of the Audit Unit, all disciplinary cases shall be reviewed for compliance with the Policy 7.1 the Disciplinary Matrix.

The results of the review shall be included in the quarterly report completed by the unit and forwarded to the Police Commissioner or his designee.



**Government of the United States Virgin Islands
Virgin Islands Police Department**



Policy and Procedure Manual

Series DP	Effective Date November 1, 2013	Review Date Annually	Policy Number 7.1
Subject DISCIPLINARY POLICY WITH MATRIX APPENDIX			
Chapter 7- Disciplinary Procedures			<input checked="" type="checkbox"/> New Policy
References			<input type="checkbox"/> Replaces-

I. POLICY:

It is the Virgin Islands Police Department's (VIPD) policy to impose an effective discipline system that is fair, rational, efficient and consistent, reflects the values of the VIPD, protects the rights of officers, and all department personnel, residents and visitors, promotes respect and trust within the VIPD and with the community and results in a culture of public accountability, individual responsibility and maintenance of the highest standards of professionalism.

Discipline is a process of imposing formal sanctions which will help train or correct poor performance of an employee, preferably through constructive rather than punitive measures.

II. PURPOSE:

The purpose of this order is to establish procedures concerning informal and formal disciplinary practices within the VIPD that results in strengthened relationship and increased levels of trust within the department as well as the community by ensuring both clarity in expectations and accountability for actions by both the VIPD and the individual officer.

All disciplinary action shall be administered for the purpose of insuring that the offense will not recur, and that the best interests of the community and the department will be paramount. Discipline may be imposed as counseling and educational process to assist an employee in meeting the minimum standards set by the department.

III. DEFINITIONS:

Days: The term "days," as used herein, means calendar days provided, however, that if the last day of any time period mentioned herein is a Saturday, Sunday, or holiday, the time period shall be extended to the next day.

Relief from duty: An administrative action by a superior whereby a subordinate officer is temporarily relieved from performing his or her duties.

Discipline: Training or developing an employee by proper supervision and instruction. Discipline may be positive (awards) or negative (punitive).

IV. PROCEDURES:**A. Positive discipline**

Positive discipline seeks voluntary compliance with established policies, procedures, orders. Among them are mediation, early intervention systems, education and training, mentoring, and recognition of officers' positive actions on behalf of the VIPD and the public. Methods of positive discipline include:

1. Recognition of excellent job performance through rewards or awards.
 - a. When people outside the department compliment an employee's performance, the person who receives the information shall make a record of the comments and pass them to the employee's supervisor. When the Chief or other executive receives compliments about an employee, he or she will write a thank-you to the citizen. Copies of the citizen's statement and the Chief's response shall be sent to the officer involved, the supervisor and, if the subject is deemed significant, a copy of all correspondence shall be placed in the employee's personnel file.
 - b. Truly exceptional acts shall be clearly and promptly identified to the Chief of Police or the Commissioner. These acts may be the basis for special awards or for special recognition by citizen-community groups or media coverage.

B. Authority to Impose Discipline / Corrective Measures

Final departmental authority and responsibility for disciplinary actions rests with the Police Commissioner. The Commissioner or designee is authorized to delegate some of the responsibility necessary for the effective implementation of the disciplinary system, particularly in minor matters involving counseling and training.

With the exception of oral reprimands and emergency suspensions all disciplinary actions taken by the Department must be approved by the Commissioner. Commanding Officers and supervisory personnel may take the following disciplinary measures:

1. Oral reprimand (must be reduced to writing for record purposes)
2. Written reprimand (subject to approval by the Commissioner)
3. Emergency suspensions (relieved of duty)
4. Written Recommendations for other penalties.

Only the Commissioner can suspend and demote; only the Governor has the authority to terminate employment.

C. Progressive discipline

Progressive discipline is a process for dealing with conduct that fails to meet established performance expectations. Its purpose is to assist employees in overcoming behavioral issues and improving performance. To be effective, progressive discipline must be consistent and fair and be impartial.

D. Consistency in discipline

The department abides by the philosophy that discipline must be applied consistently and uniformly. This policy describes complaint procedures against department employees. Additionally, it discusses employee recognition and penalties for various infractions.

1. The department does not provide employees with lists of specifically prohibited behavior. One list of examples of such behavior appears in this policy, but no list can be all-inclusive. Employees are expected to have a reasonable perception of what constitutes proper behavior, based on academy training and the observance of the behavior of officers generally.

E. Relief from duty

An employee may be relieved from duty whenever a superior officer has cause to question an employee's physical or psychological fitness for duty. An internal affairs investigation may follow.

1. The First line supervisor, sergeant or higher ranking officer has authority to relieve an employee from duty, but must promptly report this action to the Chief of Police, accompanied by a written report setting forth details and circumstances.

2. If the necessity to relieve from duty is not immediate, the behavior or actions of the employee shall be deemed a matter for administrative investigations. In an administrative investigation, only the Commissioner of Police may relieve an employee from duty. Only the Commissioner may suspend without pay an officer whose continued presence on the job constitutes a substantial and immediate threat to the welfare of the department, the public, or to him / herself.
3. An officer who refuses to obey a direct order in conformance with the department's orders may be relieved from duty by the First line supervisor or senior officer, who may bring the matter to the Chief of Police through appropriate channels. The Chief or his designee shall conduct a hearing in accordance with the department's disciplinary procedures and the relevant Collective Bargaining Agreement (CBA) and may then recommend a disciplinary course of action to include but not limited to suspension without pay or dismissal from employment.
4. As a result, the Commissioner may establish practices, make decisions and enter orders with regard to matters not directly related but ancillary to the imposition of discipline. These can include, but are not limited to, no contact orders, temporary or permanent assignments, regulating on-duty work hours and responsibilities, regulating secondary employment privileges, ordering psychological or other work related examinations, determining necessary remedial training or entering any other order, restriction or condition deemed appropriate under the circumstances. These practices do not constitute the imposition of discipline and are not regarded as a part of any disciplinary sanction. Therefore, the imposition of any of the above orders, conditions or restrictions may not be considered in determining whether a violation should be sustained and, if so, what the appropriate penalty should be.

F. Time Requirements

Pursuant to the VIPD disciplinary policy, the time requirements for the disciplinary process including filing an appeal / grievance is clearly identified with the respective employees Collective Bargaining Agreements. Due to the multiple Unions which employees of the VIPD belong, it is necessary to follow the respective Collective Bargaining Agreement (CBA) of the employee being disciplined.

G. Levels of Discipline / Penalties

Pursuant to the VIPD disciplinary policy, the following penalties are available:

1. Oral reprimand; counseling; training.

2. Written reprimand.
3. Suspension without pay.
4. Demotion.
5. Dismissal from department.

H. Oral reprimand; counseling and training

Oral reprimands, while informal, require documentation with an employee's acknowledgment of such record. The following steps shall be observed:

1. At the time of an oral reprimand, the employee receiving it shall be counseled as to correct behavior, and further advised that a written record shall be maintained concerning the reprimand/counseling, and that the employee may read the record.
2. The employee shall be further advised that he or she has the right to file a statement in his or her personnel file setting forth his or her position, in case of disagreement.
3. The reprimanding supervisor shall record the reprimand/counseling using the department counseling form to the personnel record and it shall contain the following information:
 - a. Employee's name;
 - b. Date of reprimand/counseling;
 - c. Summary of reasons for reprimand/counseling;
 - d. Summary of employee's response;
 - e. Suggestions for improvement or specific actions suggested;
 - f. Name of counselor and signature.
 - g. The following statement must appear:

"I acknowledge that I have today received counseling and I have been advised of the following rights: (1) that a written record of reprimand/counseling shall be maintained; (2) that the employee has a right to review the record and respond in writing; (3) that the form shall become part of the personnel file; and (4) that the employee is required

to acknowledge the reprimand/counseling by signing the record.”

- h. The employee shall sign and date the form following the statement.
4. Oral reprimand/counseling may involve remedial training. This training may be deemed necessary to rectify the improper behavior. Remedial training may include attendance at academy classes, in-service, or other training specially created to help the employee correct or modify his or her behavior. Remedial training is reasonably offered until the employee can demonstrate proficiency in the corrected behavior. All training shall be documented.
 5. If the employee has not behaved improperly following counseling for one year, the record of counseling shall be expunged from the employee's personnel file. Accumulation of three oral reprimands in one year shall result in a written reprimand or suspension, depending on circumstances.
 6. Supervisors are expected to counsel employees regularly without oral reprimands. Most counseling is informal, positive, supportive, and perhaps undocumented.
 - a. Supervisors are responsible for counseling employees concerning job-related matters, within their capabilities. Many things can affect the job and an employee's performance, so job-related counseling may involve family and other individual, personal subjects. Counseling may include identification of unacceptable behaviors or actions, specifically what was done wrong and the desired or acceptable performance. Counseling can attempt to determine the reason for the particular behavior, determine and recommend how to correct or improve performance or to solve the problem.
 - b. A variety of counseling resources are available within the community including psychological, family, marital, and financial counseling. Employees in need of counseling, or desiring information about available resources, are encouraged to talk with the Human Resources section. The department recognizes that no stigma is attached to seeking professional counseling to solve problems. *(See EIP manual and policy)*

l. Written reprimand

A written reprimand, issued by the Chief of Police or Commissioner or his designee, cautions an employee about poor behavior, sets forth the corrected or modified behavior mandated by the department, and specifies the penalty in cases of recurrent poor behavior. A written reprimand becomes a permanent part of the employee's personnel record.

J. Suspension without pay

If the situation warrants, the Commissioner may suspend without pay, or in appropriate situations demote an employee in accordance with the rules and procedures of the department, providing that due process is afforded the affected employee.

1. Suspensions without pay shall normally be based on the disciplinary matrix.
2. Suspensions resulting from criminal investigations or arrest may be prolonged pending court action.
 - a. In no case shall an employee convicted of a felony continue to work for the department.
 - b. If an employee is acquitted of criminal charges, the employee may still be subject to disciplinary action.
3. Any member suspended for a period (30) thirty days or longer shall return all department-owned property. On any suspension, the officer must return to department custody his or her badge, identification card, issued firearm, or home fleet vehicle when applicable.
4. During a suspension, the employee shall not undertake any official duties.

K. Demotion

1. Demotion shall be to the next lowest rank. Demotion shall only apply to an officer of the rank of Police Corporal or above.
2. An employee may protest or appeal a suspension in accordance with the respective CBA.

L. Dismissal

Dismissals are made in cases of extreme misfeasance, malfeasance, or nonfeasance of duty. A complete record of the circumstances of the misbehavior shall be made by all persons having knowledge of the misbehavior.

1. Employees may protest or appeal a dismissal in accordance with the respective CBA.
2. Whenever dismissal or suspension is planned, the department shall provide notice to the employee in accordance with respective CBA.

M. Reporting arrests

Any employee, in or out of district or jurisdiction, arrested for, charged with, or convicted of any crime, or required to appear as a defendant in any criminal or civil proceedings, must immediately inform the Commissioner through proper channels in writing. Employees do not have to report parking tickets or minor traffic offenses. Additionally, employees must report summonses or arrests for reckless driving, DUI, second or more violations for speeding, or any other traffic offenses. Failure to notify the department of the foregoing shall be cause for disciplinary action.

V. TRAINING:

All supervisory personnel will be trained on this policy by the Training Division of the Virgin Islands Police Department.



Rodney F. Querrard, Sr.
Police Commissioner

APPENDIX A - DISCIPLINARY MATRIX

The following matrix is a guide for the fair and impartial administration of discipline within the Virgin Islands Police Department.

The purpose of the matrix is to provide a guideline for possible discipline ranges when employees are found to have engaged in violations of policies or rules of conduct, to establish consistency, predictability, and fairness in the discipline process, and to deter misconduct.

It is the procedure of this disciplinary matrix to use this as a guideline to determine the appropriate penalty by considering the totality of the circumstances, including the employee's history and mitigating or aggravating factors. The matrix addresses the handling of both single and multiple offenses. For example, where an employee has engaged in multiple offenses, often the single act that warrants the highest penalty is used as the discipline guide, with the remaining acts considered as aggravating factors.

The discipline system of the VIPD must be fairly, efficiently, and consistently administered so as to promote and maintain a culture of public accountability, individual responsibility and maintenance of the highest standards of professionalism possible. The discipline ordered should reflect the mission and values of the VIPD and help to promote trust and respect within the department and the community.

The investigation of allegations of misconduct must be fair, thorough, conducted with full regard for the rights of employees and designed to develop all relevant facts necessary for the fair determination of the issue in question.

Offenses not specifically included in the Matrix shall result in penalties consistent with offenses of a similar nature and seriousness.

Repeated violations of any of the Department's Policies or any other course of conduct indicating a lack of regard or total disregard for the obligation or duties prescribed for members of the Department shall be just cause for imposition of maximum / aggravated penalty or dismissal proceedings.

Any prior sustained violation in a category greater than or equal to the current violation shall increase the penalty level by one. The prior violation must be within the specified time frame of the current violation.

A time limit has been established for recurrence of conduct and is included in the VIPD Disciplinary Matrix. Any prior sustained violation within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

When considering penalties, mitigating factors may reduce a penalty to non-disciplinary corrective action, while aggravating factors may increase the penalty to termination for

prohibited conduct that may not otherwise call for termination in the matrix.

Mitigating factors may include, but are not limited to the following: the misconduct was not premeditated; the employee had a secondary and/or minor role in the misconduct; the employee was forthright and truthful during the investigation; the employee accepted responsibility for his/her conduct; and the employee reported the incident.

Aggravating factors may include, but are not limited to the following: the misconduct was premeditated; the misconduct involved gross negligence or recklessness; the employee should have understood the consequences (length of service, training, etc.); the employee was not forthright or truthful during the investigation; serious consequences or injury occurred or could have occurred as a result of the misconduct; and the misconduct was committed with malicious intent or for personal gain. Other factors that should be considered include, but are not limited to: effect on the integrity of the department; degree of culpability; prior disciplinary history; severity of misconduct (multiple offenses); training; and length of service.

Violations that appear in multiple categories will require the Department to compare the underlying conduct to the definitions contained in each category in order to identify the appropriate category for the violation.

In some instances Demotion to a lower rank may be an acceptable means of discipline, depending upon the gravity and circumstances of the violation.

Probationary employees may be disciplined and dismissed without using the VIPD Discipline Matrix.

The following categories describe levels of conduct which will be deemed a violation of VIPD Policy, local and federal laws. The Matrix is divided into sections according to these categories.

Category A: offenses are generally minor violations or disregard of policy. These are violations of policy that does not involve a misuse of authority or an ethical offense, and has no impact or has minimal adverse impact on public safety or the professional image of the department.

Category B: offenses are serious violations and disregard of policy. These are violations of policy that involve a misuse of authority or ethical offense and/or that creates or poses the potential for clear serious adverse impact on public safety or the professional image of the department.

Category C: offenses are more serious violations or disregard of rules or policies. These are violations of policy that involves a misuse or abuse of authority or an ethical offense, or that creates or poses the potential for a major adverse impact on public safety or the professional image of the department.

Category D: offenses are major, non-correctable offenses, including crimes and violations of public trust, for which dismissal is the required penalty, regardless of the employee's prior disciplinary and work record. These are violations of policy that involves untruthfulness or other ethical offenses, any felonious conduct, or offenses that create or pose the potential for critical adverse impact on public safety or the professional image of the department.

When considering the penalty phase for sustained charges, follow the Penalty Table and always begin with the **PRESUMPTIVE PENALTY**. Mitigating or Aggravating penalties require specific justification to justify whether to go up (aggravating) or down (mitigating).

Penalty Table			
Discipline Level	Mitigating Penalty	Presumptive Penalty	Aggravating Penalty
1	Training and/or Counseling and/or documented oral reprimand	Written Reprimand	1-4 Days Suspension
2	1-4 days Suspension	5 Days Suspension	8-9 Days Suspension
3	6-9 Days Suspension	10 Days Suspension	11-19 Days Suspension
4	11-19 Days Suspension	20 Days Suspension	21-29 Days Suspension
5	21-29 Days Suspension	30 Days Suspension	31-39 Days Suspension
6	31-39 Days Suspension	40 Days Suspension	41-49 Days Suspension
7	41-49 Days Suspension	50 Days Suspension	Termination
8	50-60 Days Suspension	Termination	

TABLE OF CHARGES

CATEGORY A		OFFENCE		
Charges		1 st	2 nd	3 rd
1	Addressing political gatherings in support of, or in opposition to, a candidate while on duty or in uniform.	1	2	3
2	All Department equipment issued shall be maintained in proper order.	1	2	3
3	Assuming active roles in the management, organization, or financial activities of political clubs, campaigns, or parties while on duty or in uniform.	1	2	3
4	Eating on duty while conducting official business.	1	2	3
6	Endorsing or opposing a candidate for public office in a political advertisement, broadcast, or campaign literature while on duty or in uniform.	1	2	3
6	Engage in any activities or personal business which would cause them to neglect or be inattentive while on duty.	1	2	3
7	Engaging in idle conversation or loafing on duty.	1	2	3
8	Failure of employees on duty to style their hair according to established Departmental policy.	1	2	3
9	Failure of employees on duty to wear uniforms or other clothing in accordance with established Departmental policy.	1	2	3
10	Failure of employees to report to their supervisor any defect or hazardous condition in Departmental equipment.	1	2	3
11	Failure to be properly equipped and cognizant of information required for the proper performance of duty.	1	2	3
12	Failure to be tactful, control temper, and exercise the utmost patience and discretion in the performance of duties.	1	2	3
13	Failure to carry identification cards on their persons at all times, except when impractical or dangerous to their safety or to an investigation.	1	2	3
14	Failure to follow chain of command. All applications, requests, complaints, etc., from any member of the Department shall be submitted to the Commanders thru channels for transmittal to the Chief and Commissioner.	1	2	3
15	Failure to furnish name and badge number to any person requesting that information, when on duty, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.	1	2	3
16	Failure to give prescribed identification when answering telephone.	1	2	3

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Policy No. 7.1

CATEGORY A		OFFENCE		
Charges		1 st	2 nd	3 rd
17	Failure to immediately report any changes in telephone numbers, addresses, marital status, dependents, or beneficiaries to the Virgin Islands Police Department Human Resources Section during normal duty hours of the Section.	1	2	3
18	Failure to know the rules, regulations, procedures, directives, or orders of the Department and the employee's assigned Division.	1	2	3
19	Failure to maintain desks and/or lockers in a clean and orderly manner, and mark, deface, or affix anything to a desk and/or locker without permission of the Commissioner.	1	2	3
20	Failure to obtain and produce a certificate of medical treatment after reporting sick and absent as required by law or policies and procedure.	1	2	3
21	Failure to operate official vehicles in a careful and prudent manner, and obeying all laws and all Departmental orders pertaining to such operation.	1	2	3
22	Failure to prepare a departmental report when required.	1	2	3
23	Failure to render salute when appropriate.	1	2	3
24	Failure to report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties.	1	2	3
25	Failure to treat employee address and telephone information as confidential information	1	2	3
26	Failure to use seatbelts / restraints in accordance with Virgin Islands laws and department policies.	1	2	3
27	Failure to utilize Department equipment only for its intended purpose and in accordance with established Departmental procedures and training	1	2	3
28	Holds a political position that is incompatible or has a conflicting interest with his/her duties as a police Department employee.	1	2	3
29	Initiating or circulating a petition to non-employees while on duty or in uniform.	1	2	3
30	Leave assigned duty post during a tour of duty except when authorized by proper authority or when necessary to perform immediate police functions.	1	2	3
31	Mark, deface, or affix anything to the walls of a police building without permission from the Commissioner.	1	2	3
32	Operating a Department vehicle without a valid Virgin Islands operator's license on his person.	1	2	3
33	Organizing, selling tickets to, or actively participating in a fund-raising function for a political party or candidate while on duty or in uniform.	1	2	3
34	Outside employment interferes with the employee's performance with the Department.	1	2	3

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CATEGORY A		OFFENCE		
Charges		1 st	2 nd	3 rd
35	Participating in any kind of work slowdown or sit-down or any other concerted interference with government operations.	1	2	3
36	Reading newspapers, books or periodicals while on patrol.	1	2	3
37	Recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service.	1	2	3
38	Remove, alter, deface, or mark upon any official notice posted on any bulletin board.	1	2	3
39	Serving as delegates to a political party convention while on duty or in uniform.	1	2	3
40	Soliciting votes in support of, or in opposition to, any candidates while on duty or in uniform.	1	2	3
41	Untidy appearance while on duty or in uniform.	1	2	3
42	Using tobacco, in any form when employee is actively engaged in dealing with the public, while on duty.	1	2	3
43	Using tobacco, in any form when employee is in any vehicle owned, leased or rented by the Department.	1	2	3
44	Using tobacco, in any form when employee is on any premises owned, leased or rented by the Department.	1	2	3
45	Violating safety rules without threat to life.	1	2	3
46	Attempt(s) to convert an enforcement contact (suspect, informant, and traffic violator) into a social relationship [off-duty contact].	2	3	4
47	Emergency Driving – in a vehicle not meeting the definitions of an emergency vehicle. According to Virgin Islands Law and Department policy.	2	3	4
48	Failure to immediately notify a supervisor of a traffic accident involving a Department Vehicle.	2	3	4
49	Failure to notify their supervisor if their performance could be impaired, when controlled substances, narcotics, or hallucinogens are prescribed.	2	3	4
50	Failure to perform duties at school crossing.	2	3	4
51	Failure to remain awake while on duty.	2	3	4
52	Failure to report to the Department the loss or suspension of any driving license.	2	3	4
53	Failure to submit a written request for off-duty employment for approval prior to engaging in such employment.	2	3	4

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CATEGORY A		OFFENCE		
Charges		1 st	2 nd	3 rd
54	Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention.	2	3	4
55	Illegal parking violation(s).	2	3	4
56	Maintain files or duplicate copies of official agency files in either manual or electronic formats at his or her residence or in other locations outside the confines of the Department without express authorization of the Commissioner.	2	3	4
57	Permitting unauthorized person(s) in department vehicle.	2	3	4
58	Use of Department Equipment: Use of Department equipment, materials, supplies, or property not specifically assigned to an individual employee without authorization absent extenuating circumstances.	2	3	4
59	Uses the influence of his/her position with the Department for political purposes.	2	3	4
60	Using department facilities for private gain, while on or off duty.	2	3	4
61	Without authorization or authority, excessive speed violation as defined in Virgin Islands Code, Title 20, Section 494.	2	3	4

TABLE OF CHARGES				
CATEGORY B		OFFENCE		
Charges		1 st	2 nd	3 rd
1	Employees shall not undertake any financial obligations which they know or should know they will be unable to meet, and shall pay all just debts when due.	2	3	4
2	Engage in acts of "horseplay" which involves the potential for risk of injury to the employee, other employees, other persons, or damage to property.	2	3	4
3	Failure to assist any person requesting information or advice, or making complaints or reports, either by telephone or in person or neglecting to provide or obtain all pertinent information in an official courteous manner and properly and judiciously act upon information received consistent with established Departmental procedures.	2	3	4
4	Pursuit Driving – Failure to notify radio / supervisor of involvement in a pursuit.	2	3	4
5	Accidental discharge of a firearm with any injury to any person or self.	3	4	5
6	An employee, while on duty or off duty, or their agent records (audio and/or video) any conversation with another employee without that employee's knowledge.	3	4	5
7	Careless loss or damage to a department-owned firearm.	3	4	5
8	Divulging verbally or in writing any information about any accident or incident involving government employees' property or equipment to unauthorized persons.	3	4	5
9	Fails to refer complaints to an appropriate on-duty supervisor, to the Office of Internal Affairs, or the investigating officer for recording.	3	4	5
10	Failure of employees who are given an otherwise proper order which is in conflict with a previous order, rule, regulation, or directive to respectfully inform the supervisor issuing the order of the conflict.	3	4	5
11	Failure of supervisors to request a drug or alcohol screening test when they have reasonable suspicion that an employee is using and/or under the influence of drugs or alcohol.	3	4	5
12	Failure to direct and/or control or otherwise effectively supervise a command, section, unit, squad, etc.	3	4	5
13	Failure to prefer disciplinary charges.	3	4	5
14	Failure to report any violation they have personal knowledge of having been committed by any employee of the Department.	3	4	5
15	Failure to report through the proper channels any violation of law, rules, regulations, procedures, directives or orders that are brought to their attention.	3	4	5

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CATEGORY 8		OFFENCE		
Charges		1 st	2 nd	3 rd
16	Failure to take physical or mental examinations as required by the Commissioner.	3	4	5
17	Fighting or quarreling among members of the Department.	3	4	5
18	Incident not involving an act of violence where elements of a misdemeanor crime are met, regardless of whether the employee was indicted, prosecuted, or convicted.	3	4	5
19	Intentional abuse of sick leave benefits.	3	4	5
20	Intentionally missing a scheduled mandatory training after proper notification.	3	4	5
21	Make or transmit copies of recorded communications for purposes other than those involving official Department business.	3	4	5
22	Negligent control / failure securing of a prisoner.	3	4	5
23	Obey any order which they know or should know would require them to commit an illegal act.	3	4	5
24	Posting in any form or medium that brings discredit to the department or government.	3	4	5
25	Receiving any reward for police service rendered and fails to forward the reward and a written report to the Commissioner.	3	4	5
26	Report the use of any substance, prior to reporting for duty that impairs their ability to perform their duties.	3	4	5
27	Soliciting for attorneys, bondsmen, tow truck operators, or other businesses or firms.	3	4	5
28	Uncooperative and/or interfered with a traffic – related investigation on or off duty.	3	4	5
29	Unsatisfactory Performance: Failure to thoroughly search for persons, property and locations, or collect, preserve and identify evidence in any investigation or arrest.	3	4	5
30	Unsatisfactory Performance: Failure to thoroughly search individuals under arrest.	3	4	5
31	Using rude, coarse, violent, profane, vulgar, sarcastic, or insulting language and/or conduct to the public or any officer.	3	4	5
32	Violation of Equal Employment Opportunity (EEO) rules and regulations, inappropriate actions, comment(s), gestures that violate EEO standards.	3	4	5
33	While on duty, access any adult / pornographic or otherwise similarly inappropriate web site on any department computer system (unless in performance / furtherance of an official investigation with supervisor's knowledge).	3	4	5

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CATEGORY B		OFFENCE		
Charges		1 st	2 nd	3 rd
34	Attempt to dissuade any citizen from lodging a complaint against any employee or the Department.	4	5	6
35	Authorize the use of their names, photographs, or official titles which identify them as employees in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Commissioner.	4	5	6
36	Failure to accept and record all complaints.	4	5	6
37	Intentionally make an arrest, search or seizure which they know is not in accordance with law and Departmental procedures.	4	5	6
38	Intentionally missing a court appearance after proper notification / subpoenas.	4	5	6
39	Knowingly visit, enter, or frequent a house of prostitution, gambling house, drug house, or establishment wherein the laws of the United States, the Virgin Islands, are regularly violated except in the performance of duty or while acting under proper and specific orders from a supervisor.	4	5	6
40	Refusal to obey any lawful order or directive.	4	5	6

TABLE OF CHARGES			
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CATEGORY C		OFFENCE		
Charges		1 st	2 nd	3 rd
1	Failure to prepare Response to Resistance Reports in accordance with the Reportable Use of Force Policy.	4	5	6
2	Installing unauthorized software on the department or government network.	4	5	6
3	Performing any act or omission not specifically covered in the rules and procedures, charges and specification, which may be prejudicial to the good order and efficiency of the Department or which will discredit the reputation of the department, or its employees.	4	5	6
4	Abuse, or negligently damaging or losing Department equipment; or intentionally damaging and/or destroying departmental property or equipment.	5	6	7
5	Actions amounting to harassment and/or intimidation of a citizen, department or government employee.	5	6	7
6	Address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information, or any other matters of the Department, while holding themselves out as representing the Department in such matters without the express permission of the Commissioner/designee.	5	6	7
7	Civilian employee in possession of a firearm not authorized by the Commissioner in a police facility.	5	6	7
8	Disseminating information obtained from the police department computer systems without authorization.	5	6	7
9	Engage in any activity involving moral turpitude that may cause the Department to be brought into disrepute or discredit the operation or efficiency of the Department.	5	6	7
10	Engaging in any remunerative occupation other than the duties of said employment with the V.I. Government without the permission of the Commissioner.	5	6	7
11	Failure of department member to notify Commissioner or his designee of member's subpoena/agreement to appear and give testimony in a civil litigation	5	6	7
12	Failure of department member to notify Commissioner or his designee of member's being subpoenaed to give testimony as a character witness for any individual in a criminal trial.	5	6	7
13	Failure to immediately report any personal injury received in the line of duty.	5	6	7

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CATEGORY C		OFFENCE		
		1 st	2 nd	3 rd
Charges				
15	Failure to report in writing, offers of bribes or gratuities to permit illegal acts.	5	6	7
16	Failure to submit all necessary injury/illness reports on time and in accordance with established Departmental procedures.	5	6	7
17	Failure to treat the official investigations, reports, and/or communications oral, written, or electronic business of the Department as confidential.	5	6	7
18	Inappropriate supervisor / direct subordinate personal relationship that includes sexual activity on or off duty.	5	6	7
19	Intentional abuse of disability benefits.	5	6	7
20	Intentional improper use of the hand restraint techniques contrary to departmental training and/or policy.	5	6	7
21	Intentionally dry testing TASER in the absence of a department supervisor contrary to departmental training and/or policy.	5	6	7
22	Knowingly and willfully making a false entry and/or report, either written or electronic in any departmental record or. Knowingly and willfully omitting and/or deleting information from an official report either written or electronic.	5	6	7
23	Knowingly join or participate in any organization that advocates, incites or supports criminal acts, criminal conspiracies, or hate crime activities.	5	6	7
24	Knowingly make false accusations of employee misconduct.	5	6	7
25	Lending government firearm to another employee without authorization.	5	6	7
26	Pretend or feign illness or injury, falsely report ill or injured, or otherwise deceive or attempt to deceive the Department as to the condition of their health or reports submitted are not truthful and complete, and has knowingly entered, or caused to be entered, any inaccurate, false, or improper information.	5	6	7
27	Publicly criticize or ridicule the Department, its policies, or other employees by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, impairs the operation or efficiency of the Department, is made with reckless disregard for truth or falsity or could be reasonably interpreted as having an adverse effect upon the Department morale, discipline, operation of the Department or perception of the public.	5	6	7
28	Pursuit Driving – Failure to terminate pursuit on the order of a supervisor.	5	6	7
29	Regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employee.	5	6	7

VIPD Policy Manual

Policy No. 7.1

CATEGORY C		OFFENCE		
Charges		1 st	2 nd	3 rd
31	Unauthorized disposing of departmental property and/or equipment.	5	6	7
32	Unprofessional conduct involving an act of violence where elements of a misdemeanor are met, regardless of whether the employee was indicted, prosecuted, or convicted.	5	6	7
33	Appear for duty, or be on duty while under the influence of intoxicants, or with an odor of intoxicants on their breath.	8	7	8
34	Carrying unauthorized / unapproved weapon and / or ammunition	6	7	8
35	Carrying unauthorized/ unapproved weapon and / or ammunition.	6	7	8
36	Consume intoxicating beverages while on duty.	6	7	8
37	Engage in gambling; including or illegal games of chance when otherwise prohibited by law, while on duty or in uniform while off duty or on government premises.	6	7	8
38	Failure to handle persons in custody in accordance with law and Departmental policies and procedures.	6	7	8
39	Failure to submit all weapons carried while in performance of their duty for examination upon request/directed.	6	7	8
40	Improper handling, misuse and/or display of firearms contrary to departmental training and/or policy.	6	7	8
41	Possess, consume, store or bring into any police facility, onto any police property whether owned, rented, or leased, or in any police vehicle, without the permission of the Commissioner or immediate supervisor any alcoholic beverages, except when held as evidence or as seized property.	6	7	8
42	Solicit and/or accept from any person, business, or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of the employees or the Department if it may reasonably be inferred that the person, business, or organization seeks to influence action of an official nature or seeks to affect the performance or non-performance of an official duty.	6	7	7
43	Unauthorized modification(s) to a departmental weapon/equipment.	6	7	8
44	Unauthorized use of TASER (on or off-duty).	6	7	8
45	Using official position, official identification cards, or badges for obtaining privileges not otherwise available to them except in the performance of duty.	6	7	8
46	Excessive use of force that results in injuries.	7	8	
47	Sexual activity (on duty or off-duty) in a police department facility, vehicle, and/or grounds	7	8	

VIPD Policy Manual

Policy No. 7.1

CATEGORY C		OFFENCE		
Charges		1 st	2 nd	3 rd
48	Solicit and/or accept from any person, business, or organization, any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of the employees or the Department without the express prior authorization of the Commissioner.	7	8	
49	Using official position, official identification cards, or badges for avoiding consequences of illegal acts.	7	8	

TABLE OF CHARGES				
CATEGORY D		OFFENCE		
Charges		1 st	2 nd	3 rd
1	Accepting bribes for permitting illegal acts.	8		
2	Claim any found property or property turned into them during the course of their employment, including any property held as evidence.	8		
3	Conviction and participation or involvement in a crime of moral turpitude.	8		
4	Conviction of a Felony.	8		
5	Conviction of a Misdemeanor excluding minor traffic violations	8		
6	Divulge the identity of employees or persons giving confidential information except as authorized by Commissioner or his designee.	8		
7	Fail to cooperate fully in any internal administrative investigation conducted by this department or other authorized agency and provide complete and accurate information in regard to any issue under investigation.	8		
8	Fail to submit to ballistic tests on the order of the Commissioner/designee.	8		
9	Giving false or misleading statements or willful omissions during any criminal or administrative investigation.	8		
10	If the employee fail to report to the Commissioner in writing as soon as possible; employee's arrest, indictment or charge for any criminal offense outside this district or in another jurisdiction.	8		
11	Intentional discharge of a firearm in violation of policy.	8		
12	Intentional improper use of the TASER contrary to departmental training and/or policy.	8		
13	Intentionally make false accusations of a criminal or traffic charge in an official capacity.	8		
14	Knowingly interfere with Departmental investigations or any other governmental agency or Actions jeopardizing the status of a criminal investigation, administrative investigation, or prosecution.	8		
15	Knowingly submitted a criminal investigation /internal investigation report with false information.	8		
16	Lend to another person their identification cards or badges or permit them to be photographed or reproduced without approval.	8		
17	Open defiance; deliberate or willful refusal to carry out or disregard a lawful order/directive; direct refusal, and/or outright or blatant verbal indication or actions that clearly defy a lawful order, rule, regulation, or directive.	8		
18	Operated a government - owned vehicle while under the influence of illegal drugs or substances or alcohol.	8		

VIPD Policy Manual

Policy No. 7.1

CATEGORY D		OFFENCE		
Charges		1 st	2 nd	3 rd
19	Possess or use any controlled substances, narcotics, or hallucinogens except when prescribed in the treatment of employees by a physician or dentist.	8		
20	Possess, carry, or use any weapon prohibited by law or Departmental policies.	8		
21	Racial profiling / civil rights type violations (enforcement based solely on race, color, national origin, sex, religion, sexual orientation, or economic status).	8		
22	Refusal to obey a direct order resulting in major damage or impact to the department.	8		
23	Refusal to take, tampering with, or failure of the illegal substance abuse screening test.	8		
24	Unauthorized possession or use of explosives.	8		
25	Unauthorized use of departmental funds.	8		
26	Unauthorized Use of Force on Handcuffed or restrained individual(s).	8		
27	Unlawfully using official position, official identification cards, or badges for personal or financial gain.	8		
28	Unprofessional conduct where elements of a felony are met, regardless of whether the employee was prosecuted or convicted.	8		
29	Upon the order of the Commissioner/designee or a supervisor, fail to truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department which may be asked of them.	8		
30	Use of unauthorized impact weapon	8		
31	Using department position to interfere with prosecution.	8		
32	Using information gained through their position as law enforcement employees to improve their financial position or to advance the private interests of themselves or others.	8		
33	With the intent to defraud, submitting any type of report (overtime, employee reimbursement, etc.) for monetary gain.	8		


 Rodney F. Querrard, Sr.
 Police Commissioner

ASSIGNMENT ORDER

(For Internal Use Only)

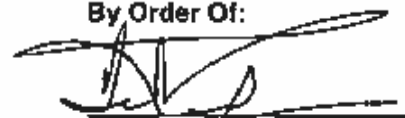
AFFECTED EMPLOYEE	RANK/TITLE	ACTION TAKEN	EFFECTIVE DATE
RICHARD MATTHEWS	LIEUTENANT	TRANSFER	MONDAY JULY 16, 2018
FROM	TO	AREA ASSIGNED	COMMANDER
OFFICE OF THE CHIEF OF POLICE	OFFICE OF THE POLICE COMMISSIONER	INTERNAL AFFAIRS AND APPLICANT SCREENING BUREAU	ASSISTANT COMMISSIONER CURTIS GRIFFIN, JD
AMEND/RESCIND	DISTRIBUTION		
Curtis A. Griffin, JD, Assistant Commissioner Jason K. Marsh, Deputy Commissioner Winsbut McFarlane, Sr., Territorial Chief of Police Edmund Walters, Acting Assistant Chief – STX Cpt. Mary Duggan, Special Assistant to the Commissioner IAU/H.R./Payroll Section File			

Your transfer from the Office of the Chief of Police to the Office of the Police Commissioner will take effect as noted above. Prior to the effective date, you shall contact Assistant Commissioner Griffin for briefing and instruction.

Deputy Chiefs, Commanders, Managers and Supervisors per EIP Policy 6.2 are required to review EIP system records of all officers recently transferred to their Zones, Bureaus and Section/Unit within Five (5) days following the transfer action.

Dated this: 10th day of July, 2018

By Order Of:



Delroy Richards, Sr.
Commissioner

Note:

Re-Assignment takes place when an employee is removed from one activity center to another within the same division. Transfer takes place when an employee is moved from one division to another.

2008-ATTENDED TRAINING/SEMINAR BY INTERNAL AFFAIRS PERSONNEL

Cpl. Lorrenie Hassell	1.	Investigative Interview Techniques for IA officer
Agt. Daria Wilkinson	1.	Investigative Interview Technique for IA officer
	2.	Domestic Violence
Mrs. Josefina Martinez-Acosta	1.	Microsoft Computer
Ms. Kathleen Powell	1.	Microsoft Computer
Sgt. Kent Bellot	1.	Investigative Interview Technique for IA officer
	2.	Use of Deadly Force
Sgt. Roselyn Bedminister	1.	Police Background Investigation
	2.	Use of Deadly Force
	3.	Domestic Violence
Det. Ivan Christopher	1.	Investigative Interview Techniques for IA officer
	2.	Use of Deadly Force
Agt. Joia Peters	1.	Investigative Interview Technique for IA officer
	2.	Domestic Violence
Agt. Kisha Mitchell	1.	Investigative Interview Technique for IA officer
	2.	Domestic Violence
Agt. Kamilah Thompson	1.	Investigative Interview Technique for IA officer
	2.	Domestic Violence

2009-ATTENDED TRAINING/SEMINAR BY INTERNAL AFFAIRS PERSONNEL

Agt. Vimaris Corcino	1.	Administrative Hearing Process Seminar
	2.	Police Internal Affairs

Internal Affairs Attended Training
Page 2 of 7

Agt. Chenelle Skepple	1. Administrative Hearing Process Seminar 2. Police Internal Affairs
Agt. Latefah Klyvert	1. Administrative Hearing Process Seminar 2. Police Internal Affairs
Agt. Daria Byron	1. National IA Investigators Association Conference
Sgt. Mirrett Benta	1. V.I. Labor Management Committee Conference 2. Microsoft Excel 3. Microsoft Access
Josefina Martinez-Acosta	1. Microsoft Excel 2. Microsoft Access

2010-ATTENDED TRAINING BY INTERNAL AFFAIRS PERSONNEL

Sgt. Marisol Irizarry	1. Supervisory Training
Agt. Daria Wilkinson	1. Consent Decree Training
Sgt. Mirrett Benta	1. Hostage Negotiation Training 2. Leadership and Management Seminar (Procedures for conducting & Managing IA Investigation)
Agt. Latefah Klyvert	1. IAPRO User's Symposium Training
Agt. Vimaris Corcino	1. Shooting Reconstruction Training
Agt. Chenelle Skepple	1. Use of Force
Agt. Felicia Bennerson	1. Shooting Reconstruction Training
IA Staff	1. IAPRO Training-STX/STT
Supervisors & Agents	1. Disciplinary Administrative Hearing Training-STX/STT
Ms. Leslie McLeish	1. Microsoft Excel

Internal Affairs Attended Training
Page 3 of 7

2011-ATTENDED TRAINING BY INTERNAL AFFAIRS PERSONNEL

- | | |
|----------------------|---|
| Agt. Vimaris Corcino | 1. Strengthening Response to Violence against Women Training |
| | 2. IAPRO Conference |
| | 3. Cell Phone Investigation Technology & Forensic Data Recovery Certificate |
| Agt. Latefah Klyvert | 1. Strengthening Response to Violence against Women Training |
| IA Staff | 1. Mandatory Use of Force Training |
| | 2. Early Intervention Seminar |

2012-ATTENDED TRAINING BY INTERNAL AFFAIRS PERSONNEL

- | | |
|--|---|
| Agt. Vimaris Corcino | 1. Advanced Cell Phone Forensics Training |
| Sgt. Gregory Coward
Det. Vivianne Newton
Agt. Kisha Mitchell | 1. Investigating Use of Force Training |
| Det. Vivianne Newton | 1. Taser Train the Trainer Training |

2013-ATTENDED TRAINING BY INTERNAL AFFAIRS PERSONNEL

- | | |
|---|--|
| Agt. Latefah Klyvert
Agt. Chenelle Skepple | 1. Officer Survival and Communications Spanish Guide |
| Agt. Latefah Klyvert | 1. Conducting Officer Involved Shooting & In-Custody |

Internal Affairs Attended Training
Page 4 of 7

Agt. Kisha Mitchell	Death Investigations (20 Hours)
Sgt. Gregory Coward	1. Firearm Instructor Training 2. Crime Scene Investigative Training 3. Mastering Leadership-First Line Supervisors Training 4. Managing Police Misconduct Training 5. Prescriptive Interview and Interrogation Training
Det. Vivianne Newton Sgt. Gregory Coward	1. The Department of Homeland Security Surveillance Detection Training
Agt. Vimaris James Agt. Chenelle Skepple	1. Interview and Interrogation Training
Det. Vivianne Newton Sgt. Gregory Coward Agt. Kisha Mitchell	1. Active Shooter Training
IA Staff	1. Early Intervention Protocol (EIP) Training 2. Webinar on Supreme Court Rulings
Agt. Kisha Mitchell Det. Vivianne Newton	1. Strategic Plans for Diversity in Recruiting and Hiring

2014-ATTENDED TRAINING BY INTERNAL AFFAIRS PERSONNEL

Agt. Kisha Mitchell	1. The Reid Technique, Interview and Interrogation course
IA Staff	1. Webinar on Officer Termination: Legal Liability & Best Practices
Agt. Kisha Mitchell Sgt. Gregory Coward	1. Practical Kinesic Interview & Interrogation Training
Sgt. Jason Marsh	1. Use of Force-Force Science Training

Internal Affairs Attended Training
Page 5 of 7

Agt. Chenelle Skepple	1. U.S. Dept. of Homeland Security Intelligence Writing and Briefing
Agt. Joia Peters	1. Audit Training

2015-ATTENDED TRAINING BY INTERNAL AFFAIRS PERSONNEL

Det. Vivianne Newton Agt. Chenelle Skepple	1. Shooting Reconstruction
Agt. Chenelle Skepple	1. Use of Force Instructor Training Program (FLETC)
Act. Director Jason Marsh Agt. Daria Byron	1. FBI LEEDA Administrative Training
Agt. Daria Byron	1. Early Warning System (EWS) Webinar

2016-ATTENDED TRAINING BY INTERNAL AFFAIRS PERSONNEL

Agt. Latefah Klyvert Agt. Chenelle Skepple Agt. Vimaris James	1. Force Review Board SOP Implementation Training 2. FIT SOP Procedure Implementation Training
Agt. Latefah Klyvert	1. Conducting Officer Involved Shooting & In-Custody Death Investigations (20 Hours)
Agt. Latefah Klyvert Agt. Vimaris James	1. Force Review Board SOP Implementation Training 2. Communication Techniques for Law Enforcement Officers
Agt. Daria Byron Agt. Chenelle Skepple Agt. Kisha Mitchell	1. FBI LEEDA Supervisory Leadership Institute training
Agt. Daniella Ellington Agt. Jamesha Petty	1. Investigative Interviewing Skills for Internal Affairs
Agt. Chenelle Skepple	1. Two Day Background Investigation Training/Course
Agt. Daria Byron Agt. Chenelle Skepple Agt. Kisha Mitchell	1. FBI LEEDA Executive Leadership Institute training

Internal Affairs Attended Training
Page 6 of 7

Det. Vivianne Newton
Agt. Kisha Mitchell
Sgt. Gregory Coward

1. Use of Force Training

Agt. Daria Byron
Agt. Chenelle Skepple

1. Supervisory Investigation Use of Force training

Sgt. Gregory Coward

1. EIPRO Training
2. TAC*ONE Consulting 40 hour Law Enforcement Tactical Training
3. TAC*ONE Consulting 40 hour "Lone Wolf" Active Shooter Course.
4. Software Demonstration (West Law)

IA Staff

1. Facebook & Investigation Techniques for Unmasking Hidden services & other dark web operations

Agt. Kisha Mitchell
Agt. Chenelle Skepple

1. IAPRO Annual User's Conference

Acting Dir. Jason Marsh

1. Train the Trainer Simulator Training

Det. Vivianne Newton

1. Alzheimer's Training
2. Leadership Enrichment Seminar

Agt. Vimaris James
Agt. Chenelle Skepple

1. From Confrontation to Conversation (ILOE)

2017-ATTENDED TRAINING BY INTERNAL AFFAIRS PERSONNEL

Det. Vivianne Newton

1. Leadership Enrichment Seminar
2. Alzheimer's Training in Oxford Mis

Det. Vivianne Newton

1. Recruiting, Hiring & Officer Retention Training in San Antonio, TX.

Agt. Kisha Mitchell

1. NOBLE Conference in Washington

Sgt. Gregory Coward

1. Evaluation of Force Training
2. Leadership and Accountability Training
3. Burden of Proof Training

Internal Affairs Attended Training
Page 7 of 7

2018-ATTENDED TRAINING BY INTERNAL AFFAIRS PERSONNEL

Det. Vivianne Newton Agt. Chenelle Skepple	1. National Internal Affairs Investigator's Association Conference
Det. Vivianne Newton Agt. Vimaris James	1. AELE Use of Force Workshop Training
Det. Vivianne Newton Sgt. Gregory Coward Agt. Kisha Mitchell	1. Procedural Justice Training
Agt. Chenelle Skepple	1. Procedural Justice-Executive Leadership Training



Government of

The Virgin Islands of the United States

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VIRGIN ISLANDS POLICE DEPARTMENT
INTERNAL AFFAIRS AND APPLICANT SCREENING BUREAU



50F2 Hannahs Rest
Suite #2
Frederiksted
St. Croix, U.S.V.I. 00840
(340)778-3066

Police Operations and
Administrative Services
#45 Mars Hill, Frederiksted
St. Croix, U.S.V.I. 00840
(340)778-2211

Criminal Justice Complex
Charlotte Amalie
St. Thomas, U.S.V.I. 00802
(340)774-2211

Leander Jurgen Command
Cruz Bay
St. John, U.S.V.I. 00830
(340)693-8880

March 5, 2018

To: Antonio Emanuel
Director, Training Bureau

From: Chenelle Skepple _____
Acting Director, IA&ASB

Subject: Consent Decree Training Budget FY-2019

In accordance with Paragraph 51 of the Consent Decree between the United States Department of Justice and the Government of the Virgin Islands, et al, that specifically states, among other things: “ the VIPD to establish policies and train all of its investigators on the factors to consider when evaluating complainant or witness credibility: examination and interrogation of accused officers and others witnesses...” considering this mandate, the Internal Affairs and Applicant Screening Bureau is submitting the following training request:

Seminar Information Services. Inc.

Administrative Assistants Conference \$2,290.00

CI Technologies

Annual IAPRO and Blue Team Users Conference \$6,372.00

California Training Institute

2017 Use of Force Investigators Conference \$4,749.00

Public Agency Training Council (PATC)

Officer Involved Shooting \$6568.00

Detective and New Criminal Investigations \$6,386.00

Internal Affairs Conference and Certification \$5,884.00

Facsimile (340) 715-5517 St. Thomas • (340) 778-2373 St. Croix • (340) 776-6236 St. John

First line Supervision: Leadership and Management Skill	\$5364.00
Supervisor Liability	\$4952.00
Investigative Techniques using Social Network Sites	\$4,276.00
Internal Affairs	\$5,500.00
Recruitment, Hiring Background Investigations & Retention	\$5,500.00
Five Stages of Interview & Interrogation Techniques	\$7,250.00
Emerging law Enforcement Legal trends	\$4,695.00
Homicide and Questioned Death Scene	\$6,448.05
Investigative Statement Analysis	\$3,658.00
Use of force and Documentation	\$3,490.00
 AELE Workshops	
Use of Force	\$7,172.00
 Force Science Institute, Ltd	
Force Science Certification Course	\$6,600.00
 Backster School of Lie Detection	
Basic Polygraph Examiner Training Schedule	\$6495.00
 FBI-LEEDA	
Command Leadership Institute Training	\$6,810.00
 Institute of Police Technology and Management (IPTM)	
Crime Scene Processing Workshop	\$4,219.00
Shooting Incident Reconstruction	\$5,390.00
Forensic Mapping with total stations and CSI Mobile	\$10, 812.00

International Association for Crime Analysts (IACA)

Foundations for Crime Analysis	\$7,740.00
Total:	\$138,620.05

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF THE VIRGIN ISLANDS**

UNITED STATES OF AMERICA,)	
)	C.A. No. 3:08-CV-158
Plaintiff,)	
)	
v.)	
)	
THE TERRITORY OF THE VIRGIN ISLANDS,)	
and THE VIRGIN ISLANDS POLICE)	
DEPARTMENT,)	
)	
Defendants.)	
)	
)	
)	

ATTORNEYS:

Jeffrey Murray, Esq.
 Aaron Fleisher, Esq.
 Paul Killebrew, Esq.
 United States Department of Justice
 Washington, D.C.
 Gretchen Shappert, United States Attorney
 Joycelyn Hewlett, AUSA
 Sansara Cannon, AUSA
 United States Attorney’s Office
 St. Thomas, VI
For the plaintiff,

Claude Walker, Attorney General
 Carol Thomas-Jacobs, AAG
 Terri L. Griffiths, SAAG
 Virgin Islands Department of Justice
 St. Thomas, U.S.V.I.
For the defendants.

PROPOSED ORDER

GÓMEZ, J.

On July 6, 2018, the Court appointed Chief Robert McNeilly as an expert on police practices and ordered Chief McNeilly to report to the Court on steps that the Virgin Islands

Police Department (VIPD) could take to advance compliance with the Consent Decree entered in this case. Dkt. #331. On August 20, 2018, the Court filed two reports authored by Chief McNeilly, which contained numerous recommendations to VIPD. Dkt. #346. At a hearing in this matter on September 4, 2018, the Court ordered the Parties to adapt Chief McNeilly's recommendations into a Proposed Order. In their joint report regarding Chief McNeilly's recommendations, Dkt. # XX, the Parties have demonstrated that VIPD has already implemented many of Chief McNeilly's recommendations, though several remain to be fully implemented. The Parties adapted these remaining recommendations into a Proposed Order.

The premises considered, it is hereby **ORDERED**:

1. Until VIPD has reached substantial compliance with the Consent Decree, the Parties and IMT shall continue to use the 2016 Action Plan, Dkt. #220, and the Roadmap to Compliance, Dkt. #340 at 108-26, to guide their compliance activities.
2. Until the termination of the Consent Decree, VIPD shall provide updates to the Court, through its monthly reports or otherwise, on:
 - a. increases to the staffing of Internal Affairs, which is expected to advance VIPD toward compliance with Paragraphs 44(i) and 70(e);
 - b. the delivery of training recommended by Chief McNeilly, which is expected to advance VIPD toward compliance with Paragraphs 35(a), 44(i), and 64; and
 - c. any changes that it may make to the structure of its compliance unit, which is expected to advance VIPD toward compliance with all provisions of the Consent Decree that remain out of compliance.
3. Within one month of the issuance of this Order, VIPD shall provide documentation to the Court showing that:

- a. its Training Advisory Committee has reviewed deficiencies, corrective action, and discipline related to use of force and civilian complaint investigations and assessed these matters for the purposes of developing training programs;
- b. the directors of the training and audit units have received notice of deficiencies found in use of force and civilian complaint investigations;
- c. the agency has implemented an audit to assess whether issues in use of force investigations that were identified by the audit unit have been addressed;
- d. the agency tracks deficiencies in force and civilian complaint investigations, including corrective actions taken to address the deficiencies;
- e. supervisors have conducted performance evaluations in which they have considered any deficiencies in force and civilian complaint investigations;
- f. VIPD has adopted a final policy ending the practice of having St. Thomas's and St. Croix's Force Investigations Teams respond only to incidents on the other island;
- g. the risk management Executive Committee has reviewed risk management data and made recommendations to command staff, command staff have considered these recommendations, and the compliance unit has tracked corrective actions;
- h. the audit unit has implemented an audit to assess whether action plans created as part of the risk management system have been implemented;
- i. the audit unit has implemented an audit to assess whether supervisors have received risk management information when new subordinates come under their command;
- j. the audit unit is tracking disciplinary actions; and

- k. the Commissioner has explained departures from the disciplinary matrix in writing.
4. Until the termination of the Consent Decree, VIPD shall promptly report to the Court when any of the following events occur:
 - a. VIPD completes an investigation finding that a use of force violated the agency's policies, which is expected to advance VIPD toward compliance with all provisions of the Consent Decree that remain out of compliance;
 - b. the audit unit reports any deficiencies to the Commissioner in VIPD employees' implementation of action plans created as part of the risk management system, which is expected to advance VIPD toward compliance with Paragraph 64; and
 - c. the audit unit reports to the Commissioner regarding supervisors' failure to consult the risk management system when new subordinates come under their command, which is expected to advance VIPD toward compliance with Paragraph 64.

Curtis V. Gómez
District Judge