



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

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



May 20, 2016

**VIPD'S STATUS REPORT FOR QUARTER ENDING MAY 6, 2016**

**Work Group No 1 - USE OF FORCE**

**Paragraphs: 32-b, c, & f**  
**33**  
**34-a, b, c, & d**

- On February 19, 2016 the Use of Force Working Group (“UOFWG”) met and discussed strategies of achieving substantial compliance with the 32 b, c, f; 33 b; and 34 a, b, c, d. It was decided that the Acting Director of Internal Affairs would provide a case listing of closed and open cases from January 1, 2016, weekly to the Chiefs and Deputy Chiefs and that a copy of the cases submitted to the Deputy Chiefs would be reviewed at the UOFWG Friday meetings. It was also decided that the status of cases would be discussed and memorialized in Commanders Call and supervisors who fail to timely complete investigations and respond to scene will be held accountable and disciplinary charges will be filed against them. The UOFWG also discussed the need to remind supervisors of the importance of forwarding of cases in Blue Team and having cases routed through proper personnel prior to getting to the Deputy Chiefs. It was also decided that if a Deputy Chief rejects an investigation due to discrepancies, the Deputy Chief should memorialize the reason in a document, upload the document and return the investigation. The UOFWG discussed the importance of supervisors actively investigating cases rather than using the extension as excuse. The UOFWG discussed creating a checklist for the Deputy Chief to use while reviewing the cases. It was determined that this would be beneficial and user friendly and could serve as a self-audit, rather than waiting for the audit from the audit unit. The UOFWG also committed to holding a Force Review Board (“FRB”) review during the quarter.

- Consistent with the strategies developed on February 19, 2016 by the UOFWG, on a weekly basis Acting Director of Internal Affairs provided to the Chiefs and Deputy Chiefs a case listing of open and closed cases filed between January 1, 2016 to present. The status of cases were discussed and memorialized in Commanders call. Cases which are submitted to the Deputy Chiefs were reviewed at Use of Force Working Group (“UOFWG”) Meetings. Discrepancies in investigations were documented and uploaded and the investigation returned to the supervisor for corrective action. A checklist was developed for Deputy Chiefs to use while reviewing cases.
- Chiefs decided that if supervisors fail to timely complete investigation respond to scene they will be held and disciplinary charges will be filed against them. An issue was raised as to who would be assigned the UOF case(s) to investigate, if the officers that respond and use force are from different zones. A solution suggested was that the supervisor from the zone in which the force was used would be the one to investigate the UOF.
- At the March 4, and March 11, 2016 meeting other strategies were identified or developed. UOFWG members suggested to the Chiefs and Deputy Chiefs that were present that supervisors should review the Blue Team entries of the officers prior to the officers sending them out, as doing so would limit the deficiencies in the reports. It was suggested that where officers from different zones respond to a use of force incident, the supervisor for the zone for the officer that used force would be the one to investigate the use of force.
- On March 4 and 11, and April 1 and 8, 2016, the UOFWG met and reviewed cases turned into the Chief’s office for compliance. The UOFWG reviewed use of force complaints UOFX2016-0002, 0004 0006, 0007, 0022, and 0027; UOFT 2016- 0003, 0004, 0005, 0012 and 0063. In reviewing the cases, several deficiencies were found. The deficiencies were documented and provided to the Deputy Chiefs for the respective districts to address with the supervisors. Meetings were held with the supervisors to address and correct deficiencies with respect to the investigative reports. Concerns raised by the supervisors pertaining to the investigations were clarified during the meetings with the UOFWG or Deputy Chief. The corrected reports were not returned in a timely manner to the UOFWG to measure for substantial compliance.
- During the reviews of the cases, the work group members reviewed the cases for boiler plate language, supervision notifications, consistencies in reports and also analysis of the force to include risk management issues. Though VIPD was unable to meet substantial

compliance with the paragraphs this quarter, VIPD believes that it made progress in formulating steps to monitor and target supervisors that have issues and address and correct them. Where there is a need for additional instruction, focused instruction with the supervisor aids in better understanding of what is required in the documents for compliance with these and other consent decree related paragraphs.

- April 4 and 6, 2016, the UOFWG, led by Acting Director of Internal Affairs, met with commanders and supervisors in both districts and had a Roll Call Training on review of Use of Force & Citizen Complainant Investigations. The UOFWG reviewed with the commanders and supervisors deficiencies in use of force reports and how they need to be corrected for compliance with these paragraphs.
- On April 15, 2016 Chief Foy and Chief Hector, with the assistance of IMT, held two (2) FRB's each for a total of four (4) FRBs. The cases that were presented by the FITs in each district were UOFT2011-0152 & UOFT2011-0024 (STX FIT) and UOFX2010-0034 & CX-0022-08 (STT FIT). Additionally, on May 12, 2016 at the IMT Summit, Chief Foy and Chief Hector, with IMT assistance, held one (1) FRB each for a total of two (2) FRBs. The cases that were present by the FIT's in each district were UOFX2014-0020 (STT FIT) and UOFT2011-0075/FAT2011-0019 (STX FIT). UOFWG members and others also attended FIT/FRB Training held in STX on April 11-15. In doing so, UOFWG met 4Q5-3.
- On April 26, 2016, Act. Dir. Sgt. J. Marsh and Det. V. Newton conducted a brief audit/review of the UOF cases in IAPRo from December 19, 2016 to present April 26, 2016. This was done to see if the supervisor(s) who were required to travel to the scene, were traveling to the scenes of UOF incidents in both districts. Two charts/tables were prepared – one with the St. Thomas information and the other with St. Croix data. The charts/tables were sent to IMT.
- This quarter, the UOFWG increased its members from three (3) to five (5) members.

**Work Group Nº 2 – CITIZEN COMPLAINT PROCESS**

**Paragraph: 44-I**

- Directive for Investigative Case Management Log was executed by the Police Commissioner on May 5, 2016. Investigative Case Management Log and directive were distributed on May 6, 2016. They were distributed to all sworn personnel territory-wide via e-mail. The Investigative Case Management Log seeks to assist supervisors and commanders with tracking the progress and actions taken throughout the life of an investigation. The log seeks to track the interaction with complaints and witnesses, interviews conducted, periodic status reports provided to complainants, statements taken, request and receipt of relevant documents and any other action taken throughout the investigation.
- Training conducted on the Investigative Case Management log was conducted at Commander's Call in both districts – May 9, 2016 on St. Thomas and May 16, 2016 on St. Croix. Training involved going over the directive with supervisors and commanders as well as filling out the Investigative Case Management log..
- To reduce the back log of outstanding cases, written directive was sent to supervisors and commanders informing them of 2015 delinquent cases and they were given schedule or limited time period within which to complete 2015 cases. Some achieved the goal while others did not, despite best efforts of some supervisors. Manpower shortage and other major activities and events during this quarter contributed to VIPD's ability to achieve substantial compliance with this goal. See tables below for comparison of completed cases for cases received January 2015 – January 25, 2016 for the period ending February 6, 2016 and May 18, 2016.

Raw Data Requested with Percentages for January 2015-January 25, 2016 as of 2-6-2016

<b>TERRITORIAL</b>	<b>RECEIVED</b>	<b>COMPLETED</b>	<b>ACTIVE</b>
<b>Citizen Complaints</b>	275	173 (62.91%)	102 (37.09%)
<b>Administrative Investigations</b>	159	87 (54.72%)	72 (45.28%)
<b>Use of Force</b>	132	78 (59.09%)	54 (40.91%)

<b>ST. CROIX</b>	<b>RECEIVED</b>	<b>COMPLETED</b>	<b>ACTIVE</b>
<b>Citizen Complaints</b>	139	87 (62.59%)	52 (37.41%)
<b>Administrative Investigations</b>	90	58 (64.44%)	32 (35.56%)
<b>Use of Force</b>	45	35 (77.78%)	10 (22.22%)

<b>ST. THOMAS</b>	<b>RECEIVED</b>	<b>COMPLETED</b>	<b>ACTIVE</b>
<b>Citizen Complaints</b>	136	86 (63.24%)	50 (36.76%)
<b>Administrative Investigations</b>	69	29 (42.03%)	40 (57.97%)
<b>Use of Force</b>	87	43 (49.43%)	44 (50.57%)

Raw Data Requested with Percentages for January 2015-January 25, 2016 as of 5-18-2016

<b>TERRITORIAL</b>	<b>RECEIVED</b>	<b>COMPLETED</b>	<b>ACTIVE</b>
<b>Citizen Complaints</b>	276	209 (75.72%)	67 (24.28%)
<b>Administrative Investigations</b>	160	112 (70.00%)	48 (30.00%)
<b>Use of Force</b>	138	89 (64.49%)	49 (35.51%)

<b>ST. CROIX</b>	<b>RECEIVED</b>	<b>COMPLETED</b>	<b>ACTIVE</b>
<b>Citizen Complaints</b>	139	105 (75.53%)	34 (24.47%)
<b>Administrative Investigations</b>	92	72 (78.26%)	20 (21.74%)
<b>Use of Force</b>	51	42 (82.35%)	9 (17.65%)

<b>ST. THOMAS</b>	<b>RECEIVED</b>	<b>COMPLETED</b>	<b>ACTIVE</b>
<b>Citizen Complaints</b>	137	104 (75.91%)	33 (24.09%)
<b>Administrative Investigations</b>	68	40 (58.82%)	28 (41.18%)
<b>Use of Force</b>	87	47 (54.02%)	40 (45.98%)

**Work Group № 3 – MANAGEMENT & SUPERVISION**  
**Paragraphs: 58**

- Non-Training Issue Support Form was created and directive executed by the Police Commissioner on May 5, 2016. Directive for Non-Training Issue Support Form and form were distributed to all sworn personnel territory-wide via e-mail on May 6, 2016. The Non-Training Issue Support Form seeks to document and formalize the procedures that Commanders, Supervisors, Investigators, Division and Unit Heads should follow when non-training issues are identified during the investigation and review of citizen complaints or officer misconduct.

**Paragraph: 69**

- April 19, 2016, VIPD reassigned Lieutenant Maria Colon-Jones to Audit & Inspection Unit. The monitors informed VIPD at the last monthly IMT meeting that VIPD would have to submit two timely audits to achieve substantial compliance.

**Paragraph: 70**

- VIPD has been working on revising the disciplinary matrix to make it more user friendly and to address the concerns raised by VIPD officers and personnel. VIPD has consulted with and had several discussions with the IMT regarding the matrix.

**Work Group Nº 4 – TRAINING**

**Paragraph: 73**

- During this quarter it was recommended that a letter be drafted giving VIPD's legal counsel authorization to review VIPD's Use of Force policies and lesson plans. That letter was approved by Attorney General Claude Earl Walker on March 21, 2016.
- During this quarter a test survey was conducted. The result from the survey was forwarded to the IMT for review and comments. IMT identified several issues and made several recommendations pertaining to the evaluation process.
- In April, it was recommended by IMT that in order to achieve compliance Training had to develop a full evaluation component to evaluate training. The evaluation process will be put in place for the upcoming In-Service training scheduled for July 2016. Processes will include: course evaluation, course test, instructor evaluation which is completed immediately after training, a retention test to be completed 30-60 days after training; attendees will complete a course In-service survey evaluation within 90 days after training; supervisors will complete an

assessment evaluation of officers 4 months after training. In-Service training is scheduled to begin in July 2016.

**Paragraph: 77**

- For compliance during this quarter, it was recommended by the IMT that separate instructor file be created for each instructor to be reviewed. Duplicate paper files were created to be audited. The audit unit and IMT (Bob Stewart) reviewed the files and made some additional recommendations after review.
- PowerDMS continues to be VIPD's main database which captures all training files to include instructor files, trainings and attendance. All the components of this paragraph were put in place to achieve compliance. This training component was audited by the Audit Unit (SAC Duggan and SAC Jones) and Training is waiting for the hard copy paper files to be reviewed by the IMT. It was also recommended by the IMT that copies of completed Instructor Attendance log sheet should be included in each instructor's files.