

AGENDA

Board of Wildlife Resources
Law Enforcement Committee
7870 Villa Park Drive, Board Room
Henrico, Virginia 23228

October 18, 2022
2:00 pm

Committee Members: Brian Vincent, Chair, Mr. Tom Sadler, and Mr. G. K. Washington

DWR Staff Liaison: Colonel John Cobb

1. Call to Order and Welcome
Mr. Brian Vincent
2. Approval of August 17, 2022 Meeting Minutes
Mr. Brian Vincent
3. Public Comment – Non-Agenda Item
Mr. Brian Vincent
4. VCP Organizational Excellence
Colonel John Cobb
5. Law Enforcement Chief Update
Colonel John Cobb
6. Director's Report
Mr. Ryan Brown
7. Chair's Report
Mr. Brian Vincent
8. Additional Business/Comments
Mr. Brian Vincent

Final Action

9. Next Meeting Date: January 18, 2023
Mr. Brian Vincent

10. Adjournment
Mr. Brian Vincent

Draft Meeting Minutes
Law Enforcement Committee
Board of Wildlife Resources
7870 Villa Park Drive, Board Room
Richmond, Virginia 23228

August 17, 2022
2:00 pm

Present: Mr. Brian Vincent, Chair, Mr. Tom Sadler and Mr. G. K. Washington; **Board Members in attendance:** Mr. Leon Boyd, Mr. Jon Cooper, Mr. John Daniel, Mr. George Terwilliger, ; **Executive Director:** Mr. Ryan J. Brown; **Deputy Directors:** Ms. Becky Gwynn and Mr. Gary Martel; **Director's Working Group:** Mr. Darin Moore, Ms. Paige Pearson, Mr. Bob Smet, Dr. Mike Bednarski, Ms. Stacey Brown, Colonel John Cobb, Mr. Paul Kugelman.

The Chair called the meeting to order at 2:00 pm and welcomed everyone to the meeting. The Chair noted for the record that there was a quorum present for the meeting.

Meeting Minutes: The Chair called for a motion to approve the minutes of the May 18, 2022 committee meeting. Mr. Sadler made a motion to approve the minutes of the May 18, 2022 meeting minutes. It was seconded by Mr. Washington. Ayes: Washington, Vincent, & Sadler

Public Comment – Non Agenda Item: The Chair called for Public Comment – Non Agenda Item. Mr. Judge Charlton spoke regarding Hunting with Dogs

New Staff Introductions: The Chair called on Colonel Cobb for Introductions.

Colonel Cobb introduced the 3rd Major, Major Jody Blackwell
Colonel Cobb introduced Part-time employee for Law - Mr. Doug Goodman

Office of Professional Standards - Academy Update: The Chair called on Major Milt Robinson for an Update.

Major Milt Robinson gave an update on the Law Enforcement Professional Standards and updated the committee on the application process for a new recruit school that will be beginning on January 25, 2023.

After comments and questions, the Chair thanked Major Robinson for his update.

Peer Support Partnership: The Chair called on Captain Rob Ham for a presentation.

Captain Ham gave a presentation on Law Enforcement's Peer Support Partnership and introduced long time volunteer for the Partnership, Ms. Dawn Linton who will be retiring....

After comments and questions, the Chair thanked Captain Ham for his presentations.

VCP Mobile Command Trailer: The Chair called on Captain Tony Fisher for a presentation.

Captain Fisher presented the VCP Mobile Command Trailer and had it set up in the parking lot to visit.

After comments and questions, the Chair thanked Captain Tony Fisher for his presentation.

Law Enforcement Chief Update:

Colonel John Cobb gave a Law Enforcement Update on:

- Law Enforcement held a DQR, DCR, and MR Law Enforcement Static Display in early July that was attended by Secretaries of Natural & Historic Resources and Public Safety, some of the Governor's staff and members of the General Assembly .
- Officers attended 35 National Night Out in VA
- Flippo-Gentry WMA Dedication on October 20, 2022
- Announced Captain Ham's and 1st Sgt. Promotions.
- Drones going live on 9/1/22

Director's Report: The Chair called on Executive Director Ryan Brown for his Director's Report.

The Director reported:

- Flippen-Gentry Dedication Update
- Law Enforcement has grown and advanced in a few short years, thanked them for their dedication and work to make DWR a better place.

After comments and questions, the Chair thanked Mr. Brown for his report.

Chair's Report:

The Chair thanked Law Enforcement for all their effort and commitment to DWR.

The Chair announced the next Law Enforcement committee meeting will be October 18, 2022 and asked if there were any additional comments, hearing none, he adjourned the meeting at 2:50 pm.

Respectfully submitted,

/s/ Frances Boswell



VCP Rollicall

August 2022 / Edition #18



Colonel's Message:

First off, welcome to our First Sergeants, this position was first presented about 15 years ago and has finally come to realization. Much has changed since then, but the need for this position has certainly grown significantly as well. As with anything new, there will be adjustments in duties and responsibilities as we move forward. We plan to meet with our new First Sergeants on multiple occasions with Regional Command Staff, including at a two-day retreat to discuss with them some successful implementation strategies.

At the Governor's recent visit to HQ, I got to share with him your vast scope of work; along with our recruitment, retention and staffing challenges as well as public safety funding needs. I also provided him with a VCP Introduction and Situational Report that included our roadmap overview (see next two pages) and a copy of the VCP 2021 Annual Report. I also talked about the creation of a National Wildlife Law Enforcement Accreditation Program and the benefits of seeing what other agencies do well and bringing it back to DWR. The Governor later followed up with his approach of being "Best in Class" and it became very evident that we are on the right track with our pursuit of excellence.

Colonel John J. Cobb / Chief of Law Enforcement



Proactive Initiatives:

- This is the Governor's VCP Introduction and Situational Report:



Virginia Conservation Police (VCP) Introduction and Situational Report



➤ VCP Scope of Work

- An accredited Police Agency charged with the enforcement of laws and regulations in the woods and waters within the Commonwealth – Accredited by Virginia Law Enforcement Professional Standards Commission (VLEPSC) and National Association of State Boating Law Administrators (NASBLA)
 - Second only to Virginia State Police in the number of sworn officers with statewide jurisdiction and full police powers
 - Primary boating enforcement agency for the Commonwealth
 - Authorized 184 sworn conservation police officers - current staffing is 148
 - Twenty-five years ago there were nearly 220 total officers
- Patrol public and private lands to protect our Wildlife and Natural Resources and promote public safety
- At current staffing levels each field officer is responsible for 424 square miles
- Serves as a force multiplier for federal, state and local law enforcement agencies
- DWR is the largest state landowner second only to VDOT (46 WMAs - total of 203,000 acres)
- Responsible for Recreational Boating Safety across the state
 - 53,225 miles of rivers and 116,364 acres of lakes
 - Increasing waterway usage - especially by canoes, kayaks and standup paddle boards

➤ Today's Recruitment, Retention and Staffing Challenges

- Like most law enforcement agencies, VCP is struggling to attract, hire and retain qualified candidates
- 56% of VCP sworn officers in the field have five years or less of experience in this profession
- Due to the complexity of this position, new VCP officers take 3-5 years to be fully capable
- VCP officers are a resource to other law enforcement agencies - those agencies often recruit our officers with offers of better compensation and benefits
- VCP officers and Law Enforcement Staff are our greatest resource and our best investment
- DWR is not a General Fund Agency - limited on what can be spent directly on Law Enforcement

➤ Law Enforcement and Public Safety Funding Needs

- Expand budget for VCP officer compensation and staffing levels - by increasing funding from established Watercraft Sales and Use Appropriations & HB 38 Transfers found in §58.1-638(E)
- VCP starting pay not equivalent to Virginia State Police (\$7,788 less / 16% lower)
- VCP officers deserve equivalent pay and benefits to their state police counterparts
- Create Natural Resources Emergency Communications Center / Records Management Section
- Study potential Natural Resources Law Enforcement Training Academy for DWR, DCR & MRC
- Equipment and Training Needs - i.e. implement Officer Worn Cameras

VCP Roadmap (Strategic Plan)

Department of Wildlife Resources

1. Organizational Excellence

- 1.1 Maintain VLEPSC and NASBLA accreditation standards
- 1.2 Succession planning to ensure effective leadership continuity
- 1.3 Communicate clear expectations for performance, conduct, and accountability
- 1.4 Structure the organization to optimize effectiveness and efficiency
- 1.5 Increase consistency and transparency through improved communications
- 1.6 Seek alternative funding opportunities

2. Employer of Choice

- 2.1 Recruit and retain a diverse and exceptional workforce that values diversity, equity, and inclusion
- 2.2 Recognize knowledge, skills and abilities of Conservation Police Officers through a Career Progression Program
- 2.3 Foster mentorship programs in the division that support employee development and collaboration
- 2.4 Deploy a fair and equitable process for advancement and professional development
- 2.5 Ensure progressive training that meets or exceeds the expectations of our profession and the citizens we serve
- 2.6 Strive to be competitive by providing equitable compensation, benefits, and a high quality of life

3. Public Safety and Resource Protection

- 3.1 Leverage technology to increase administrative and operational efficiencies
- 3.2 Pursue and expand advanced investigative trainings and techniques
- 3.3 Deploy law enforcement equipment to enhance operational effectiveness and officer safety
- 3.4 Expand the special operations unit to enhance public safety and enforcement capabilities

4. Community Ambassadors

- 4.1 Promote the Division's mission and accomplishments through social media and other communication platforms
- 4.2 Reconnect and foster new relationships with partner organizations and diverse community groups
- 4.3 Engage the community through a clearly defined community policing philosophy
- 4.4 Promote the Division's role in outdoor education

5. Collaborative Professional Partnerships

- 5.1 Foster relationships with public safety and natural resource partners
- 5.2 Enhance intra-agency relationships to fulfill agency objectives
- 5.3 Engage advocates to support Division goals and objectives
- 5.4 Seek opportunities to educate our partners by promoting the Division's expertise and specialization

Proactive Initiatives (cont.):

- Implementation of the New Command Staff Reorganization Plan with proactive purposes for each rank as presented to staff recently at the Regional Meetings:

RANK PRIMARY “Proactive” FUNCTIONS (Focus)

Colonel = Provide Strategic Direction and Vision (Division)

Major = Align · Empower · Forecast (Units)

Captain = Develop Best Practices and Administer Programs (Section)

Lieutenant = Advocate and Facilitate (Region)

First Sergeant = Lead and Coordinate Operations (Area)

Sergeant = Coach and Mentor (District)

- Wildlife Conflict Response Policy
 - This new agency policy has been signed by the Director and is now DWR’s standard operating procedure for Wildlife Conflict Response thanks to the collaboration and teamwork of many within the Division and Agency.
- VCP Drone Program Update
 - We are extremely excited to announce that we will be launching our Unmanned Aerial System (Drone) with an effective go live date of September 1st. On that date, we will have two drone systems that are operational. Our four licensed pilots, one per region, will be sharing these two systems until an additional two systems are procured (in the process now). It is our hope that this program will benefit the public and improve our officer safety. While it has taken us a few years to get to this point, we are extremely optimistic that the potential benefits will be a tremendous asset and addition to our toolbox. We have a General Order and an SOP that highlight what our role and function will be. Please take a few minutes to review those documents so that you will be best informed. As with many things, we will learn as we go and will probably have to revise a few things as we grow. Please remember that we will be transparent with our program and we hope we have put in place the necessary safeguards to ensure safe flying practices and protection of individual privacy.
 - Our General Order highlights the possible uses of our unmanned aerial system, which include searching for lost citizens, searching for missing boaters and hunters, aiding and checking for damage and victims after a natural disasters, aiding and checking for damage to property, and providing officers a means of protection during high risk activities, to name a few.
 - In preparation for going live, we will be offering a training session for Visual Observers through PowerDMS. Please look for this training to be available soon.

- Thank you for your patience and support as we begin our flying program!
- Our drone pilots are:
 - R1: Chris Smith
 - R2: Matthew sandy
 - R3: David Peake
 - R4: Owen Heine

- National Night Out 2022
 - We could not be more proud of how each of you that participated in National Night Out represented the Agency and Division! This was somewhat of a last minute push, but you all made it look easy. In total, we staffed booths at **33 events** across the Commonwealth and got to interact with our citizens and elected officials from state and local government. I know we had the Secretary of Public Safety at one event, and the Lieutenant Governor at a separate event. This was a great opportunity for DWR to showcase what we do to those that know us and those that don't.

- Flippo-Gentry WMA Dedication Ceremony (October 20)
 - Dedication to be held at the Airfield 4-H Conference Center in Wakefield
 - Latest Update: There will be no one from the Allen Flippo family at the dedication - his wife, Mary John Reid, passed away in July (**Thanks to all of you, especially the retirees, who gave for her final expenses**).
 - The Gentry family will be well represented by 33 family members and friends in attendance. Rich Perry has heard from many of them and this dedication in honor of the fallen Game Wardens means so much to them.
 - OFC Tim Bostic and our DWR Honor Guard will be arriving early to practice at the Airfield 4-H Conference Center. We also expect the VSP Bagpiper and possibly a drummer to take part in this ceremony.
 - The dedication will start at 11:00, the reception will be at 12:00 Noon and the guided tour will start at 1:00 PM. Wildlife Biologists Matt Kline and Emma Belling will be the tour guides. The WMA is only a few miles from the Conference Center. We have secured a James River Transportation 32 passenger Mini Coach. It looks like the Gentry family will fill the first tour and we will have a sign-up sheet for the second tour - each tour should be about 45 - 50 minutes long. If the weather is good, once the Gentry family returns to the Conference Center, we will leave with the immediate, close, family members that want to visit the crash site - it is about 22 miles away. Prior to the return of the Gentry family to the Conference Center, at approximately 1:30 PM, First Sergeant Brandon "Woody" Woodruff will take the Honor Guard members down to the crash site in order to be there prior to the arrival of the Gentry Family.
 - Bobby Mawyer will be our Master of Ceremonies and Tom Guess will handle the prayers and benediction. Lenee Pennington is providing static displays. Ron Messina and Meghan Marchetti will provide the slideshow shown at the reception and photos and possible video. Lt. Randy

Hickman, Senior Officer Joe Rollings and Senior Officer Dan Smith will be handling logistics, handicapped parking, etc. Sgt. Rich Landers, our Editor of the Retirees Newsletter, will be there doing interviews, taking photos and getting information for the next Retirees Newsletter.

Office of Professional Standards:

- ❖ UPDATE - Professional Standards Major
 - OPS Advisory Council Meeting schedule for November 2, 2022
 - Next Awards Recognition Program tentatively scheduled for March 15, 2023

- ❖ Recruitment / Retention Initiatives
 - The 2022 CPO Hiring Process is underway. The 91 remaining candidates are in the polygraph/ background investigation phase. The Division plans on filling up to 22 positions from this year's process. The 12th Basic Law Enforcement Training Academy is scheduled to begin January 25, 2023.
 - Though the application period has closed for this hiring cycle, anyone who is interested in joining the DWR team as a conservation police officer can receive information about the career, the hiring process, and the training academy by emailing recruiter@dwr.virginia.gov. Prospective applicants can also visit the CPO Recruiting website, <https://dwr.virginia.gov/conservation-police/recruiting/>. There, prospective applicants can find updated information and answers to many frequently asked questions. Information on that page will be updated regularly.

- ❖ Law Enforcement Internship Program
 - The Law Division will be hosting 2 interns for the Fall Semester. They will be working with Captain Ham out of the Verona Region 4 Office. If you happen to be in the Verona Office stop in and say hello to them.
 - Quinn McCann is a senior at Bridgewater College from Round Hill Virginia. He is majoring in Environmental Science with a minor in Crime and Justice. He has aspirations of becoming a Conservation Police Officer.
 - Kathryn Thomas is a Senior Bridgewater College student from Sandy Level Virginia. She is a Business Administration major with a minor in Crime and Justice. Her career goals are to become a Conservation Police Officer.

- ❖ Training (Basic and In-service) / Training Offered to Other Agencies
 - The officers of the 11th Basic Training Academy class have completed their 14 week Field Training Program. These officers have put forth a considerable amount of effort to get to where they are now. As many of us reading this can remember, this is an exciting time in their career.

- 2022 CPO In-Service - The 2022 officer in-service will be presented over several sessions in September and October. These sessions will provide advanced training in several areas including: hunting incident response, effective report writing, officer health and fitness awareness, and first aid/CPR.
 - Session dates are: September 13-16, September 26-29, October 4-7
 - Marine Law Enforcement Training Program - This summer the Division has sent 3 officers from Region 1 to the Federal Law Enforcement Training Center in Glyco, Georgia to attend the Marine Law Enforcement Training Program. This 28 day advanced training includes classroom and underway evolutions that will enhance our officers' abilities in the marine environment.
 - [Training Calendar](#)
- ❖ Citizen Feedback/ Employee Suggestion Program (E.S.P.)
- [E.S.P. Project List and Completion Tracker](#)
 - Have a suggestion? Submit [VCP-180](#) to Lawesp@dwr.virginia.gov.
- ❖ Accreditation
- We have completed the first term of the 4 year VLEPSC accreditation cycle. After the files are completed we will be inviting a team of assessors to perform a virtual mock assessment on our first term.
 - With the command structure changes we will need to revise several of the General Orders. Please remember division members have 10 working days to read and acknowledge receipt of new or revised general orders once published.
 - Changes to the use of force and pursuit form will be coming in the next month. These changes will be covered during officer in-service. The intent of the changes is to simplify the form with drop downs, check-boxes etc. to aid in collecting the necessary information and filling out the report narrative. Additionally, the narrative will no longer be duplicated on the forms. The forms will go live sometime after officer in-service.
- ❖ Risk Management
- Article: [Clash of Perspectives: SCOTUS Case Illustrates the Need to Look Beyond the Legal Issues](#)
 - This article illustrates how perspective plays an important role in our day to day interactions with the public or even co-workers. Oftentimes while enforcing the laws of the Commonwealth we are placed in situations where a conflict of perspectives is possible if not inevitable. Take the time when you have it at the very least to attempt to put yourself in the other person's shoes to minimize the effects a clash of perspectives can have on the ultimate outcome of the situation at hand.

❖ Peer Support

- During the Law Enforcement Committee meeting on August 17th, 2022 a presentation was given to the board on the division's peer support team and partnership with VALEAP. Most importantly Dawn Linton was recognized for her years of service to Virginia's Conservation Police Officer and Communication Officers. Dawn was presented with a CPO badge in Lucite, a Commonwealth of Virginia flag that was flown over the Capitol and a one of a kind Sgt. Steve Garvis original handcrafted Sandpiper. Dawn recently stepped down from the division's peer support team to care for her husband Steve after a return of cancer in the late spring. Steve passed away on July 25, 2022.

Dawn, left our board with these words from the Poem "Corners"
*"Safeguard us through the day, especially at the corners of the way;
For when the way is straight, we fear no sudden fate, but see ahead the
evening's open gate, but few and far between are days when all is seen,
of what will come, or yet of what has been, for unexpected things swoop
down on sudden wings and overthrow us with their buffetings... Control
and guard this day... at the corners of the way"*

- During the committee meeting the law committee showed a vested interest in the support that the peer team is here to provide to our staff and their families, should they "find unexpected things... that overthrow us with their buffetings..."
- Want to talk to a Peer Team Member? [Contact Information](#)



In the photo left to right: Captain Rob Ham, Dawn Linton, Col John Cobb and Retired Lt. Hank Garner. Retired Lt. Hank Garner started the division's CISM Team and introduced Dawn to DWR.

Support Services:

- ❖ UPDATE - Support Services Major
 - ❖ Well time is moving right along and I am learning a little more every day. I had the opportunity to participate in a tour with First Sergeant Jessica Fariss and Officer Matthew Sandy out of Region 2. We conducted a boat patrol on Lake Gaston, and it was an awesome experience filled with great conversations and a few laughs. I would also like to commend them both on their high level of professionalism when in contact with community members as well as making each encounter an educational opportunity.



Major Jody Blackwell being sworn in as a Virginia Conservation Police Officer



❖ Communications Center

- The individual selected for the Communication Manager position has accepted the conditional offer of employment and the background investigation is being conducted.
- Interviews are scheduled for September 8th & 9th for the new Communication Officer's position.

❖ Legal Articles of Interest

- Legal Compliance continues to work on a review of Virginia's waterfowl blind law. The goal of the review is to create a document that groups these laws by subject matter to enable law and licensing to gain a better understanding of these laws. This is the first time that DWR has undertaken a comprehensive review of these laws.

❖ Permits

- Please extend a warm welcome to the permits team!!! This team is now housed in the Law Division under Legal Compliance. This team includes Randy Francis, Shirl Dressler, and Janita Royal.
- Randy is the permits manager. He has served in this role for six years and has 35 years of state service. He is also a veteran of the U.S. Navy and U.S. Army.
- Shirl is a permit processor. She has 22 years of state service, all with DWR. Prior to this, she was a federal civilian employee for the Department of Defense.
- Janita is a permit processor. She has been with DWR for three years, and has 18 years of state service. She has worked with the Virginia Dept. of Agriculture and Consumer Services, Virginia Department of Health Professions, and the Virginia Department of Education. All of her experience involves regulatory work.

❖ Law Records

- In association with Community Policing, VSP shared the information below on determining the residency status of college students and military personnel.

Special Note for Temporary Residents of a Jurisdiction:

4-Year College/University Students: If a law enforcement officer determines that the subject is a student of a college/university in the jurisdiction of the stop, Residency should be coded as "Resident" regardless of license address or permanent residence. However, Community College students should be classified based on their current residence (due to the non-residential nature of the college).

Military Personnel: If a law enforcement officer determines that the subject is military stationed in the jurisdiction of the stop, Residency should be coded as "Resident" regardless of license address or permanent residence.

❖ IT Systems

- Need Help - Call a member of the [IT Cadre](#) to set-up either individual assistance or a small group training session
- If you have IT questions, sent them to LawITCadre@dwr.virginia.gov mailbox

Law Enforcement Operations:

❖ UPDATE - Operations Major Update

- Even though we place our primary focus on wildlife resources, there are other resources that require our protection, such as ginseng. It has been proven that the unlawful collection and trade of ginseng goes hand-in-hand with other wildlife violations. Fortunately for our division, Officer First Class Bostic is passionate about the protection of this resource and put together a *Game Warden Experience* designed to expose other CPO's and federal law enforcement officers to tactics and techniques that can be deployed when working suspected ginseng related poaching cases.
- Ginseng is a highly valuable / profitable root sought after for centuries by explorers driven by demand and greed to capitalize on the global market. Home to the largest wild population of ginseng, the Appalachian Mountains are highly targeted, often in secret, for 2-5 months out of the year by poachers looking to cash in on "Green Gold"! Though this plant was once in great abundance, it is a threatened species here in the Commonwealth deserving our attention and protection. The *Game Warden Experience* will be a 2.5-day workshop hosted at Shenandoah National Park HQ, and Rapidan Wildlife Management Area. The training took place in Madison, Rappahannock, and Page Counties. Hopefully, these attendees came away with some additional knowledge, skills and abilities that they can take back to their districts and utilize to make cases. Special thanks to SGT Steve Garvis, who serves as the *Game Warden Experience Coordinator* for the Division!

❖ Grants

- We were notified that we will be receiving a \$289,000 award from the FEMA Port Security Grant that we will apply towards a new 29' SAFE Boat for Region 1. We have been very fortunate the last few years to receive almost three-quarters of a million dollars in federal grant funding, which has allowed us to purchase purpose built law enforcement vessels designed for tidal waters, high-tech marine electronics and host a number of NASBLA courses.

❖ Recent Enforcement Efforts

- Activity Reports:
 - [Weekly Activity Reports 7/13-7/26 \(External\)](#)
 - [Weekly Activity Reports 8/3-8/9 \(External\)](#)

➤ [Weekly Activity Reports 8/10–8/16 \(External\)](#)

- [CPO Notebook](#)

❖ Media Initiatives



❖ General Information

- DWR Climate Survey (being sent out after Labor Day)
 - Encourage all to take this opportunity to have their voices heard on this extremely important [Inclusive Excellence Council](#) Project

- Cardinal HCM Implementation, per Darin Moore, our timesheet workweek must change. Specifically, our current work week (at least for most employees) has been Saturday to Friday; however, we have learned that this option is not even available in the new solution. With the exception of the Communications Center, the rest of the agency will be switching to a Friday through Thursday work week on October 3rd.
- The only other option is for our Communications Center, which will have a timesheet workweek from Wednesday through Tuesday.

Personnel:

❖ Officer Commendation of the Month

- Goes to Sergeant Wiedel, Master Officer Farris, Officer Yates, Officer Talbert, and Master K9 Officer Howald

This Citizen Feedback Submission read, "As the Emergency Management Coordinator for the County of Prince Edward, I wish to thank the Department of Wildlife Resources and each of the Conservation Police Officers who supported the Prince Edward community and our Sheriff's Office during the two recent missing persons searches in Prince Edward County. In both cases, Conservation Police Officers were integral to the successful outcome of finding our citizens safe and well. The spirit of partnership, dedication and state-local cooperation was exhibited by each officer. Please know that our appreciation knows no bounds. Our County is blessed to be the home of two Virginia Wildlife Management Areas, and we are proud to have such a great working relationship with the Virginia Department of Wildlife Resources. Bravo! Again, our many thanks."

❖ Awards & Honors

- **Donna Byrd** - Communication Officer of the 2nd Quarter
Communications Officer Donna Byrd has been recognized as the Communications Officer of the Quarter. During the Second Quarter, Donna worked a variety of shifts to fill voids created by existing vacancies, extended sick leave, and annual vacations. In addition to her responsibilities as a communications officer, Donna also volunteered to take on the critical role of the Records Management Coordinator within the Communications Center. Donna possesses a drive of excellence and demonstrates the attributes of a team player and a leader.
- **MO Matthew Sandy** - Operation Dry Water; Virginia Officer of the Year 2022
Master Officer Matthew Sandy was named as the Virginia Operation Dry Water Officer of the Year. Assigned to Mecklenburg County, Officer Sandy's responsibilities include patrolling Buggs Island Lake and Lake Gaston to promote safe recreational boating. During Operation Dry Water weekend,

Officer Sandy dedicated 27 hours to boating enforcement, responded to calls for service, and made an arrest for “boating under the influence of alcohol.”

❖ New Hires:

- Academy Support Specialist: Katrina Morris
- The Training and Recruiting Section's newest team member, Katrina Morris. She began her role as the Academy Administrative Support Technician on August 10th, and will hopefully have her email up and running soon.
- Katrina is a native of Baltimore, Maryland and has lived in Virginia for over twenty-five years. She has twenty-three years of experience working in the Commonwealth of Virginia- most recently with the Department of Fire Programs. Her background is in office, administrative, personnel management, accreditation and organizational training and managing Quality Assurance programs. Other areas of experience are in bookkeeping, accounting, and other fiscal responsibilities and procedures. She is certified in 2778: Writing Queries using Microsoft SQL Server 2008 Transact-SQL; a certified service facilitator and case management, and certified in practical application of epidemiology program and information systems. She is proficient with technology & software tools: computer operations and desktop applications and web based programs, Windows, Microsoft Suite; database user interface and query software; coding database software for information retrieval and search; Technology Solutions: Query Troubleshooting- Microsoft SQL Server DBA; Troubleshooting Problems - IT Service Management; Technical Issues - Field Operations; Application Troubleshooting - IT Technical Support.
- Katrina is excited to join the agency and is looking forward to supporting the team with her energy.

❖ Promotions (effective 8/10/2022)

- Region 1 – Area (A): First Sergeant Frank Spuchesi
- Region 1 – Area (B): First Sergeant Brandon Woodruff
- Region 2 – Area (A): First Sergeant Tim Dooley
- Region 2 – Area (B): First Sergeant Jessica Fariss
- Region 3 – Area (B): First Sergeant James Hale
- Region 4 – Area (A): First Sergeant Derrick Kekic
- Region 4 – Area (B): First Sergeant Steve Ferguson
- Accreditation/Project Manager: Captain Rob Ham

❖ Transfers

- SGT Tyler Bumgarner District 11 9/01/2022

- SGT Joshua Thomas District 16 9/01/2022
- OFC Kevin Webb Nottoway County 9/01/2022

- ❖ Recent Separations (from DWR LE Service)
 - MO Isaac Boulanger 8/5/2022 (17 years)
 - Destiny Evans 8/24/2022 (11 months)

- ❖ Retirements
 - MO Jon Simmons 9/1/2022 (18 years)

Upcoming Important Dates:

- The [Virginia Conservation Police Calendar \(Link must be accessed through your DWR google account\)](#) a division wide calendar with important dates for the division staff is under construction. Please add this to your google calendar to stay informed with important dates and reminders.





VCP Rollicall

September 2022 / Edition #19



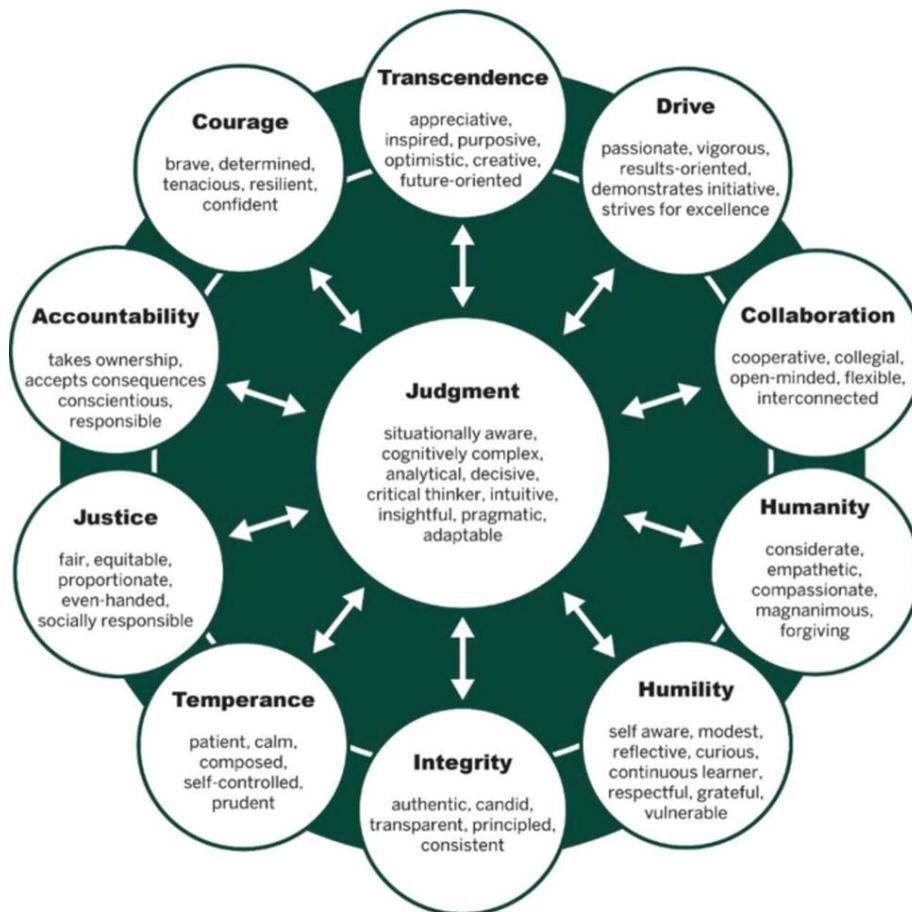
Colonel's Message:

Command Staff just completed the NASBLA Officer Water Survival (OWS) Course and since we care about you and want to set you all up for success, no matter the conditions, we will require everyone who wears a badge to also take this life-saving training.

After the AFWA Conference, Major Shuler, Major Robinson and I visited the Texas Parks and Wildlife Training Academy and were shown their standards and processes. We plan to incorporate some of their outstanding best practices into our training program.

Just a reminder that the Leadership Development Continuum (LDC) is here for you and that you will have an opportunity soon to apply for the next two-year Leadership Development Program (LDP). Here is the Authentic Leadership Model by Dr. Patton:

Colonel John J. Cobb / Chief of Law Enforcement



Proactive Initiatives:

- Law Enforcement Division Accomplishments (October 2021 to September 2022)
 - Our list of Annual Initiatives to be submitted to the DWR Board
 - [Law Enforcement Division Accomplishments \(October 2021 to September 2022\)](#)

- New First Sergeants / Region Management Initial Meeting (September 8)
 - Topics included:
 - Operational Planning
 - Sergeant Process Update
 - Evidence Tech Duties
 - Spare Glock Handguns
 - Scheduling
 - Meetings
 - Peak Hours and S20
 - Equipment Allocation
 - Delegation of Duties
 - SGT's in the Field
 - Complex Incidents and IC/UC's
 - Other Administrative Duties



- Full Implementation of NASBLA Officer Water Survival Course (OWS)
 - The Law Enforcement Division will be implementing the NASBLA Officer Water Survival Course (OWS) into its training portfolio. As CPOs, we work in varied environments, which increases the likelihood that we may end up in the water during our careers. Sudden immersion incidents can manifest themselves in many ways, including falling overboard accidentally or in a fight for our lives with a violent subject. As primary responders, we may also see the need to enter the water to rescue a citizen or comrade. This course aims to eliminate the 'shock factor' and provide participants with basic life-saving and water survival skills that will increase the probability of success and survival in our favor should we find ourselves in such a situation. Current CPOs are not required to pass the OWS course but are expected to participate and attempt all portions of the course actively. CPOs who complete the course and successfully pass the three skills assessments (100-yard swim, 5-minute tread, and obstacle course) will receive the NASBLA OWS Certificate of Completion.
 - The OWS Course, designed to prepare an officer for a sudden submersion into the water, was collaboratively developed in 2013. Several state natural resource agencies utilize the course, including Ohio and Texas. DWR has sent five officers through the instructor development course allowing the delivery of the course using our own personnel. The OWS course is physically demanding, with 75% of the course conducted in a pool (normally 4ft-10ft of water depth). Course participants will take part in multiple exercises, including treading water, lap swimming, active aggressor scenarios, and demonstration of self-rescue techniques. The entirety of the in-water portion will be done in full boat uniform: Long Class B pants and boat shorts, uniform shirt, a weighted gun belt, ballistic vest, and shoes/boots. Regarding the perceived challenges our uniform and gear present in water rescue or immersion incidents, the course delivery will illuminate and dispel any misconceptions about those challenges while also providing participants with proven techniques to mitigate those challenges. During most in-water exercises, the participants will wear manually inflatable PFDs allowing the officer to self-rescue at any point. There will also be multiple lifeguards and rescue divers in the water as additional safety measures.
 - The OWS course will be delivered regularly through the end of calendar year 2024. We currently have 1/3 of our current CPO workforce that have already participated in the training. All sworn officers, supervisors and managers are required to attend and participate in one of the sessions offered. The next session will be at the *Prince William County Aquatics Center, February 6-7, 2023*. Registration information will be sent out

soon. There is a class maximum of 20 participants, and the roster will be opened up to our partner agencies as space allows. Additional information on the Frequently Asked Questions (FAQs), Schedule, POCs, Youtube video, Participant Evaluation and other information are here.

- [NASBLA Officer Water Survival \(OWS\) Frequently Asked Questions](#)
- [Officer Water Survival Course Participant Evaluation](#)



Command Staff completing the NASBLA Officer Water Survival Course (OWS)

- Senior Command Staff visit to the Texas Parks and Wildlife Training Academy



- Click link below to see pictures of the Texas Game Warden Training Center:
<https://docs.google.com/presentation/d/1VosZEhgEqtdGKfGq6exQLz7b-wDShtu/edit?usp=sharing&ouid=105477335862369557514&rtpof=true&sd=true>

Office of Professional Standards:

- ❖ UPDATE - Professional Standards Major
 - Next OPS Advisory Council Meeting Nov 15, 2022
 - Very positive meeting took place with my Texas Game Warden counterpart Major J. Bussey during the 2022 AFWA Conference and a site visit to the 200 acre complex Game Warden Academy in Hamilton, TX. Discussions were focused on recruiting/hiring practices, health and fitness, swimming programs, office safety, leadership development, promotion procedures and other personnel policy matters.

- ❖ Training (Basic and In-service)
 - Approximately 80 candidates for the 12th Basic Academy are in the Background Investigation Phase. Start date is still scheduled for January.
 - Supervisor In-Service Scheduled for March 2023.
 - [Training Calendar](#)

- ❖ Citizen Feedback / Employee Suggestion Program (E.S.P.)
 - [E.S.P. Project List and Completion Tracker](#)
 - Have a suggestion? Submit [VCP-180](#) to LawESP@dwr.virginia.gov.

- ❖ Administrative Investigation/Compliance/Staff Inspections:
 - The implementation of the IAPro system has begun. After completing the initial training and configuration, Captain Comer is working on correcting chain of command assignments and entering awards/commendations into the system. Full implementation of IAPro is scheduled for January 2, 2023 with the BlueTeam rollout to begin in early spring 2023. Policy revisions are also in process to address procedural changes and to ensure consistency within the agency's policy documents.

- ❖ Accreditation
 - The concept of the North American Wildlife Law Enforcement Accreditation (NAWLEA) was pitched to the Law Enforcement Chiefs from across the County at the AFWA conference in Fort Worth, Texas. The Chiefs in attendance were very interested in the program and lots of positive feedback was received. Only three states (Florida, Washington, and Virginia) currently have law enforcement accreditation. NAWLEA will help wildlife agencies across the county work together to bring increased professionalism and accountability to wildlife law enforcement in North America.

- ❖ Peer Support
 - Don't let the stress that comes with the profession of Law Enforcement bleed into your off-duty life. Below this article, toughs on the hypervigilance cliff, you patrol all day with your head on a swivel watching everything around you. It can be easy to fall off this cliff making the stress of law enforcement debilitating to your personal life. Hint: this does not have to happen, read more on how to avoid this free-fall.
 - Article: [Why police officers fall off the 'hypervigilance cliff' and how to avoid it.](#)
 - Want to talk to a Peer Team Member? [Contact Information](#)

Support Services:

- ❖ UPDATE - Support Services Major
 - Hello CPO's, last month we welcomed the permits section to the DWR Law Division. The Law Division continues to grow, and we will soon be welcoming aboard the agency FOIA Compliance Officer. The vacancy announcement for the position was posted last month, and we are hoping to have it filled sometime in November.

- ❖ Communications Center
 - Interviews for the communications officer have been completed and recommendations have been submitted to Human Resources for review. We are hoping to have the position filled in the near future.
 - There has been a delay in hiring the Communications Manager due to unforeseen circumstances. We are hoping to have the position filled before the end of October.
 - Gary Sargent and I attended the User Agency Requirements Committee (UARC) meeting on September 7th at VSP Headquarters. This was to provide a status update on the new Stat Agency Radio System (STARS) that all state agencies will be transitioning to commencing in November starting with the Capital Police. DWR is slated to start its transition in June 2023.
 - **REMINDER:** ALL warrants to be entered into VCIN/NCIC must be faxed to the communications center. Warrants are not to be emailed under any circumstances. The originals are to be either hand delivered or mail (See GO 01-22). If you have any questions or concerns, please don't hesitate to reach out.

- ❖ Legal Articles of Interest
 - Recently, the Supreme Court of the United States answered the question of whether an officer is liable under 42 USC § 1983 for interrogating a person who has seized and where the officer did not read this person their Miranda rights. In Vega v. Tekoh, 142 S. Ct. 2095 (2022), the Court held that a person does not have a right of recovery against an officer under 42 USC § 1983 where the person had been in custody and interrogated where the officer had not read the person his rights. The Court held that appropriate remedy, rather, is to have statements obtained under these circumstances excluded at the criminal trial.
 - According to the Court, this case presented the question whether a plaintiff may sue a police officer under 42 USC §1983, based on the allegedly improper admission of an “un-Mirandized” statement in a criminal prosecution. The case arose out of the interrogation of Terence Tekoh by Los Angeles County Sheriff's Deputy Carlos Vega. Deputy Vega

questioned Tekoh at his place of employment and did not give him a Miranda warning. Tekoh was prosecuted, and his confession was admitted into evidence, but the jury returned a verdict of not guilty. Tekoh then sued Vega under §1983, and the United States Court of Appeals for the Ninth Circuit held that the use of Tekoh's un-Mirandized statement provided a valid basis for a §1983 claim against Vega. In response to the Ninth Circuit's ruling, the Court said, "We now reject this extension of our Miranda case law." Vega, 142 S. Ct. at 2099.

- Interestingly, the U.S. Court of Appeals for the Seventh Circuit recently addressed the issue of determining when someone is in custody for purposes of Miranda. The court explained that the Fifth Amendment requires law enforcement officers to advise a person of their Miranda rights, including the right to remain silent, before interrogating them while they are in custody. In this case, because there was no dispute that park rangers questioned Zabel without advising him of his Miranda rights, the only issue is whether Zabel was in custody when he made incriminating statements.
- In determining whether someone is "in custody" for purposes of Miranda, courts focus on "the objective circumstances of the interrogation" and "how a reasonable person in the position of the individual being questioned would gauge the breadth of his or her freedom of action." The ultimate inquiry is whether, under the totality of the circumstances, the interviewee's freedom of movement was restrained to a degree associated with formal arrest. The Seventh Circuit then went on to lay out its test for making this determination. However, we operate under the jurisdiction of the Fourth Circuit.
- According to the Fourth Circuit, a person is in custody if, under the totality of the circumstances, it appears that there is a "formal arrest or restraint of freedom of movement of the degree associated with a formal arrest." The inquiry also examines "whether, viewed objectively, 'a reasonable man in the suspect's position would have understood his situation' to be one of custody."
- Virginia state courts have a slightly different view. In Stevenson v. Commonwealth, 2020 Va. App. Lexis 288, the Virginia Court of Appeals identified a number of circumstances to be considered when determining whether or not a suspect was in custody, including: (1) the manner in which the individual was summoned by the police; (2) the familiarity or neutrality of the surroundings; (3) the number of officers present; (4) the degree of physical restraint; (5) the duration and character of the

interrogation; and (6) the extent to which the officers' beliefs concerning the potential culpability of the individual being questioned were manifested to the individual. It went on to note that, in evaluating whether an individual is in custody when questioned by the police, no single factor is dispositive. Further, not all of the factors might be relevant in any given case. Rather, the totality of circumstances must be considered.

❖ Fleet Management

- Vehicle Update - Contact was made with Sheehy Ford on the 19th of September in reference to the 44 vehicles that have been ordered.
- Of the 44 vehicles ordered, VIN numbers were assigned to two of the F150's and four of the Responders. This means that the vehicles are being inspected or in production. The two F150's are being inspected and scheduled to be delivered October 31, 2022. The four Responders are in production. Additional details will be shared as they are received.
- Approval has been granted to make the Fleet Manager a full-time position. With the number of vehicles and equipment upgrades on the horizon this position will play a pivotal role in keeping DWR LE Division a float. We are hoping to have the position filled early December.

❖ IT Systems

- Need Help - Call a member of the [IT Cadre](#) to set-up either individual assistance or a small group training session
- If you have IT questions, sent them to LawITCadre@dwr.virginia.gov mailbox

Law Enforcement Operations:

❖ UPDATE - Operations Major Update

- Promotional Process Update
 - We are looking forward to holding the interviews for the Ops Captain position for R1 and R4 this Friday. Hopefully, we will have this position filled within the next 30 days. We are also looking forward to the 5 currently vacant district sergeant positions being advertised very soon! The hope is to have these positions filled by December 10th.
- Enforcement priorities
 - For those of you that have attended the in-service training you have heard me discuss the importance of waterfowl enforcement as this is a resource that requires our protection. I would ask that each of you take some additional time out of your patrol days to identify areas that you may not have traditionally worked waterfowl enforcement and scout for birds and signs of hunting. Waterfowl hunting is not just a tidal area sport and deserves our attention across the entire Commonwealth.

- ❖ Recent Enforcement Efforts
 - Activity Reports:
 - [Weekly Report August 24th - September 7th, 2022 \(External\)](#)
 - [Weekly Report September 7 - 21, 2022 \(External\)](#)
 - [CPO Notebook](#)
- ❖ Media Initiatives
 - The cover of [Virginia Living](#) looks great with Bruno and Sky!



Personnel:

- ❖ Officer Commendation of the Month
 - Goes to **Master K-9 Officer, Richard Howald**
 This Citizen Feedback Submission read in part, *“From the Pennsylvania Game Commission, “Thank you and your agency for providing the expertise of Master K-9 Officer, Richard Howald during our recent K-9/Tracking Team training last month. Officer Howald’s extensive K-9 experience and training*

abilities were outstanding while instructing our newest K-9's and handlers. We are greatly appreciative of the chance to work with such a dedicated and motivated K-9 handler. We certainly look forward to having him attend in the future. If there is anything my unit or agency could do for you, we'd be happy to return the favor. There is nothing better than agencies working together for a common goal. Sincerely, Lt. Col. Mark S. Rutkowski."

Upcoming Important Dates:

- The [Virginia Conservation Police Calendar \(Link must be accessed through your DWR google account\)](#) a division wide calendar with important dates for the division staff is under construction. Please add this to your google calendar to stay informed with important dates and reminders.

