

## **AGENDA**

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

January 19, 2022  
9:00 am

Committee Members: Mr. Rovellev Brown, Chair, Mr. Brian Vincent, and Mr. G. K. Washington

DWR Staff Liaison: Colonel John Cobb

1. Call to Order and Welcome  
Mr. Rovellev Brown
2. Approval of October 27, 2021 Meeting Minutes ***Final Action***  
Mr. Rovellev Brown
3. Public Comment – Non-Agenda Item  
Mr. Rovellev Brown
4. VCP Roadmap Implementation  
Colonel John Cobb
  - I. Five Key Elements of the VCP Roadmap
    1. Organizational Excellence
    2. Employer of Choice
    3. Public Safety and Resource Protection
    4. Community Ambassadors
    5. Collaborative Professional Partnerships
  - II. 50 related Proactive Team Projects
    - ❖ Including Officer and Staff Survey Results
  - III. Project Volunteer Workgroups and Potential Timelines

5. Supporting Written Material:

- VCP Roadmap and Proactive Projects
- Monthly VCP Rollcall Newsletter – November and December Editions

6. Director's Report

Mr. Ryan Brown

7. Chair's Report

Mr. Rovellev Brown

8. Additional Business/Comments

Mr. Rovellev Brown

9. Next Meeting Date: Wednesday, March 23, 2022

Mr. Rovellev Brown

10. Adjournment

Mr. Rovellev Brown

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

October 27, 2021  
9:00 am

**Present:** Mr. Rovellev Brown, **Chair;** Mr. G.K. Washington; Mr. Brian Vincent/ Virtual;  
**Board Members in attendance:** Mr. Leon Boyd; **Executive Director:** Mr. Ryan J. Brown;  
**Director's Working Group:** Ms. Becky Gwynn, Mr. Darin Moore, Ms. Paige Pearson, Dr.  
Mike Bednarski, Colonel John Cobb.

The Chair called the meeting to order at 9:00 am and welcomed everyone to the meeting. The Chair noted for the record that there was a quorum present for the meeting.

The Chair called on the Board Secretary for a Roll Call Vote of members present: Ayes:  
Rovelle Brown, G. K. Washington, Leon Boyd, Brian Vincent (Virtual)

**Meeting Minutes:** The Chair called for a motion to approve the minutes of the August 18, 2021. Mr. Washington made a motion to approve the minutes of the August 18, 2021 meeting minutes. It was seconded by Mr. Brown. Ayes: Washington, Brown and Vincent.

**Public Comment – Non Agenda Item:** The Chair called for Public Comment – Non Agenda Item.

There being no Public Comments, the Chair moved on with the Agenda.

**Welcome New Administrative Investigations Manager:** The Chair called on Colonel John Cobb for an introduction.

Colonel Cobb introduced and welcomed Captain Angela Comer as the new Administrative Investigations Manager.

After comments and questions, the Chair thanked Colonel Cobb for his introduction and welcomed Captain Comer.

**TOP FIVE Law Enforcement Division Accomplishments in the last year:**  
The Chair called on Colonel Cobb.

Colonel Cobb called on Lt. Rob Ham to give an overview and update on the newly Awarded VLEPSC Accreditation.

After comments and questions, the Chair thanked Lt. Ham for his update on Accreditation.

Colonel Cobb called on Major Milt Robinson for an update.

Major Robinson gave an update on the CPO Recruitment, Selection, and Basic and Modified Academy. The new 22 Recruits were marched in and presented to the Committee members. Each introduced themselves and what county they would be assigned to.

After comments and questions, the Chair thanked Major Robinson for his update and introduction of the new recruits.

#### **Implementation of the leadership Development Continuum (LDC):**

The Chair called on Colonel John Cobb.

Colonel Cobb gave a presentation on the Implementation of the leadership Development Continuum.

After comments and questions, the Chair thanked Colonel Cobb for his presentation.

#### **Progress toward VCP Career Progression Program (CPP):**

The Chair called on Colonel Cobb for an update.

Colonel Cobb gave an update on the Progress toward VCP Career Progression Program.

After comments and questions, the Chair thanked Colonel Cobb for his presentation.

#### **Potential change to the LE Supervisory Structure:**

Colonel Cobb called on Major Ryan Shuler for an update.

Major Ryan Shuler gave an update on a potential change to the LE Supervisory Structure.

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

#### **Annual VCP Awards Ceremony:**

The Chair called on Colonel Cobb.

Colonel Cobb reminded everyone of the VCP Awards Ceremony that will be held Wednesday after Committee meetings.

After comments and questions, the Chair thanked Colonel Cobb.

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

The Director reported how Law Enforcement has turned a corner, he couldn't be prouder of their accomplishments this year.

**Chair's Report:**

The Chair thanked everyone for attending today's Law Enforcement committee meeting. Commended Law Enforcement staff on their progression. The Chair mentioned he worked a job fair with Sgt. Mike Hill and how professional and knowledgeable he was.

The Chair announced the next Law Enforcement committee meeting will be January 19, 2022 and asked if there were any additional comments, hearing none, he adjourned the meeting at 9:45 am.

Respectfully submitted,

/s/ Frances Boswell

# VCP Roadmap

## 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 Team Projects (Actionable Items)

### ➤ Organizational Excellence

#### 1.1

- Maintain Accreditation Status with both VLEPSC and NASBLA
- Collaborate with other wildlife agencies to develop a National Wildlife Law Enforcement Accreditation Program

#### 1.2

- Build upon the Leadership Development Continuum (LDC) *(E.S.P.)*
- DWR Leadership Fundamentals

#### 1.3

- Promote Professional Standards CREED *(E.S.P.)*
- Establish Primary Enforcement Objectives
- Complete CPO Job Task Analysis
- Annually Evaluate the VCP Roadmap

#### 1.4

- Expand Citizen Feedback System *(E.S.P.)*
- Implement New First Sergeant Position
- Complete Command Structure Review & Evaluation

#### 1.5

- Continue Monthly VCP Rollcall Newsletter / Command Staff Meeting Minutes

#### 1.6

- Establish Budget Forecasting
- Craft and present a viable and permanent funding solution to increase law enforcement staffing to appropriate public service levels
- Increase Grant Usage

## Proactive Team Projects (Actionable Items) cont.

### ➤ Employer of Choice

#### 2.1

- Develop relationships to establish a pipeline of fully capable officers (surplus of talent)
- Revamp Recruitment Webpage
- Evaluate current screening process and make necessary improvements
- Expand Internship Program and reinstate a ride-along program
- Remodel the FTO Program

#### 2.2

- Maintain a Career Progression Program

#### 2.3

- Develop New Officer Mentoring Program

#### 2.4

- Research and Develop Comprehensive Promotional Process

#### 2.5

- Establish “Game Warden Experiences” to broaden officer’s knowledge base (i.e. Waterfowl Protection Workshop)

#### 2.6

- Advocate for appropriate compensation, benefits and staffing levels
- Expand VCP Recognition & Engagement Handbook (E.S.P.)
- Develop an Officer Fitness and Health Program (E.S.P.)
- Conduct Employee Stay Interviews
- Augment the Employee Suggestion Program (E.S.P.)



## Proactive Team Projects (Actionable Items) cont.

### ➤ Public Safety and Resource Protection

#### 3.1

- Evaluate e-Summons, Vehicle Printers, and enhancing network access *(E.S.P.)*

#### 3.2

- Utilize Tabletop Exercises & After-Action Reviews

#### 3.3

- Research and Implement Body-Worn Cameras *(E.S.P.)*
- NASBLA Officer Water Survival Course

#### 3.4

- Implement Unmanned Aerial Vehicle (UAV) Drones Program *(E.S.P.)*
- Establish a Hunting Incident Investigation Team *(E.S.P.)*
- Complete a Special Operations structure review and evaluation to increase operational effectiveness

## Proactive Team Projects (Actionable Items) cont.



### Community Ambassadors

#### 4.1

- Develop a social media initiative focused on the Law Enforcement Division
- Increase media communications on law enforcement functions
- Promote and increase effectiveness of The Wildlife Crime Line and Tip 411 (E.S.P.)

#### 4.2

- Implement the Agency's Inclusive Excellence Strategic Plan
- Create Ops Plan for Community Emergencies (E.S.P.)

#### 4.3

- Develop and implement a Community Policing Philosophy

#### 4.4

- Promote the Agency's R3 Initiative

## Proactive Team Projects (Actionable Items) cont.



### Collaborative Professional Partnerships

#### 5.1

- Ensure DWR has a First-class Training Academy offering a wide variety of educational opportunities available to division staff and our partner agencies
- Evaluate a potential Natural Resource Police Academy

#### 5.2

- Improve Dam EAP's and Wildlife Response with Other Divisions

#### 5.3

- Collaborate with stakeholders, governmental and criminal justice agencies

#### 5.4

- Active collaboration with other State Wildlife Officers
- Networking within VLEPSC & NASBLA Accreditation
- VCP Outside Government Agencies Marketing (E.S.P.)



# VCP Rollicall

**November 2021 / Edition #9**

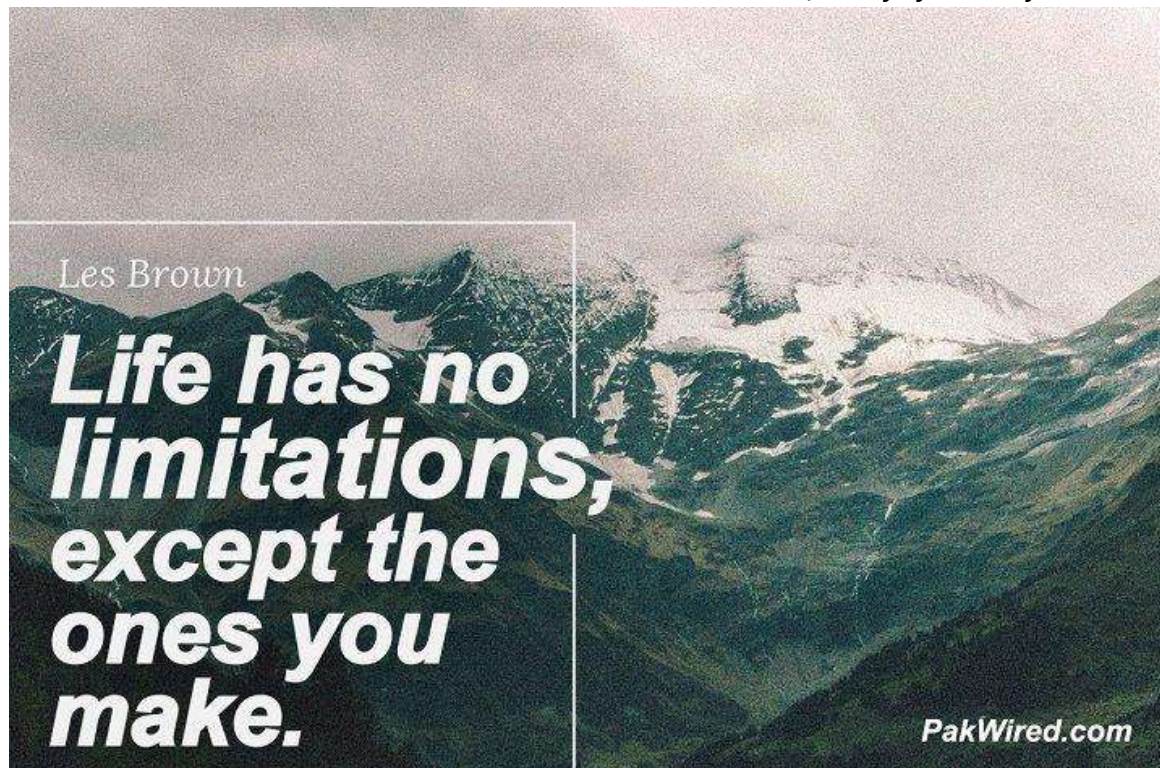


## **Colonel's Message:**

After the Region Meetings the first week of October, the month continued to be very busy with us hosting the SEAFWA Conference in Roanoke. This provided us with an excellent opportunity to network with other Wildlife Law Enforcement Chiefs and their staff from across the Southeast. We discussed important current topics, such as the open fields' doctrine, trail camera usage, career progression programs, leadership development efforts, and the possibility of creating a wildlife law enforcement accreditation program.

The final week of the month included our 3rd Annual VCP Awards Ceremony where we had the privilege to recognize many outstanding officers and staff in front of their families. In addition, at the Law Committee Meeting, we presented our top five accomplishments in the Law Enforcement Division for this year as well as having each of our 22 recruits introduce themselves. Furthermore at the DWR Board Meeting, we got to witness the exceptional level of support, particularly from Director Brown, as we move forward with proactive initiatives (to view this event: [10/28/2021 DWR Board Meeting Recording.](#))

*Colonel John J. Cobb / Chief of Law Enforcement*



## Proactive Initiatives:

- The following “Suggestions for Improvement” that were provided by officers and staff have recently been implemented within the Law Enforcement Division:
  - The Law Enforcement Division has made it our mission over the last 5 years to advocate for cancer awareness and research as we partnered with the Susan G. Komen Foundation to support breast cancer awareness. Our partnership with the Susan G. Komen foundation has been very successful and rewarding. However, we wanted to do something a little different this year, which is why we are participating in *No Shave November*.
    - CPOs across the state are participating in *No Shave November* to raise cancer awareness and help raise funds for local families who have a child with cancer and are struggling financially through a partnership with VA-based nonprofit [Ellie's Hats](#).
    - We are coordinating a drive across the regions and at HQ to collect hats for kids ages 2-17 and other items that can be used in the *Hero Bags* that Ellie's Hats provide families they support. If you would like to help, please feel free to see me (there will be a box across from the communications center door for donations) or one of the Lieutenant's in the regional offices as we will be collecting the hats and other items.
    - If you would like to donate, the following depicts items that are recommended by the Child Life Team and are helpful to newly diagnosed pediatric cancer patients at Inova Children's Hospital.



- If you would like to donate a hat for a child ages 2-17, please make sure that it is new, unused and intended to put a smile on a child's face.



## **Office of Professional Standards:**

- ❖ UPDATE - Professional Standards Major
  - Next LDC Course Offering: Tuesday & Wednesday, Dec 14-15, 2022
  - Next O.P.S. Advisory Council meeting: Tuesday, Jan 25, 2022
- ❖ Administrative Investigations/Compliance/Staff Inspections:  
Captain Comer swears in as the Administrative Investigation/Compliance Manager



**Captain Angela Comer with Henrico County Circuit Court Clerk Heida Barshinger**

- ❖ Recruitment / Retention Initiatives:
  - Even though we are not currently accepting applications, the Training and Recruiting Section is actively recruiting for future officers. Anyone who is interested in joining the DWR team can receive information about the career, the hiring process, and the training academy by emailing [recruiter@dwr.virginia.gov](mailto:recruiter@dwr.virginia.gov).
  - Prospective applicants can also visit the CPO Recruiting website, <https://dwr.virginia.gov/conservation-police/recruiting/>. There, they will find useful information and answers to many frequently asked questions.

## **Basic Training**

- The 11<sup>th</sup> Academy is in its 2nd month. The class has decided on their mascot - the Canebrake Rattlesnake. This reptile was the first live animal they got to see as part of their training program. The canebrake rattlesnake (*Crotalus horridus*) is listed as state endangered under Article 6, Title 29.1 of the Code of Virginia. There is no federal status for this species. Its range in Virginia is limited to the Lower Peninsula, Isle of Wight County, and the cities of Chesapeake, Suffolk, and Virginia Beach.
- The four students of the Modified Academy will be taking part in the Opening Day Experience November 13-28. They will be assigned to a veteran officer in their home Districts and will have the opportunity to see firsthand the excitement of the opening two weeks of firearms deer season.
- We have been sharing the training highlights with the public through the DWR Facebook page. Check it out to see a glimpse of their training.  
<https://www.facebook.com/VirginiaDWR>.

## **In-service Training**

- *Officer Water Survival*- December 20-21

In recognition of the officer safety risks involved when performing law enforcement services on and near the water, the division has adopted the NASBLA Officer Water Survival Course (OWS) as its standard for water survival. This course prepares officers for sudden immersion situations and is designed to help participants build confidence in the water. This is the second time we have presented this course to the field.

Many of the division's Boat Cadre instructors are now nationally credentialed through NASBLA's BOAT Program. Through their efforts, we can offer this course free of charge - saving us the \$18,000 tuition per session. This session will include the students from the Modified Academy as well as current CPO's. Prince William County Police Department is providing two rescue divers and in return, two of their officers will be guaranteed space in the course.

- *LDP 2022 Cohort Application Process* is Now Open. The Division is opening enrollment for the 2022 Leadership Development Program. The VCP Leadership Development Program (LDP) was created and designed to prepare CPOs for an expanded role in the Law Enforcement Division, through practical leadership training, rigorous team project exercises, and honing leadership skills in a vibrant group environment. This methodology will enhance the Division's ability to empower leaders and prepare them for the challenges they will encounter

throughout their career. All CPO's and Sergeants with a minimum of 3 years with DWR are encouraged to participate in the program. The course is limited to 20 participants. Being a LDP Cohort Member is a two-year commitment. Members will attend bi-monthly classes or group mentoring sessions and be expected to participate on collaborative projects.

If you are interested, please complete and submit the required forms to **lawtraining@dwr.virginia.gov** by December 15th.

- ❖ Law Enforcement Internship Program
  - The Law Enforcement Division has partnered with Mobilizegreen, a nonprofit organization focused on jumpstarting Natural Resources Careers (Green Careers) for diverse students, through internships, mentoring, and youth engagement.
  - Brette Chambers is currently interning with The Office of Professional Standards section primarily with Accreditation. Brette is currently working on obtaining a BS in Wildlife Conservation from Virginia Tech.
- ❖ Training (Basic and In-service) / Training Offered to Other Agencies
  - [Training Calendar](#)
- ❖ Citizen Feedback / Employee Suggestion Program (E.S.P.)
  - New Project:
    - Wildlife Crime Watch Program - This program will be designed to bring back an old program from the early 2000's to develop Wildlife Crime Watch communities, as well as rejuvenate the Wildlife Crime Hotline and the Sportsman's Reward Fund. Team Lead will be Master Officer Owen Heine, please contact Master Officer Heine if you are interested in working on this project workgroup.
  - Several projects were voted to be completed, please see the list of completed projects on the Tracker Link below.
  - [E.S.P. Project List and Completion Tracker](#)
  - Have a suggestion? Submit [VCP-180](#) to [LawESP@dwr.virginia.gov](mailto:LawESP@dwr.virginia.gov)
- ❖ Accreditation





**Colonel Steve Pike (Capitol Police) presenting VLEPSC Accreditation to DWR**

- Thank you to the officers and Sergeants that are sending in suggestions for possible proofs.
- If you have a photo of our officers implementing General Orders (Example: Directing Traffic, Firearms Training, giving a talk to a community group, etc.), Agenda from meeting with other public service agencies that we attended, or RMS reports please feel free to email or text those to Lt. Ham.
  - [rob.ham@dwr.virginia.gov](mailto:rob.ham@dwr.virginia.gov)
  - 540-414-2518

#### ❖ Risk Management

- Get Some Sleep: This is the time of year that few Conservation Police Officers are working varied hours. Unlike many typical Police Agencies, we do not have the shift rotations of days and nights. This is a benefit but during hunting season, we find ourselves working varied work hours or responding to calls in progress in the middle of the night after working all day. The article below signifies the importance of sleep on our overall well-being. Get some sleep when you can!
- Article: [Officer Safety Corner: The Critical Importance of Sleep for Police Officers](#)

#### ❖ Peer Support

- Peer Team Members may be available for responding to the scene of critical incidents, please contact Lt. Ham if you think a peer team response is beneficial at the scene of an incident.
- Article: [Enhancing first responder resilience through mindfulness](#)

- Want to talk to a Peer Team Member? [Contact Information](#)

## **Support Services:**

### ❖ UPDATE - Support Services Major

- We have completed interviews for the Support Services Major position and hope to have the successful candidate in place as soon as possible.

### ❖ Communications Center

- I would like to commend Dispatcher [Tameeka Baugh](#) on her efforts during the early morning hours of November 7. Dispatcher Baugh was faced with handling multiple critical incidents at the same time, one of which involved an officer involved shooting. The other incident was a large-scale SAR operation in Highland County, where they were searching for a lost hunter. Dispatcher Baugh did a tremendous job multi-tasking and seeing each incident through to the conclusion. This was an extremely stressful situation for her and she handled it like a true professional!
- We are currently in the process of field testing two new portable radios for the STARS phase 5 project. These radios are system portables that will also hit LTE towers if the radio signal is too weak. We have issued one radio to Officer Chambers in western R4 and the other to Officer Nevel in eastern R1. So far, we have already seen improvements over our current portables and the capabilities of these portable radios are incredible. If you see one of these officers, have them give you a quick rundown on the portable and its performance. We hope to get these to the other two regions after they have been evaluated for at least 30 days.
- We are still in the process of filling one full-time dispatcher position. The posting has closed and we should be starting the process very soon!

### ❖ Legal Articles of Interest

- One of the services that the Legal Compliance Officer (LCO) will be providing is to review the new cases coming down from the Virginia Supreme Court, Virginia Court of Appeals, U.S. Supreme Court, U.S. Court of Appeals for the 4th Circuit, the U.S. District Courts for the Eastern and Western Districts of Virginia to determine if any cases will affect or inform how we do business. For those that do, the LCO will summarize them.
- That said, if there is a case that comes to your attention and you believe that it may affect how we do business, please let the LCO know about it. His email is [paul.kugelman@dwr.virginia.gov](mailto:paul.kugelman@dwr.virginia.gov).
- The Virginia Court of Appeals has recently handed down two such cases.
- In [White v. Commonwealth](#), Record No. 0994-20-4 (Oct. 12, 2021), the Virginia Court of Appeals determined that law enforcement's warrantless

search of a home did not meet the exigent circumstances exception to the Fourth Amendment. At bottom, if circumstances allow you to get a warrant before you need to take action, exigent circumstances do not exist.

- In this case, law enforcement responded to a report that an adult male had pulled a pistol on an adult female in the parking lot of an apartment complex. By the time law enforcement arrived, both the assailant and his victim, per witness reports, had retreated into an apartment on the third floor. Officers initiated a “knock and talk.” The woman answered the door. She confirmed that an altercation had occurred, but would only admit to a verbal argument. She declined to permit the officers to enter the apartment. Because officers were unsure of who was in the apartment and whether that person was armed, they escorted the woman downstairs. By that time, 12 to 15 law enforcement officers were on scene; they had established a perimeter. The officer-in-charge determined that the apartment needed to be entered, but waited until a ballistic shield was on-scene. He also determined that he did not need a search warrant. The shield arrived approximately 15 minutes later. After another 30 minutes had elapsed, the officers entered the apartment through an unlocked door. The assailant was apprehended. In the course of conducting a protective sweep of the apartment, officers observed drug paraphernalia and white powder in plain view. The officers then obtained a search warrant. The officers did not leave the scene to obtain the warrant; they called the information in and the warrant was issued.
- At trial, White filed a motion to suppress the evidence on the grounds that the warrantless entry was in violation of the Fourth Amendment. The Commonwealth argued that the exigent circumstances exception applied. The court disagreed.
- The court explained that the exigent circumstances exception applies when the exigencies (urgency) of the situation “make the needs of law enforcement so compelling that a warrantless search is objectively reasonable under the Fourth Amendment.” White, Record No. 0994-20-4 at p. 9. Put another way, the exigent circumstances exception “allows a warrantless search when an emergency leaves police insufficient time to seek a warrant.” Id. at 10.
- In finding that law enforcement was not facing an exigent circumstance, it noted that the altercation was over; there was no other imminent threat to officer or public safety. The court relied heavily on the facts that 45 minutes had lapsed from deciding to enter and actual entry, and that the warrant was obtained rather quickly by phone.
- In McCarthy v. Commonwealth, Record No. 1225-20-1 (November 9, 2021), the Virginia Court of Appeals addressed the emergency aid exception to the Fourth Amendment holding that the search of a nightstand drawer did not violate McCarthy’s Fourth Amendment rights.

- A law enforcement officer was dispatched to a motel room in response to an anonymous caller claiming that there was an unresponsive male lying on the floor of that room. Upon arrival, the officer noticed that the door to the room was slightly ajar; she pushed the door open and identified herself as law enforcement. McCarthy was “unconscious, pale, cool, sweating ‘profusely,’ and engaged in . . . ‘agonal breath.’” McCarthy, Record No. 1225-20-01 at p. 2. McCarthy was unresponsive to a sternum rub. Shortly after, another officer and EMS arrived. EMS took over medical care. EMS administered Narcan but that did not, at that time, revive McCarthy. The officers surveyed the room for evidence of drug use in plain sight and found none. One officer then opened the nightstand drawer to find a baggie of white powder, which was later determined to be heroin. Upon being revived, McCarthy admitted on-scene that he had snorted heroin. McCarthy was indicted for possessing heroin in violation of Virginia law.
- McCarthy filed a motion to suppress the heroine. The trial court denied the motion; the Court of Appeals affirmed.
- The Court of Appeals noted that the emergency aid exception permits law enforcement to enter and investigate when someone’s health or physical safety is genuinely threatened. McCarthy, Record No. 1225-20-01 at p. 9. The court went on to explain that once an officer has an objective basis for believing that someone in a residence needs immediate aid, the scope of any search conducted must be limited to the situation that gave rise to the need for aid.
- In this case, the situation that gave rise to the need for aid was an apparent drug overdose. The officers’ search was limited to confirm that McCarthy was suffering from a drug overdose as well as to determine what substance he had taken. The court noted that “it very likely would have been irresponsible for the officers not not to have searched the nightstand when considering that [McCarthy’s] life was still in danger . . .” Id. at 10.
- That said, the court may have ruled differently had McCarthy been revived and informed EMS that he had snorted heroin. It may have ruled that the need for emergency aid in so far as a search is concerned had passed. Under this circumstance, a warrant would be the better option.

#### ❖ 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](mailto:LawITCadre@dwr.virginia.gov) mailbox

## **Law Enforcement Operations:**

### ❖ UPDATE - Operations Major Update

- This edition of the Roll Call will undoubtedly hit your inbox during one of the busiest times of the year for us. As you are developing your patrol plans, setting goals and planning special operations, please remember our four primary enforcement objectives:

- Public Safety
- Resource Protection
- Agency Lands
- License and Permit Compliance

Just a reminder that we expect you to perform to the best of your abilities each day when you come to work. Identifying violations and taking the appropriate enforcement action is your primary responsibility and one that you should take very seriously. Please take the time to identify those in your district that are chronic violators and work to address these individuals that have an adverse impact on the resource or the safety of our constituents. Always remember that documentation is critical and you are only as good as the reports you write. Stay vigilant and do not get complacent!

### ❖ Recent Enforcement Efforts

- Activity Reports:
  - [Weekly Activity Report Sept. 29 - Oct. 5, 2021 \(External Link\)](#)
  - [Weekly Activity Report Oct. 20-26, 2021 \(External Link\)](#)
- [CPO Notebook](#)

### ❖ Media Initiatives

- [DWR Officers Participates in "No Shave November"](#)

## **Personnel:**

### ❖ Officer Commendation of the Month

- Goes to K9 Senior CPO Jim Patrillo

This Citizen Feedback Submission read in part, *"Demonstration of search & rescue dog & explanation of training to a group of seniors. It was all very interesting and detailed all the dog could do and what the handler does. Everyone thoroughly enjoyed the explanation, and I for one, had no idea what all is involved in training and the amazing abilities of these dogs."*

### ❖ Awards & Honors

- The following officers and staff were recognized for their outstanding efforts and contributions at the 3rd Annual VCP Awards Ceremony on 10/27/2021:

Colonel's Leadership Award	Lt. Robert Ham III
2021 Promotion	Sgt. Tyler Bumgarner
2021 Promotion	Sgt. Chance Dobbs
2021 Promotion	Sgt. Rich Landers
2021 Promotion	Sgt. Joel Wiedel
2021 Promotion	Lt. Randy Hickman
O.P.S. Professionalism Decree	Kevin Leonard
O.P.S. Professionalism Decree	Sgt. Carl Martin
O.P.S. Professionalism Decree	Gary Sargent
O.P.S. Professionalism Decree	Sgt. Frank Spuchesi
<b>Communications Officer of the Year</b>	<b>Laura O'Hara</b>
Region 1 Boating Officer of the Year	Cameron Dobyns
Region 3 Boating Officer of the Year	Jason Harris
Region 4 Boating Officer of the Year	Alan Hatmaker
<b>2020 Virginia Boating Officer of the Year</b>	<b>Brandon Harris</b>
Region 1 CPO of the Year	Brian Bratton
Region 3 CPO of the Year	Benjamin Boyette
Region 4 CPO of the Year	Derrick Kekic
Special Ops / K-9 Unit CPO of the Year	Richard Howald
<b>2020 Virginia CPO of the Year</b>	<b>Cory Harbour</b>
Lifesaving Medal (8/8/2020)	Benjamin Boyette
Lifesaving Medal (8/8/2020)	Sgt. Adam Keene
Lifesaving Medal (5/16/2020)	Daniel Hyman

- Lt Rob Ham recognized at the DWR Board Meeting (10/28/2021)



**Lt. Rob Ham for obtaining VLEPSC Accreditation (Initial Assessment)**

- Executive Consultants recognized at the Board Meeting (10/28/2021)



**Rick Perry for the VCP Career Progression Program  
Bobby Mawyer for VLEPSC Accreditation  
Kim Lettner for VCP Leadership Development Continuum**



- ❖ Promotions (New Hires)
  - Captain Angela Comer is our first Administrative Investigations & Compliance Manager and joined our team on 10/25/2021.

### **Upcoming Important Dates:**

- The new [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

## December 2021 / Edition #10



### Colonel's Message:

There is a significant amount of activity occurring that will have a positive impact on our profession moving forward. I greatly appreciate Director Brown's actions regarding implementation of the VCP Career Progression Program as outlined in his recent email to sworn staff. I represented VCP at a Law Enforcement Briefing with Governor-elect Glenn Youngkin and had an opportunity to hear him say how important it is for us to have a pipeline of fully capable officers and staff, which would lead to us having a "surplus of talent". Our leadership values us in our public service role and is actively engaged in supporting us; in fact, Governor-elect Youngkin even said he wanted to come by to personally discuss our current challenges in Wildlife and Natural Resource Protection.

In closing, thank you all for giving us your input and suggestions on the VCP Roadmap. It was very beneficial in determining where we should focus our efforts in the next three years and to create teams using many of you who volunteered to assist us along the way.

*Colonel John J. Cobb / Chief of Law Enforcement*



## **Proactive Initiatives:**

- The following “Suggestions for Improvement” that were provided by officers and staff have recently been implemented within the Law Enforcement Division:
  - After receiving input from our officers and staff, the VCP Roadmap has been amended and approved by Command Staff. The next phase will occur in January and will consist of assigning the 57 volunteers to various related team projects.
  - The recommendation from a few District Sergeants to implement a standard meeting agenda form is ready to begin rolling out for use. The [District Monthly Staff Meeting Agenda Template VCP-121](#) will start being used in December.
    - This will be a work in progress over the next few months as we attempt to improve consistency and communications at all levels. The command staff meetings are already using a template for their monthly meetings based upon a combination of communication structures to aid in making the monthly meetings strategic, beneficial and striving for follow-up.
    - We will also be pushing out another template for Monthly Regional Staff Meetings in the near future.
  - The Month of January is set aside each year for nominating deserving coworkers for various awards and honors (see [VCP Recognition Handbook](#), page 10).

## **Office of Professional Standards:**

- ❖ UPDATE - Professional Standards Major
  - Next O.P.S. Advisory Council Meeting Tuesday, January 25, 2021
  - Looking to start the 12th Basic Academy in January 2023 with up to 25 Recruits
- ❖ Recruitment / Retention Initiatives
  - Even though we are not currently accepting applications, the Training and Recruiting Section is actively recruiting for future officers. Anyone who is interested in joining the DWR team can receive information about the career, the hiring process, and the training academy by emailing [recruiter@dwr.virginia.gov](mailto:recruiter@dwr.virginia.gov). Prospective applicants can also visit the CPO Recruiting website, <https://dwr.virginia.gov/conservation-police/recruiting/>. There, they will find useful information and answers to many frequently asked questions.
- ❖ Training (Basic and In-service) / Training Offered to Other Agencies
  - The 11<sup>th</sup> Academy is in its 3rd month. The Basic and Modified students are attending our 5-day tracking course together Nov. 29- Dec. 3. This training will

provide them with the necessary skills to locate people in the woods or other environments. Officers who have completed this course in the past have put these skills to use finding people who have been lost, and also to locate subjects who were attempting to hide for law enforcement.

- The students of the Modified Academy will be attending boat training on Kerr Reservoir in Mecklenburg County Dec.6-17.
- We have been sharing the training highlights with the public through the DWR Facebook page. Check it out to see a glimpse of their training.  
<https://www.facebook.com/VirginiaDWR>.

○ *Officer Water Survival - December 20-21*

- In recognition of the officer safety risks involved when performing law enforcement services on and near the water, the division has adopted the NASBLA Officer Water Survival Course (OWS) as its standard for water survival. This course prepares officers for sudden immersion situations and is designed to help participants build confidence in the water. This is the second time we have presented this course to the field.
- Many of the division's Boat Cadre instructors are now nationally credentialed through NASBLA's BOAT Program. Through their efforts, we can offer this course free of charge - saving us the \$18,000 tuition per session. This session will include the students from the Modified Academy as well as current CPO's. Prince William County Police Department is providing two rescue divers and in return, two of their officers will be guaranteed space in the course.

○ *LDP 2022 Cohort Application Process is STILL Open.*

- The Division is opening enrollment for the 2022 Leadership Development Program. The VCP Leadership Development Program (LDP) was created and designed to prepare CPOs for an expanded role in the Law Enforcement Division, through practical leadership training, rigorous team project exercises, and honing leadership skills in a vibrant group environment. This methodology will enhance the Division's ability to empower leaders and prepare them for the challenges they will encounter throughout their career. All CPO's and Sergeants with a minimum of 3 years with DWR are encouraged to participate in the program. The course is limited to 20 participants. Being a LDP Cohort Member is a two-year commitment. Members will attend bi-monthly classes or group mentoring sessions and be expected to participate on collaborative projects.

- If you are interested, please complete and submit the required forms to [lawtraining@dwr.virginia.gov](mailto:lawtraining@dwr.virginia.gov) no later than December 31st.
- [Training Calendar](#)
- ❖ Citizen Feedback / Employee Suggestion Program (E.S.P.)
  - Reminder:
    - Wildlife Crime Watch Program - Contact Team Lead Master Officer Owen Heine if you are interested in working on this project workgroup.
    - [E.S.P. Project List and Completion Tracker](#)
    - Have a suggestion? Submit [VCP-180](#) to [LawESP@dwr.virginia.gov](mailto:LawESP@dwr.virginia.gov).
- ❖ Accreditation
  - Reminder: [General Order 01-15 Victim and Witness Services](#)
    - Officers should provide the Victim/Witness Services Form ([VCP-115](#)) as well as any additional Victim/Witness information supplied by the Commonwealth Attorney's Office for the Jurisdiction to all victims and witnesses of a crime in which the Division is the lead investigating agency.
  - Note of clarification: Wildlife Parts that are not part of an investigation (i.e. Roadkill, Injured/sick wildlife, Antlers from a kill permit, etc.) do not need to be logged in to RMS or treated as property or evidence. For example, getting bear parts from roadkill for Covert Units would not require documentation. However, wildlife or wildlife parts that come into possession of an Officer outside of an investigation may not be stored in any evidence freezer. For example, the same bear parts from roadkill to be given to a Special Agent may not be stored in a regional temporary freezer used for evidence. If you have questions about a certain set of circumstances please do not hesitate to contact Lt. Ham for clarification.
- ❖ Risk Management
  - Video: [High Risk, Low-Frequency Events in Public Safety - Today's Tip from Lexipol](#)
    - Key Points:
      - Low Frequency - High Risk
      - DT= Discretionary time: you have time to think before you act.
      - NDT = Non-Discretionary time: you have no time to think, you have to act immediately. These are the core critical tasks. Very risky, done very rarely with no time to think.
      - Non-discretionary time tasks, those are the ones that require constant, ongoing training.
      - Every day is a training day!

❖ Peer Support

- Article: [5 ways to cope with the holiday blues](#)
- Even Santa reached out to Peer Support, it is his busy season!



- Want to talk to a Peer Team Member? [Contact Information](#)

## **Support Services:**

❖ Division Budget Update

- As a division, we have some room for improvement on how we develop our annual law enforcement budget. Moving forward we will conduct some budget forecasts and have more group discussions on needs and wants and then work to set some priorities as a group. We are scheduled to kick off the FY23 budget process in January, so if you have any needs, please communicate them to your supervisor.

❖ Grants

- We are scheduled to take delivery of our new 27' SAFE boat on January 6th!

❖ Communications Center

- We cannot say enough about how hard our dispatchers work during the hunting season. Faced with some staffing shortages and being a position down did not stop them from providing quality service to the division. Please join us in thanking them for their hard work and dedication to seeing that

each of you has the information you need to serve the public and go home safely at the end of each shift.

- We are in the process of hiring a new full-time dispatcher and hope to have this position filled within the next 60 days. Interviews have been conducted and we will be transitioning to the background phase soon.
- We are also in the process of filling SGT Bell's position. This position has been transitioned to a civilian position and we hope to have it posted after the New Year.

#### ❖ Legal Articles of Interest

- When "knock and talk" fails, do not continue to attempt to make contact by "knock and talk" when continuing to do so would violate the social norms associated with someone knocking on a door to talk with an occupant. Also, if there exists no legal justification to enter curtilage - either a search warrant or an exception to Fourth Amendment protections, do not enter the curtilage. If you do either, you may be found liable for violating someone's Fourth Amendment rights. Rather, it is best to leave and seek to obtain a warrant. Also, if observation is warranted, it is best to conduct it from a place where the officer has a right to be.
- In French v. Merrill, 15 F.4th 116 (1st Cir. 2021), the U.S. Court of Appeals for the First Circuit held that officers violated French's Fourth Amendment rights because their continued and forceful "knock and talk" attempts and intrusion into curtilage violated clearly established law.
- By way of factual background, French had continued to harass his girlfriend after he had been directed to cease under Maine law. She had later reported that French broke into her home and stole, among other things, her cell phone. In response to the theft report, police went to French's home.
- At French's home, police attempted "knock and talk" two times without success, even though it was clear that someone was in the home as lights were being turned off and someone was seen looking out of a window.
- Between after the second attempt and before the third (which ultimately resulted in French coming to the front door), one officer left to obtain a search warrant; the officers who remained on scene entered the curtilage - left the front porch and walked down the sides of the house - to see if they could make contact with French. One banged on his bedroom window demanding that he come to the front door to talk. French eventually came out and talked. After speaking with French, officers arrested him for theft.
- This case did not touch French's conviction. Rather, this was a civil matter in which French sued to recover damages for the officer's violation of his Fourth Amendment rights.
- In holding that the officers violated French's Fourth Amendment rights, the court explained that when the officers continued to attempt to make contact by repeated "knock and talks" and left the front porch entering the curtilage,



they had violated the implicit social license that allows the general public, including officers, to knock on someone's front door to make contact with an occupant. The court concluded that, under these facts, any reasonable officer would have understood that repeated, forceful knocking on the front door and on the bedroom window each exceeded the limited scope of the customary social license to enter French's property.

❖ Fleet Management

- We are in the process of ordering 20 new F-150's out of this budget year. This has been a very complicated process based on supply chain shortages and the demand for new vehicles, but we feel confident that we will be able to take delivery of these vehicles in late spring or early summer.

❖ 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](mailto:LawITCadre@dwr.virginia.gov) mailbox

## **Law Enforcement Operations:**

❖ UPDATE - Operations Major Update

- It is not lost on the senior command staff that we are asking many of you to change how you approach your enforcement duties and develop your goals and objectives based on the enforcement priorities that we have established: *Public Safety, Resource Protection, Agency Lands and License and Permit Compliance*. Enforcement of the law is a critical part of our mission and needs to be your priority with a focus on quality cases and promoting compliance. It is very important that you document your enforcement efforts by creating well written cases. We operate in a profession where if you did not write it down, then it did not happen and your cases need to serve as a direct reflection on your efforts and professionalism. We want you all to be effective law enforcement officers that are known for being fair and just in how you handle violations of the law. Work together as a team and have fun doing it!

~ Major Ryan M. Shuler

❖ Recent Enforcement Efforts

- Activity Reports:
  - *Oops, we missed a good one last month! Sorry!*  
[Weekly Activity Report Oct. 5-20 2021](#) ([External Link](#))
  - [Weekly Activity Report Oct. 27 - Nov. 9 2021](#) ([External Link](#))
  - [Weekly Activity Report Nov. 17-30 2021](#) ([External Link](#))
  - [Weekly Activity Report Dec. 1-7 2021](#) ([External Link](#))

- [CPO Notebook](#)

#### ❖ General Information

- Each year, a high percentage of hunting-related shooting incidents involve hunters shooting at deer running between them with buckshot. Here are some talking points for clubs or other groups participating in deer drives:
  - Buckshot can travel a long way, up to 600+ yards.
  - Planning for safety is necessary for every deer drive.
  - Hunters should know their safe zones of fire well before a deer shows up. Be sure of your target and beyond.
  - Just because someone is out of sight does not mean they are safe from buckshot pellets.
  - Stay on your stand until the drive is over to avoid moving into someone else's zone of fire.
  - Keep yourself and your fellow hunters safe by controlling the muzzle of your firearm. Keep the firearm pointed in a safe direction.

### **Personnel:**

#### ❖ Officer Commendation of the Month

- Goes to Sergeant Carl Dobbs, Sergeant Kenneth Williams, Master CPO Neil Kester, Senior CPO Justin Chambers, Senior K9 CPO Ian Ostland and CPO 1st Class Phillip Pritt
- Date of Event: November 6, 2021
- County: Highland

*This Citizen Feedback Submission read, "I am so deeply grateful for the first responders of the Virginia Conservation Police who so graciously committed their weekend to searching for my son who was a lost hunter on November 6th into the 7th. That event caused the most intense fear that I have ever experienced, and the presence of the sergeants and CPOs was a comfort. As I drove up to Virginia from Raleigh, the mountains loomed so massively that I couldn't imagine how and where a search for my son would begin. Laying out a search plan kept me and my family grounded, sane and hopeful. Fortunately, the weekend had a positive outcome for my family as, after my son spent the night in the woods, he was able to make his way down the mountain onto a road and was able to flag down a truck driving by. I will always remember your efforts searching for my son. Thank you for all you do!"*



❖ Promotions

- Sgt. Wes Billings is now the District 32 Sergeant - effective 12/10/2021
- Sgt. Alan Hatmaker is now the District 45 Sergeant - effective 12/10/2021
- Sgt. Derrick Kekic is now the District 41 Sergeant - effective 12/10/2021
- Sgt. Josh Thomas is now the District 15 Sergeant - effective 12/10/2021

❖ Recent Separations (from DWR Service)

- Executive Leadership Consultant Kim Lettner      12/8/2021      (1 year)
- Master Officer Daniel Ross      12/15/2021      (18 ½ years)

❖ Retirements

- Sergeant B.I. Bell      12/15/2021      (28 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.

