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# Division of Personnel is Hurting the VIPD by Refusing to Approve Career Incentive Pay Raises for Qualified Officers, Sergeant Says; DOP Says It's Following the Law

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**Police on a crime scene in Estate Paradise on St. Croix on May 15, 2020. By. VI CONSORTIUM**

A number of police officers in the territory have been in a back and forth with the Division of Personnel on the interpretation of the Career Incentive Pay program law, and at least four of those officers have taken their frustrations to the media after attempting to resolve the matter internally to no avail.

In simple terms, the C.I.P. is a lucrative program that was crafted to attract people to law enforcement. It pays law enforcement up to 30 percent of their current salary annually if they further their education in fields related to law enforcement. For example, if a police officer makes \$50,000 annually and this officer then earns a bachelor's degree on top of the officer's current discipline, this officer would make an additional \$15,000 annually for a new, total sum of \$65,000 a year.

For the Division of Personnel, led by Director Dana Clendinen, the issue is in the interpretation of the law and how officers are qualified. The law lists a number of disciplines, one of which must be earned in order to qualify if you're a new officer. The law also says the director of Personnel and the leader of the respective agency — the commissioner of the V.I.P.D., the executive director of the V.I. Port Authority, the Chief Justice of the Supreme Court, the director of the Bureau of Corrections, and the director of the V.I. Fire Service — must first agree on awarding the C.I.P.

At least four police officers, three of whom have spoken to the Consortium, say their degrees have not been honored by Ms. Clendinen, although according to the officers their degrees fall in line with the law. Ms. Clendinen, however, has contended that these officers are wrong as the law specifically lists the disciplines needed to participate in the C.I.P.

The disciplines listed in the law include police science, fire science and criminal justice, including criminology, forensic science, fire prevention, accounting, psychology, public administration or business administration. However, those disciplines, according to the law, are for "newly hired employees." And though the law does not directly mention "senior" officers, when speaking of disciplines that qualify for the C.I.P. benefit, it states, "Such courses shall be in fields which are related to the performance by the employee of present or possible future official duties with respect to the employee's employer in the areas of police, corrections or fire administration in order to increase the knowledge, proficiency, ability, skill and qualifications of the employee in the performance of his official duty." The only distinction made relative to the list of disciplines are for new officers. For other officers, presumably senior law enforcement, the statute, seen [here](#), represents a broad spectrum of disciplines.

During an initial interview on May 4, Ms. Clendinen told the Consortium that her interpretation of the law was that it only speaks to the disciplines listed. In a followup interview on May 7, where the Consortium pointed out the part of the law that speaks to a broader field that may benefit the respective department's or agency's agenda, Ms. Clendinen said her understanding remained the same. She added, "What I do love about the statute and perhaps why it doesn't make any difference in my thinking, is that the statute is very clear that you have to receive permission ahead of time from the commissioner (in this matter the V.I.P.D.'s), and the director of the Division of Personnel so a determination could be made whether no, this wouldn't be covered or yes, this would be covered," she said.

Asked what would be her stance if the head of an agency or department had discussions with her stating that they approved a discipline not listed in the law but is beneficial to the operations of the department or agency, Ms. Clendinen said, "We consider everything before us, absolutely."

Among the officers who spoke to the Consortium was Sergeant Jamale Griffin, who also serves as the president of the Law Enforcement Supervisor's Union, Local 119. He said Police Commissioner Trevor Velinor had multiple meetings with Ms. Clendinen vouching for the officers whose degrees are not included on the list but are essential to the V.I. Police Department.

The commissioner, during an interview with the Consortium Wednesday morning, was careful to say that the law provides leeway for the director of the Division of Personnel to use her discretion in determining who should be granted the C.I.P., but he added, "I have said before that I believe law enforcement can utilize every degree that there is. There are situations that would allow us to incorporate people's background training, diversity etc. So I believe any of those degrees can benefit the police department. However, it's not solely up to the discretion of the commissioner; it does require the approval and engagement of the director of the Division of Personnel."

Sergeant Griffin said Ms. Clendinen's refusal to honor the degrees was causing officers who have enhanced their education to leave the police force. Her stance, he said, was also affecting recruitment.

"I personally have reached out to the offices of Senator Payne, Senator Francis and Senator Gittens. Senator Francis has on several occasions reached out to Director Clendinen to advise her to rectify the matter as she's interpreting the law and CBA incorrectly. Commissioner Velinor has done the same as he has approved all degrees he has deemed vital to the Police Department. Recently a police officer resigned due to the frustration of DOP's long wait time and inaccurate decisions making," the police sergeant said. "The Police Commissioner has had several meeting with Director Clendinen as he's expressed these degrees are to the Police Department; however she locks her heels and is steadfast with her denial. This is a deterrent to getting qualified officers who have obtained degrees in relatable fields useful to VIPD and other agencies. I think the law also needs to reflect to say post-certified law enforcement officers."

Sergeant Griffin was critical of former law enforcement officers currently serving as senators, revealing that he reached out to Sens. Payne, Gittens and Francis, and only Mr. Francis held meetings with Ms. Clendinen on the matter. "With law enforcement background senators in the Legislature I should expect all not some to have a vested interest in the betterment of the police department. The same enthusiasm that's given during Senate hearings needs to be afforded when the cameras are off," he said.

He also said the law should be clarified. "For example, there is a police management degree. If I as a seasoned officer go and apply for the Career Incentive Program and the Police Commissioner says this degree is relatable, Director Clendinen will deny approval citing that the law doesn't speak to this degree. However, the law only speaks to a list of degrees as it pertains to a newly hired employee. This doesn't hold the same for a veteran officer. The law needs to be corrected by those with the power to do so."

One officer told the Consortium that he has been using his physical education degree for a number of years to help train police recruits, yet he was recently denied C.I.P. inclusion by Ms. Clendinen. Another officer said her application was rejected based on semantics: though she graduated with a bachelor's degree in arts in criminal justice and history, which the transcript corroborates, the certificate only reflects bachelor of arts, and this was used to deny her application, she said.

Even so, the Division of Personnel has approved a number of degrees, including 35 out of the 40 GVI employees who have applied for the program over the past two years, according to Ms. Clendinen. Of the thirty-five, the average yearly incentive pay increased between \$4,000-\$10,000, and up to as much as \$18,000 - \$22,000 for some individuals," she said.

Ms. Clendinen also revealed that the V.I. Police Department currently pays approximately 75 law enforcement officers a total of \$553,000 per year for the Career Incentive Program.

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