



Law Enforcement Seminars

Law Enforcement Legal Updates, Emerging Trends and Best Practices

This seminar will focus on law enforcement legal updates and policy trends. It will feature Stephen Campbell, a nationally known instructor from the Legal and Liability Risk Management Institute (LLRMI).

NIRMA and the League Association of Risk Management (LARM) are again partnering to present this training to Nebraska law enforcement personnel.

We hope you will plan to attend one of these important seminars.

You may register through the NIRMA website:

<https://nirma.info>

Registration opens on
Monday, January 3, 2022

Registration closes on
Monday, January 31, 2022

Seminars begin at 8:00 am and conclude by
4:30 pm.

Seminars are scheduled as follows:

Scottsbluff

February 8, 2022

Western NE Community College

1601 E 27th St.

Rm A108 The Alex

Ogallala

February 9, 2022

Mid-Plains Community College

512 E. B St.

Grand Island

February 10, 2022

Central Community College

3134 West Highway 34

Rm 525

Norfolk

February 11, 2022

Northeast Community College

Lifelong Learning Center

801 E. Benjamin Avenue

MCLE-Application has been submitted for continuing education credit hours for attorneys

In-service hours will be awarded for law enforcement attendees

Presenter: Stephen Campbell

Stephen began his law enforcement career with the Providence, Rhode Island Police Department in 1982 and retired at the rank of Major. Stephen is a graduate of the Senior Management Institute for Policing at PERF. He attended the Williams Homicide School, New York State Police. Stephen holds a Bachelor of Science Degree from Roger Williams University and a Master of Science Degree from Salve Regina University.

NIRMA is pleased to continue its long-standing tradition of not charging a registration fee to attend. However, due to the costs associated with presenting these regional seminars, a policy has been established to bill a \$25.00 per person fee to those who register but do not attend without providing NIRMA with sufficient advance notice of their cancellation. In the event you need to cancel please contact NIRMA.



Training Schedule

February 8th -11th, 2022

Time	Topic
7:30-8:00	Registration
8:00-9:30	Training Session
9:30-9:45	Break
9:45-10:15	Training Session
10:45-11:00	Break
11:00-12:00	Training Session
12:00-12:30	Lunch
12:30-1:45	Training Session
1:45-2:00	Break
2:00-3:15	Training Session
3:15-3:30	Break
3:30-4:30	Training Session

February 8, 2022-Western Nebraska Community College (Scottsbluff)

February 9, 2022-Mid-Plains Community College (Ogallala)

February 10, 2022-Central Community College (Grand Island)

February 11, 2022-Northeast Community College (Norfolk)

Nebraska - LLRMI Law Enforcement Training Topics

February 2022

Making Policies and Training a Priority:

While law enforcement agencies have volumes of policies covering every conceivable task, exposure to liability is generally limited to a few recurring tasks in law enforcement operations. These tasks are high risk assignments that officers face most frequently. Liability most frequently occurs when officers violate some legal mandate. When officers are provided with sound policy and training, they place themselves in a strong position to avoid liability and at the same time provide the community with the best service possible.

The legal mandates that direct law enforcement operations come from decisions decided by the United States Supreme Court and lower federal courts as well as state court decisions.

Law enforcement agencies must have policy, training and follow-up procedures for recurring tasks undertaken by their employees. Policy and training should focus on those tasks that are high risk critical tasks. When considering which tasks are high risk agencies should consider three questions:

1. Is the task one which officers will regularly face?
2. Is the task one which requires decision making and is the decision-making process made easier by policy or training or is it a task in which officers have made mistakes in the past?
3. Finally, will the wrong decision lead to an injury, in either the physical sense or the constitutional sense?

It must be recognized that an agency that fails to provide direction to their employees on a high-risk critical task(s) will be seen as acting with deliberate indifference toward the rights of citizens. Deliberate indifference, in essence, means that agency leaders can foresee difficult choices to be made by employees, but disregard the potential risks and fail to provide employees with appropriate choices in their response.

The recognized high risk critical tasks for a law enforcement agency are:

1. Use of Force/Response to Resistance
2. Pursuit/Emergency Operation of Vehicles
3. Search, Seizure and Arrest
4. Care, Custody, Restraint and Transportation of Prisoners
5. Dealing with Mentally Ill, Emotionally Disturbed Persons, and Persons of Diminished Capacity
6. Domestic Violence & Agency Employee Involved Domestic Misconduct
7. Off-Duty Conduct of Officers / Off-Duty Paid Details
8. Sexual Harassment / External Sexual Misconduct by Officers
9. Selection and Hiring
10. Internal Affairs Investigations and Complaints
11. Special Operations: SWAT, Narcotics, High Risk Warrants Service
12. Property and Evidence

Under the federal law, 42 U.S.C. § 1983, a municipality will only have liability where the violation of a federally protected right was caused by some policy, custom, practice, rule or ordinance of the municipality. The corollary is also true. Where the government entity has a policy, rule, custom or ordinance that is enforced, which prohibits the conduct in question, the entity will not be liable simply because the employee committing the act works for the entity.

Policies are an essential component of liability-risk management for any governmental entity. Thus, it is incumbent upon public safety administrators to undertake the task of developing and maintaining policies.

In establishing municipal or county liability under the Monell¹ analysis, a plaintiff has four potential mechanisms:

¹ Monell v. Department of Social Services of New York, 436 U.S. 658 (1978).

Formal rules, regulations, policies or ordinances: This is the easiest claim for a plaintiff to make out since they merely need to get a copy of the official policy and need not show a pattern of conduct by the entity.

Custom/Practice: Customs and practices may be established by showing a pattern of conduct which has the force of law or policy. The operating assumption under this type of claim is that the final policymaker for the entity knew or should have known of the custom. As such the final policymaker has acquiesced to the custom by their failure to act in stopping the pattern of conduct from taking place.

Attribution Method: This method does not require the showing of a pattern of conduct. Under this type, a single decision which is committed or made by a person who is later determined to be a final policymaker may establish liability. When a final policymaker makes a decision, that decision has the force of policy and is imputed to the entity. It should be noted that a determination of who is a final policymaker is not always clear. If the person setting forth the policy is subject to review and or veto, it is unlikely that a court would consider that person a final policymaker. A Sheriff would be considered the final policymaker of the agency. Therefore, direct participation in a law enforcement event by the final policymaker is the same as having a written policy. Bad decisions made during the course of a dynamic, rapidly evolving event may create entity liability.

Failure to Train: Where a government entity is deliberately indifferent to the likelihood that constitutional rights will be violated by a failure to train, liability may be imposed. Generally, a court will not allow a failure to train claim to stand based upon an isolated incident. In order to set out a failure to train claim a plaintiff must establish one of the following:

Plaintiff must point to a specific deficiency in training in an area where the need for training is patently obvious. In cases where a plaintiff can establish a failure to train in an area where the need for training is patently obvious, a single incident will suffice. For example, a department that failed to train officers in the use of deadly force may meet this standard.

Where a plaintiff can show a pattern of conduct which leads to the violation of federally protected rights such that final policymakers are on notice and have failed to correct through training.

Thus, public safety agencies cannot avoid liability by simply avoiding written policy. Doing so, will leave the department open to liability based upon the custom or practice of the department, which, by their nature, are open to anyone's interpretation.

4th Amendment Legal Updates:

1. *Caniglia v. Strom*, 593 U.S. ____ (2021), United States Supreme Court case related to the Fourth Amendment to the United States Constitution's "community caretaking" exception.

During an argument with his wife, petitioner Edward Caniglia placed a handgun on the dining room table and asked his wife to "shoot [him] and get it over with." His wife instead left the home and spent the night at a hotel. The next morning, she was unable to reach her husband by phone, so she called the police to request a welfare check. The responding officers accompanied Caniglia's wife to the home, where they encountered Caniglia on the porch. The officers called an ambulance based on the belief that Caniglia posed a risk to himself or others. Caniglia agreed to go to the hospital for a psychiatric evaluation on the condition that the officers not confiscate his firearms. But once Caniglia left, the officers located and seized his weapons. Caniglia sued, claiming that the officers had entered his home and seized him and his firearms without a warrant in violation of the Fourth Amendment. The District Court granted summary judgment to the officers. The First Circuit affirmed, extrapolating from the Court's decision in *Cady v. Dombrowski*, 413 U. S. 433, a theory that the officers' removal of Caniglia and his firearms from his home was justified by a "community caretaking exception" to the warrant requirement.

Held: Neither the holding nor logic of *Cady* justifies such warrantless searches and seizures in the home. *Cady* held that a warrantless search of an impounded vehicle for an unsecured firearm did not violate the Fourth Amendment. In reaching this conclusion, the Court noted that the officers who patrol the "public highways" are often called to discharge noncriminal "community caretaking functions," such as responding to disabled vehicles or investigating accidents. 413 U. S., at 441. But searches of vehicles and homes are constitutionally different, as the *Cady* opinion repeatedly stressed. *Id.*, at 439, 440– 442. The very core of the Fourth Amendment's guarantee is the right of a person to retreat into his or her home and "there be free from unreasonable governmental intrusion." *Florida v. Jardines*, 569 U. S. 1, 6. A recognition of the existence of "community caretaking" tasks, like rendering aid to motorists in disabled vehicles, is not an open-ended license to perform them anywhere.

2. *Lange v. California*, 594 U.S. ____ (2021), United States Supreme Court case involving the exigent circumstances requirement related to the Fourth Amendment to the United States Constitution. The Court ruled unanimously that the warrantless entry into a home by police in pursuit of a misdemeanor is not unequivocally justified.

This case arises from a police officer's warrantless entry into petitioner Arthur Lange's garage. Lange drove by a California highway patrol officer while playing loud music and honking his horn. The officer began to follow Lange and soon after turned on his overhead lights to signal that Lange should pull over. Rather than stopping, Lange drove a short distance to his driveway and entered his attached garage. The officer followed Lange into the garage. He questioned Lange and, after observing signs of intoxication, put him through field sobriety tests. A later blood test showed that Lange's blood-alcohol content was three times the legal limit. The State charged Lange with the misdemeanor of driving under the influence. Lange moved to suppress the evidence obtained after the officer entered his garage, arguing that the warrantless entry violated the Fourth Amendment. The Superior Court denied Lange's motion, and its appellate division affirmed. The California Court of Appeal also affirmed. It concluded that Lange's failure to pull over when the officer flashed his lights created probable cause to arrest Lange for the misdemeanor of failing to comply with a police signal. And it stated that Lange could not defeat an arrest begun in a public place by retreating into his home. The pursuit of a suspected misdemeanor, the court held, is always permissible under the exigent-circumstances exception to the warrant requirement. The California Supreme Court denied review.

Held: Under the Fourth Amendment, pursuit of a fleeing misdemeanor suspect does not always—that is, categorically—justify a warrantless entry into a home. The Court's Fourth Amendment precedents counsel in favor of a case-by-case assessment of exigency when deciding whether a suspected misdemeanor's flight justifies a warrantless home entry. The Fourth Amendment ordinarily requires that a law enforcement officer obtain a judicial warrant before entering a home without permission. *Riley v. California*, 573 U. S. 373, 382. But an officer may make a warrantless entry when "the exigencies of the situation," considered in a case-specific way, create "a compelling need for official action and no time to secure a warrant." *Kentucky v. King*, 563 U. S. 452, 460; *Missouri v. McNeely*, 569 U. S. 141, 149. The Court has found that such exigencies may exist when an officer must act to prevent imminent injury, the destruction of evidence, or a suspect's escape.

3. *Lombardo v. City of St. Louis*, 594 U.S. __ (2021).

On the afternoon of December 8, 2015, St. Louis police officers arrested Nicholas Gilbert for trespassing in a condemned building and failing to appear in court for a traffic ticket.

Officers brought him to the St. Louis Metropolitan Police Department's central station and placed him in a holding cell. At some point, an officer saw Gilbert tie a piece of clothing around the bars of his cell and put it around his neck, in an apparent attempt to hang himself. Three officers responded and entered Gilbert's cell. One grabbed Gilbert's wrist to handcuff him, but Gilbert evaded the officer and began to struggle. The three officers brought Gilbert, who was 5'3" and 160 pounds, down to a kneeling position over a concrete bench in the cell and handcuffed his arms behind his back. Gilbert reared back, kicking the officers and hitting his head on the bench. After Gilbert kicked one of the officers in the groin, they called for more help and leg shackles. While Gilbert continued to struggle, two officers shackled his legs together. Emergency medical services personnel were phoned for assistance. Several more officers responded. They relieved two of the original three officers, leaving six officers in the cell with Gilbert, who was now handcuffed and in leg irons. The officers moved Gilbert to a prone position, face down on the floor. Three officers held Gilbert's limbs down at the shoulders, biceps, and legs. At least one other placed pressure on Gilbert's back and torso. Gilbert tried to raise his chest, saying, "It hurts. Stop." *Lombardo v. Saint Louis City*, 361 F. Supp. 3d 882, 898 (ED Mo. 2019). After 15 minutes of struggling in this position, Gilbert's breathing became abnormal and he stopped moving. The officers rolled Gilbert onto his side and then his back to check for a pulse. Finding none, they performed chest compressions and rescue breathing. An ambulance eventually transported Gilbert to the hospital, where he was pronounced dead.

The Court then cited several factors that could be important in the determination of whether an excessive force claim should go forward, including:

1. Officers placed pressure on Gilbert's back even though St. Louis instructs officers that pressing down on the back of a prone subject can cause suffocation.
2. Well-known police guidance recommends that officers get a subject off his stomach as soon as he is handcuffed because of the risk of asphyxiation.
3. Well-known police guidance indicates that the continued struggling of a prone subject may not be resistance or a desire to disobey officer commands, but instead may be due to oxygen deficiency.

The Court made clear that they had no view as to whether the officers used unconstitutional excessive force or, even if they did, whether Gilbert's rights to be

free from the force used in this case was clearly established at the time. Instead, the Court remanded the case and directed the lower court to employ a more detailed inquiry taking into account the facts and circumstances outlined by the Court to reach their determination.

Bottom Line:

- The Supreme Court recognized that the failure to get a person off their stomach as soon as they are handcuffed is a factor to consider in a prone restraint death case.
- The Supreme Court recognized that resistance may actually be caused by lack of oxygen (fighting for oxygen) rather than a desire to or conscious non-compliance.
- The duration of prone restraint is a factor to consider in the excessive force analysis.
- The fact that mechanical restraints have been applied is a factor in a prone restraint excessive force analysis.
- There is no automatic rule allowing for prone restraint based on resistance alone.

Use of Force:

Managing the use of force by law enforcement personnel is one of the most difficult challenges faced by a police agency. Use of force is an inherent high risk critical task within any police agency. Officers must utilize appropriate and necessary force when individuals resist their efforts to arrest law violators and prevent flight. Deadly Force, Chokeholds, Neck Restraint, Prone Face Down Restraint, De-escalation, Duty to Intervene and Medical Aid will be discussed.

Any review on law enforcement's use of force must begin by outlining the Constitutional authority on use of force by law enforcement officers. The basic rule governing use of force is that all uses of force by a law enforcement officer against a free citizen must meet an objective reasonableness standard. Free citizens are distinguished from sentenced prisoners due to the fact that sentenced prisoners are subjected to the differing standards of 8th Amendment law, specifically "cruel and unusual punishment," while free citizens fall under the 4th Amendment right to be free from unreasonable seizures.

The constitutional parameters on the use of objectively reasonable force are drawn from two foundation cases decided by the United States Supreme Court. The first case,

*Tennessee v. Garner*² reviewed a Tennessee state statute that allowed officers to shoot any fleeing felon. The facts involved the death of Garner, a juvenile, as he fled from an unoccupied residential burglary after stealing a purse and \$10.00. The United States Supreme Court held that statutes which allowed law enforcement officers to shoot “any fleeing felon” were unconstitutional. The Court then announced those circumstances where it would be objectively reasonable for law enforcement officers to use deadly force.

The Court concluded that it would be objectively reasonable for a law enforcement officer to use deadly force when faced with an immediate danger of serious bodily harm or death to the officer or some third party who is present at the scene. The Court further concluded that it would be objectively reasonable to use deadly force to prevent escape in cases where the officer had probable cause to believe that the fleeing suspect had been involved in a violent felony involving the infliction or threatened infliction of serious bodily harm or death. The Court also asserted that officers should give a WARNING where feasible.

It should be noted at the outset that most law enforcement agencies in the United States are more restrictive with respect to use of deadly force than a strict reading of the language from *Garner*. Most agency policies that have a provision for preventing the escape of a violent felon require that officers have articulable facts to conclude that the suspect poses either a threat to public safety by their escape or an imminent threat to public safety by their escape.

The foundation case on all use of force is *Graham v. Connor*.³ In *Graham*, the Court devised an analytical formula for reviewing all uses of force to determine the objective reasonableness of a particular use of force. All uses of force, deadly and non-deadly, are to be judged by the totality of the circumstances. The totality of the circumstances to be considered are only those circumstances known to the officer at the time the force was used without the benefit of 20/20 hindsight.

The most important aspect of *Graham* is the three-factor test by which all uses of force are to be judged.

First: How serious is the offense that the officer suspect is or had been committed?

Second: Does the suspect pose an immediate physical threat to the officer or some other person present at the scene?

Third, Is the suspect actively resisting or attempting to evade arrest by flight?

² *Tennessee v. Garner*, 471 U.S. 1 (1985).

³ *Graham v. Connor* 490 U.S. 386 (1989).

Where an officer's use of force is consistent with an affirmative response to the 2nd or 3rd question or where the officer is dealing with a serious offense, the ultimate use of force is more likely to be reasonable.

Crowd Control & Less-Lethal Weapons:

The First Amendment protects many forms of expression, including the right to free speech, participating in demonstrations like protests and marches, leafleting, chanting, drumming and dancing, but there are limits. Citizens can be arrested for conducting illegal activities that threaten harm to people or property. Use of Pepperball, Kinetic Impact Weapons and Taser will be discussed.

Executive Order 13929 Safe Policing for Safe Communities.

The EO's goal is to ensure that law enforcement agencies continue striving to provide transparent, safe, and accountable delivery of services to communities. This delivery will enhance community confidence in law enforcement and facilitate the identification and correction of internal issues before they result in injury to the public or to law enforcement officers. The components of the EO will be discussed.

The DOJ Standards of Certification identifies two safe policing principles that independent credentialing bodies must consider when assessing certification of applying law enforcement agencies:

1. Adherence to applicable laws. The applying agency maintains use of force policies that adhere to all applicable federal, state, and local laws.
2. Prohibition of choke holds. The applying agency maintains use of force policies that prohibit the use of choke holds, except in situations where the use of deadly force is allowed by law.

The Department's certification standards encourage an independent assessment of law enforcement policies and procedures, such as:

1. Training protocols on use of force;
2. Training protocols on de-escalation;
3. The scope of an officer's duty and obligation to intervene in order to prevent excessive force by another officer;

4. When and how an officer should provide appropriate medical care;
5. Officers identifying themselves as law enforcement and giving verbal warning of their intent to use deadly force;
6. Shooting at or from a moving vehicle.
7. Agencies are encouraged to implement early intervention systems to promote officer wellness and to identify officers who may be at risk of violating use of force policies,
8. Policies and procedures to help them recruit and promote the best and brightest,
9. Community engagement plans to address each community's specific needs.

Vehicle Pursuit:

Law Enforcement recognizes the responsibility to apprehend criminals and lawbreakers, but it also recognizes that higher responsibility to protect and foster the safety of all persons in the operation of police vehicles under pursuit conditions. Officers in operating under pursuit conditions must be constantly aware that no assignment is too important and no task is to be expedited with such emphasis that any of the basic principles of safety are jeopardized. Vehicle pursuit in general and terminating the pursuit with force will be discussed.

Fourth Amendment seizures and pursuits (See *Scott v. Harris below*): A physical seizure under the Fourth Amendment occurs when an officer applies force to a person in order stop their movement or restrain their liberty by a means intentionally applied. Perhaps the best example of a physical seizure in the pursuit context comes from *Brower v. Inyo County*.⁴

In *Brower*, police officers commandeered a trailer truck and placed it across the road, around a blind curve, and with their cruiser lights facing in the direction of the oncoming suspect. The suspect, blinded by the light and not seeing the trailer truck was killed by this roadblock.

The Supreme Court concluded that this roadblock was a seizure under the Fourth Amendment and therefore the officers' conduct in setting up the roadblock would have to meet The Fourth Amendment's objective reasonable analysis. In other words, the officers' actions in setting up a roadblock of this type to apprehend a fleeing motorist would have to be objectively reasonable. As with other uses of force under the Fourth Amendment, a court would look to: 1) the severity of the offense; 2) whether the suspect

⁴ *Brower v. Inyo County*, 489 U.S. 593 (1989).

posed a threat to the officer or others; and 3) whether the suspect was actively resisting or attempting to evade arrest.

NOTE: A pursuit intervention technique that is intentionally applied to a fleeing suspect will be judged by Fourth Amendment Objective Reasonableness standard as it relates to the restraint on the suspect's liberty interest. The tactic must have actually restrained the suspect's liberty in some way to constitute a seizure.

A second claim that may occur as the result of injuries suffered as a result of a high-speed pursuit involves a claim that based on Due Process. These claims allege that the actions of a police officer deprived the person injured of life or liberty without due process of law.

Due process claims have generally arisen when the suspect crashes as a result of his or her own actions, without any intervention/use of force by the police, and injures themselves or some innocent third party.

Sexual Harassment/Discrimination:

A major problem that has plagued law enforcement for decades is sexual harassment. The long-standing men's culture of law enforcement may have played a role in this problem. With the advent of the "Me Too" movement we have recently seen many claims regarding workplace discrimination and sexual harassment and assault. In order to address this issue agencies must have sound policies, procedures and documented training.

- **Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)** in a 9-0 decision the Court recognized sexual harassment as a violation of Title VII of the Civil Rights Act of 1964. The case was the first of its kind to reach the Supreme Court and would redefine sexual harassment in the workplace
- **Oncale v. Sundowner Offshore Services, 523 U.S. 75 (1998)** The Court held that the protection of Title VII of the Civil Rights Act of 1964 against workplace discrimination "because of... sex" applied to harassment in the workplace between members of the same sex.
- **Altitude Express, Inc. v. Zarda, 590 U.S. ____ (2020) & Bostock v. Clayton County, 590 U.S. ____ (2020)** Court held that Title VII of the Civil Rights Act of 1964 protects employees against discrimination because they are gay or transgender.[2]

Sexual harassment is a form of sex discrimination and violates Title VII of the Civil Rights Act of 1964 when it occurs in the workplace. EEOC guidelines define sexual

harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- Submission to or rejection of the conduct is used as a basis for employment decisions
- Conduct of a sexual nature has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- SCOTUS: When the workplace is permeated with "discriminatory intimidation, ridicule, and insult, that is "sufficiently severe or pervasive to alter the conditions of the victim's employment and create an abusive working environment," , Title VII is violated. Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)

Stephen M. Campbell
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SUMMARY

PROFESSIONAL EXPERIENCE

2008-Present **Legal Liability Risk Management Institute & Public Agency Training Council**

700 N Carr Rd. Plainfield, IN 46168

Travel nationally to conduct operational reviews for law enforcement agencies and jails. These reviews focus on the manner in which agencies treat the critical tasks in law enforcement and corrections. Conduct training sessions for public employees including, police officers, investigators, federal agents, prosecutors, and coroners in matters relating to criminal investigation and constitutional issues for law enforcement officers. Develop model policies and procedures for law enforcement agencies and detention facilities.

Training Seminars have been conducted in the following states:

Alabama	Maine	Oklahoma
Arizona	Massachusetts	Pennsylvania
Arkansas	Michigan	Rhode Island
BIA	Mississippi	South Carolina
Colorado	Missouri	South Dakota
Florida	Montana	Tennessee
Hawaii	Nebraska	Texas
Idaho	New Hampshire	Utah
Illinois	New Jersey	Vermont
Indiana	New Mexico	Virginia
Kansas	North Dakota	Washington
Kentucky	Ohio	Wyoming
Louisiana	Martland	

Was a featured speaker at the 2012 Convention of the Arkansas Municipal League, City Attorneys Meeting, which was held in Hot Springs, Arkansas.

Was a featured speaker at the Kentucky Jailers Conference in 2015 which was held in Covington, Kentucky attended by 300 Jailers.

Was a featured speaker at the Texas Sheriff's Conference which was held in San Antonio, Texas 2015 attended by 300 Sheriffs.

Was the featured speaker at the Georgia Sheriff's Association, Command Staff Conference in 2016 attended by 150 Sheriffs.

Was a featured speaker at the Texas Commission on Law Enforcement (TCOLE) conference in Corpus Christi TX in September 2016 attended by over 700 officers.

Was the featured speaker at the Illinois Sheriff's Conference in Peoria Illinois in April 2016 attended by 150 Jail Administrators and Chief Deputies.

Was a featured speaker at the South Dakota County Commissioners Conference in Pierre, South Dakota in September 2018.

Was a featured speaker at the Georgia Sheriff's Association annual Conference in 2020

Was a featured Speaker at the South Dakota Sheriff's Association Annual Conference in Pierre. 2020.

Was a featured speaker at the South Dakota Sheriffs and Chiefs Annual Conference in Deadwood S.D. 2021.

Was a featured speaker at the Kansas Sheriff's Association Annual Conference in Topeka in 2021.

Agency Audits

These types of agency audits take on different forms. Some are designed to identify strengths and weaknesses of the agency, make recommendations and present specific timetables for implementation. Others are specifically designed to evaluate the agency's liability potential, make recommendations and suggest implementation strategies. The audits focus on the critical tasks that impact law enforcement operations and create exposure to liability litigations to include:

- Review of Department Policies and Procedures
- Use of Force
- Critical Incident Investigations
- Property and Evidence
- Arrest Search and Seizure
- Special Operations
- Internal Affairs/Early Warning Systems

These audits have been conducted nationally for law enforcement agencies and agency Jails.

Has conducted over twenty-two (22) on-site department audits in eight (8) states. Has reviewed policies and procedure manuals and made recommendations to the department administration for one hundred twenty (120) police departments and sheriff's offices.

Has conducted numerous internal investigations into agency corruption and mismanagement.

Policy Development and Implementation

Develop and implemented through training, Law Enforcement and Jail policies and procedures detailing the best police practices for agencies in:

- Arkansas
- Illinois
- Indiana
- Iowa
- Kansas
- Kentucky
- Michigan
- Nebraska
- Nevada
- New Hampshire
- North Carolina
- Ohio
- Oklahoma
- South Carolina
- South Dakota
- Texas
- Vermont

Litigation Consultation

Has provided numerous consultations on law enforcement litigation matters throughout the United States.

1982-2008 **Providence Police Department**
Providence, RI

Attained the rank of Major/Chief of Detectives, the third highest rank in a department of 500 sworn officers. Commanded the second largest division in the department with direct supervision of 125 investigators and officers in four

bureaus which included the Detective Bureau, Narcotics and Organized Crime, Bureau of Criminal Identification and Youth Service Bureau.

1982 Uniformed patrol officer

1987 Detective investigating crimes against persons/property

1988 Sergeant, Supervising up to 25 patrol officers

1992 Deputy Commander of the Community Police Unit

1995 Commanding Officer, Domestic Violence Investigation / Prevention Unit

1997 Police Lieutenant

1999 Detective Lieutenant, Supervising Major Crimes

2004 Major / Chief of Detectives

- Acted as liaison to all federal agencies in Rhode Island including the FBI, DEA, ATF, Secret Service, U.S. Attorney's Office and Department of Attorney General
- Developed and implemented crime control strategies city-wide
- Supervised public safety for large public events that draw thousands of visitors to Providence venues including the Dunkin Donuts Center, Providence Performing Arts Center, Water Fire, dignitary visits and parades.
- Worked closely with Providence College, Brown University, University of Rhode Island, Johnson and Wales, Rhode Island College and Rhode Island School of Design on safety, security, and crime control strategies for students, faculty and staff.
- Conducted over 110 homicide investigations.
- Developed and commanded the first Domestic Violence Investigations and Protection Unit for the Providence RI Police Department.
- Developed and commanded the first Elderly Abuse Unit for the Providence RI Police Department.
- Rhode Island Attorney General's Cold Case Homicide Unit.

1981-1982 **Executive Assistant to the Mayor of Providence, Vincent A. Cianci Jr.**

1975-1980 **United States Military**, United States Air Force
Honorably discharged with the rank of Sergeant. Provided law enforcement and security related duties on military installations in the United States and abroad.

EDUCATION

1999 **Salve Regina University**, Newport R.I.
M.S. Administration of Justice

1990 **Roger Williams University**, Bristol R.I.
B.S. Administration of Justice

PROFESSIONAL DEVELOPMENT

Senior Management Institute for Police, Police Executive Research Forum, @
Boston University
New York State Police Homicide School
President's Initiative on DNA, Cold Case, Philadelphia, PA
President's Initiative on DNA, Cold Case, Pittsburg, PA
Dale Carnegie Leadership Training Course

ACHIEVEMENTS

- Received numerous awards and commendations from the Providence Police Department, Providence City Council, State of Rhode Island and American Legion for exceptional police work and bravery.
- Guest lecturer on crime control, domestic violence, and criminal investigation at Rhode Island College, Roger Williams University, RI, and Salve Regina University, RI.