



NEIA CONNECTIONS

Volume 3, 2015



QUANTICO, VA

The third cycle of NEI's 38 session ended the week of September 21 – 24 at the University of Virginia. While we appreciated the invitation to address the group, we were impressed with the quality of those presentations made by the University staff. Given the quality of the audience, the topics covered The Leadership diamond: a framework for Understanding and continued on to Crisis Leadership; Getting out ahead of the Crisis- Proactive Communication; Changing Shape of American Cities; Enabling Cultural Change in Your Organization, Finding Your Leadership Voice presented by actors and educators from the American Shakespeare Center; Fear of a tyrannical State: the Bill of Rights in Historical context were among the topics. Another interesting presentation was given by one of the session's members, Sheriff Al Cannon, Charleston County. He shared some insights on why a community that underwent the same social dynamics involving police related shootings and terrorist attacks on the African American community didn't suffer similar aftermath of other communities. We were also glad to hear that Assistant Sheriff Linda Solórza from Orange County CA was elected class representative and is invited to attend our board meeting in Chicago Oct. 25, 2015. I am always impressed with the quality of invitations extended to the various Chiefs, Sheriffs and Commissioners as well as their international colleagues. Representation included members from the Royal Mounted Police, Australia, Germany, Spain and high ranking members of the FBI, DEA, U.S. Air Force, Coast Guard, US Marshals, US Border patrol, US Park Patrol, Defense Intelligence Agency. NEI team headed by Mike Harrigan, Benny Lamanna and Becky Yacone recognized their responsibilities to put together a program worthy of the skills, education and experience of the attendees. The NEIA is delighted for our participation but also being made aware that the NEI team will be focusing on issues that which is most important to future attendees.

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FBI NEIA IS ALIVE AND WELL

The following was prepared by Dick Ayres, FBI NEIA's Executive director. Dick and board member Dave Corderman in cooperation with Major County sheriffs' personnel co planned and participated in the training conference. We have always appreciated a long term co conference and training relationship with Major Cities Chiefs Association, more recently with the Police Executive Research Forum (PERF) and now the Major County Sheriffs Association.



NEIA-MCSA TRAINING CONFERENCE 2015

A world-class venue provided the spectacular setting for the first joint NEIA-MCSA training conference, entitled, "Public Trust: A Shared Responsibility," September 8-10, on Mackinac Island, Michigan. Many of the participants who had enjoyed the amenities of past NEIA conferences at Sun Valley, Idaho expressed their appreciation for the uniquely beautiful location and our accommodations at the Grand Hotel, which evokes the splendor of the 1920s-30s.

Surrounded by the waters of Lake Huron, Lake Superior and Lake Michigan, Mackinac Island is accessible only by ferry and permits no motor vehicles. Transportation is provided by horse-drawn carriages and bicycles. This secluded location provided a welcome escape from law enforcement executives' busy, hectic lives and was the perfect atmosphere for a meaningful, productive training session.

CONFERENCE GOALS

The joint NEIA/MCSA conference was designed to determine what law enforcement and community actions, attitudes and behaviors are needed to foster the public's trust that is so critically needed today. The basic premise of the conference was that law enforcement cannot be effective without the public's trust. Likewise, to be effective, the police must be able to trust members of the community.

To help identify these actions, attitudes and behavior needed, the conference was structured to:

- Bring law enforcement executives and minority community leaders together to openly discuss their perceptions of police and public trust;
- Ensure that all attendees participate in group discussions and have opportunities to raise issues and concerns;
- Develop learning lessons and action plans to make law enforcement/community trust a reality;
- Produce a written report identifying the findings and proceedings.

HIGHLIGHTS OF CONFERENCE PROCEEDINGS

Laying the Ground Work for Public Trust

Pierce County, Washington **Sheriff Paul Pastor**, author of the article, “Public Trust and Law Enforcement,” served as a presenter, moderator and facilitator throughout the conference. His article, provided to all participants, was a catalyst for a host of stimulating discussions. Sheriff Pastor emphasized that it is important that we focus on what law enforcement is doing or not doing to gain and maintain trust of the community, but we should also focus on what the community can do to gain the trust of police. He said: “Trust is a relational quality. Trust is, in modern parlance, a ‘two-way street,’ with consequences flowing in two directions. Trust is an outgrowth of the relationship of co-responsibility which attends citizenship.”

Discussing the issue of honesty as it relates to trust, Sheriff Pastor said: “Honesty is difficult because it can be inconvenient and embarrassing. But willingness to engage in self-critical honesty, while it carries major risks, also carries the potential for major benefit. Self-critical honesty can expedite the paving of the ‘two way street’ of trust.” (To see the complete article by Sheriff Pastor, go the website, neiaassociates.com, under research.)

Darrel Stephens, Executive Director, Major Cities Chiefs’ Association, provided a statistical review of various surveys on public trust and law enforcement, as well as an insightful, personal and professional assessment on the issue of public trust from his work as Police Chief, Charlotte, NC; City Administrator, St. Petersburg, FL; Executive Director, PERF; and as a technical advisor during the Ferguson, Missouri disorder and from feedback on *The President’s Taskforce on 21st Century Policing*.

Does Law Enforcement Have a Public Trust Problem? Law Enforcement’s Perception

Los Angeles County **Sheriff Jim McDonnell**; Polk County, Florida **Sheriff Grady Judd**; and Rhode Island State Police **Colonel Steven O’Donnell** discussed law enforcement’s perceptions of what police behaviors may be contributing to the community’s lack of trust. In small groups, conference attendees then examined and discussed their own views and provided comments on police behaviors and actions that they see as possibly contributing to the public’s distrust. The findings of each small group were presented and recorded.

Does Law Enforcement Have a Public Trust Problem? Community’s Perception

Donnel White, Executive Director, Detroit Branch NAACP; **Nabih Ayad**, Arab American Civil Rights League, Macomb County, Michigan; **Pastor Douglas Jones**, Welcome Missionary Baptist church, Oakland County, Michigan; and **Kobi Dennis**, founder, ‘Project Night Vision,’ Providence, Rhode Island, discussed their communities’ perceptions of what police behaviors may be contributing to the lack of trust. Participants again examined their own views and provided comments on what police behaviors and actions may contribute to the public’s distrust. Small group findings were again presented and recorded.

Officer Involved Shooting of Minority, Madison, Wisconsin

Dane County Wisconsin **Sheriff Dave Mahoney** and **Pastor Everett Mitchell**, University of Wisconsin, Madison, described their experience involving an officer’s shooting of an unarmed black man; the prosecutor’s subsequent decision not to bring charges; and reasons why the community’s response was different from that in Ferguson, Missouri and other similar jurisdictions where civil unrest occurred.

Strategies for Strengthening Trust and Community/Law Enforcement Partnerships

Dr. Cedric L. Alexander, Deputy Chief Operating Officer for Public Safety, DeKalb County, Georgia, and President of the National Organization of Black Law Enforcement Executives (NOBLE), provided a stirring, final dinner speech, on “Strategies for Strengthening Trust and Community/Law Enforcement Partnerships.” It was expected that Dr. Alexander would review recommendations from *The President’s Task force on 21st Century Policing*, such as transparency, procedural justice, engaging the community, etc. While noting these recommendations are extremely important, Dr. Alexander suggested something seemed to be missing; something more fundamental needed to be addressed before attempting their implementation. He provided the missing piece, by asking members of law enforcement and the community members to first reason together, to find common ground, to agree on common values to build trust and positive relationships.

This approach uses a problem-solving philosophy that emphasizes what is right instead of who is right. This common sense approach and inspiring speech was one of the highlights of the conference and was the perfect Segway for final discussions.

Making Trust a Reality: Law Enforcement and Community Coming Together

The final session focused on how to build law enforcement–community partnerships to foster trust and respect, create positive relationships, and improve the quality of life in our communities. In small groups, conference attendees examined the lessons learned from their previous discussions and identified specific action plans to be taken by law enforcement as well as community leaders to establish or further grow a trusting relationship. The findings of each small group were presented and recorded.

“How very good and pleasant it is when kindred live in unity!”

This was an interesting, unique and challenging conference that brought law enforcement and community leaders together, where many were strangers and from different parts of the country, to have open dialogue on sensitive issues. Participants demonstrated a sense of unity and shared responsibility for achieving mutual trust and for development of conference findings and recommendations. The full conference report is being produced and will be available on the FBI NEIA and MCSA websites.

SAVE THE DATE

While we are talking about interesting venues for conferences of Learning please save the date May 23 - 25, 2016. The NEIA/MCCA/PERF will hold their annual conference in New York City. The conference will be held at the Marriott Marquis in Times Square. Hotel pricing will be similar to that of our San Francisco conference in 2014. New York is one of the safest cities in America and is a sightseeing playground for tourists around the world. I should have more information in our next newsletter.

NEIA/MCCA/PERF ANNUAL CONFERENCE
MAY 23 - 25, 2016 - MARRIOTT MARQUIS, NEW YORK

If you are attending the MCCA/ FBI NEIA Meeting in Chicago, we hope you can join us at the FBI NEIA Reception at the Hilton Chicago hotel Sunday, October 25, 2015. It will be held at the Waldorf Room between 6 - 8 PM

NEIA RECEPTION AT ICAP
Hilton Chicago Hotel - Waldorf Room
Sunday, October 25, 2015
6:00 pm - 8:00 pm

INTERESTING ARTICLES

Editorial Note: Our newsletter admittedly spends some time on what's happening in New York City. It's a unique city in many respects. But the overly negative implication of policing and often unsubstantiated allegations, if successful, can have a domino effect on domestic law enforcement. New York's political climate might well prove contagious elsewhere. I sense that no matter how much socially related training is provided, having the absolute best executive leadership available, even the support of the larger community, instances of corruption, abuse of power, issues arising from the use of deadly force unfortunately will occur. It's part of the human condition, I suspect. Yes, we can improve society and continue to mitigate the effects of evil. Many police departments today are doing just that. Unfortunately, too many politicians take advantage of both the media attention on police activity and those communities who rightly have a historic distrust of past police behavior. It's timely and relevant that our politicians include in their mantra that essentially what may have been in past is no longer part of the police performance in the present and foreseeable future. There is very little evidence that police executives today are ignoring their responsibilities, existing constitutional restraints or fail to recognize the need for civilian oversight. Relying solely on past injustices, while ignoring the tremendous progress made by police departments today is not an effective way towards a better future. Some of these articles suggest that a "police officer lot is not always a happy lot." Still, it shouldn't be a permanent disposition.

By MARK TOOR — Monday, September 28th, 2015; 5:00 p.m. 'The Chief / Civil Service Leader' / New York, NY

Police Commissioner William J. Bratton came out smoking last week in defense of his department, criticizing Comptroller Scott Stringer for questioning NYPD crime statistics and the City Council for pressing a bill requiring monitoring of cops involved in violent incidents, something Mr. Bratton said the department is already working on. People don't want to keep talking about politicized statistics," Mr. Stringer said Sept. 21 in an appearance at the Ingersoll Houses, where three people were shot to death the day before.

"The debate in this city has gotten way too complicated for me," the Comptroller said. "Because as we mourn the losses, the debate's going to be, 'Which week was safer?' 'What month did the statistics go down?' When you're saying 'we had the biggest, safest summer in history,' well, when you go out and talk to the parents and the grandparents, they don't want to hear that." Mr. Bratton and Mayor de Blasio, citing NYPD statistics for June through August, have referred to this summer as the safest in the city's history. Mr. Stringer told Politico New York that it's "not about the safest summer...it's about the safest city." Major crimes remain at record lows, but a handful of housing projects continue to be plagued by violence.

Mr. Bratton responded the following day. "To charge that these numbers are politicized, I'm sorry, but I tell it as it is," he said. "I see that as an unnecessary attack for political purposes. And when that happens—attack the Mayor all you want, you can attack me all you want. But don't attack the work of my cops, because I'm going to punch back." Mr. Stringer said he had not meant to attack Mr. Bratton. "My comments yesterday were aimed squarely at the steps of City Hall," he said. "They reflect what I am hearing from parents and grandparents from all across our city: that statistics alone are cold comfort to communities that face the threat of gun violence—and that a real conversation on real solutions is needed." Mr. Stringer has emerged as a possible opponent to Mr. de Blasio's re-election in 2017. "It is unfortunate that the Comptroller is attempting to politicize violence," said a spokesman for Mr. de Blasio, Peter Kadushin. Mr. Bratton has been at odds with the City Council over issues of crime and governance of the NYPD. He has been generally polite, but criticized efforts to decriminalize quality-of-life offenses such as fare-beating and drinking and urinating in public. On Sept. 22, he was less polite. "The City Council is attempting to loosen these laws even further. Crazy," he told the Association for a Better New York. "We cannot decriminalize certain behavior because it then effectively removes one of the more powerful tools my officers have to deal with it." In June, Mr. Bratton told the Council that he disapproved of all nine bills in a package that would put new restrictions on officers and require new reports from the department. One bill would have outlawed chokeholds, which are already banned by NYPD policy. Another would have required officers to use the least amount of force necessary to subdue suspects.

In his more-recent remarks, he took aim at a Council proposal to require that the department introduce an early-intervention system that would flag officers who are involved in an unusual number of violent incidents. Councilman Dan Garodnick planned to introduce a bill to that effect, and his colleague Jumaane Williams said he would amend an existing bill to have the NYPD Inspector General monitor the program. The legislation was proposed in reaction to the James Blake incident, in which the retired tennis star was knocked to the ground and handcuffed by a plainclothes officer who erroneously identified him as a suspect in a credit-card fraud. The officer, James Frascatore, had been the subject of at least four civilian complaints.

"I'm sorry, it's old news. It's pile-on, totally unnecessary and grandstanding," Mr. Bratton said. He said the Council knows that the NYPD has already budgeted "millions of dollars" and assigned 60 officers to the effort. He complained, "This City Council [is] continually trying to micromanage efforts that are better left to the Police Department, which is committed to managing these issues and managing effectively. They say they want to support the cops and then they keep coming up with new ways to try and effectively micromanage the Police Department. It's not needed, and it's a waste of time and energy, and it's grandstanding, quite frankly." Patrick J. Lynch, president of the Patrolmen's Benevolent Association, joined him in opposition to the Council bills. "This legislation is political grandstanding at its most self-serving and counterproductive," Mr. Lynch said in a statement. "Every aspect of a New York City police officer's career—including the unsworn and frequently retaliatory complaints filed against them—is currently tracked and scrutinized with an intensity that is unequalled in any other job."

"The City Council knows full well that the NYPD is already intensifying that scrutiny by building an 'early-intervention system' identical to the one the Council proposes, so this bill will have no practical effect apart from scoring political points with those who want to end proactive policing in this city, which will ultimately erode public safety," the PBA leader's statement concluded. Mr. Garodnick said, "We appreciate that Commissioner Bratton understands the need for early intervention. If he supports the concept, he should support the bills. It's as simple as that...Not every legislative proposal needs to be interpreted as an act of war."

Note: First let's get an understanding of the current oversight that permeates NYC's law enforcement function. The NYPD's oversight is governed by five County District Attorneys, Two US Justice Attorney Generals, a Civilian Complaint Review Board, City Department of Investigations and more recently an Inspector General. And now a DOJ Oversight committee plus a 51 member City Council who also have all kinds of mischief making powers. The following is another example

A new report filed by the NYPD's federal monitor includes recommendations that would force cops to have "reasonable suspicion" before frisking someone, and would require them to fill out a receipt explaining why a stop was made went into effect on September 21, 2015.. Under the order, cops have to fill out a "tear-off information card" with their name, rank, and command and shield number, and hand it over to anyone stopped but not arrested. "The proposed procedures also require documentation of all stops and make more explicit the responsibilities of supervising officers up the chain of command," lawyer Peter Zimroth wrote in his final recommendations filed in Manhattan federal court. The following article describes the process.

NYPD officially debuts stop-and-frisk 'receipts' and new rules for cops By Rocco Parascandola — Saturday, September 26th, 2015 'The New York Daily News'

The NYPD has formally introduced the "receipt" cops will now be required to issue to anyone they question during street stops, the Daily News has learned. Patrick Lynch, head of the largest NYPD union, the Patrolmen's Benevolent Association, called the new paperwork "another nail in the coffin of proactive policing" and predicted a rise in retaliatory complaints against cops.

"Instead of improving community relations, these receipts will accelerate an increase in crime and disorder, which will damage the city's economic health while hurting those crime-ridden communities who need our protection the most," Lynch said. The "What Is A Stop?" slip will go to those stopped but not arrested. It requires officers to give their name and check one or more of six factors that led to the stop, such as a person being near a crime scene or matching a suspect's description. The form also explains the legal authority officers have to conduct stops in the first place. In addition, a Sept. 21 internal NYPD order underscores that

two factors police were previously able to cite — a suspect making a furtive movement or being in a high crime area — are not cause enough for a stop. And in the strongest acknowledgment that racial profiling is a problem; the order says people can't be stopped "because they are members of a racial or ethnic group that appears more frequently in local crime Suspect data." Critics have said too many innocent minority men were stopped because they live in a rough area, and that furtive movements as a rationale became a catchall when cops couldn't come up with a legitimate reason. Christopher Dunn, associate legal director of the New York Civil Liberties Union, called the changes "important first steps in reducing illegal and discriminatory stops, while the new receipt will improve accountability and hopefully de-escalate tensions." Street stops reached a record high of nearly 700,000 in 2011 but are on a pace for about 42,000 this year.

On the reverse side of this receipt is a description of where to make a civilian complaint against the reporting officer



What Is A Stop?

PD 383-153 (06-15)

When a police officer reasonably suspects that a person has committed, is committing or is about to commit a felony or a Penal Law misdemeanor, the officer is authorized by NYS Criminal Procedure law § 140.50 to **stop, question and possibly frisk that person for a weapon.**

The Police Officer stopped you because the officer had information requiring further investigation. The following factor(s) contributed to the officer's suspicion:

- Concealing or Possessing a Weapon
- Engaging in a Drug Transaction
- Proximity to the Scene of a Crime
- Matches a Specific Suspect Description
- Acting as a Lookout
- Casing Victim or Location
- Other (*Specify*)

Rank/Name	Cmd.	Shield No.

Editors Note: NYPD Stop, Question and Frisk Reports were already in effect. It was prepared by the officer after the stop. These "stops" resulted in a frisk in only 30% of the contacts. I doubt if this type of procedure will have the desired effect that such progressives anticipate. Absent those who just are anti establishment types, I recognize that some well intentioned folks wish for these contacts to terminate in some form of a happy understanding of the situation. My own sense after 58 years of public and private protection service is that there will be few "good feelings and appreciation" moments arising from this procedure. Building trust is a key element of police – community success. Trust should be a two way street. Yes, we need to work harder to improve the public trust. Yet, is it possible that this loss of trust may not be entirely deserved or fairly investigated? Much of the alleged loss may well be the result of an orchestrated blitz of largely unfair accusations made against the entire police service based on anecdotal and statistically inaccurate depictions of police misconduct.

But, pursuing questionable solutions can result in unintended consequences. Rather, it will give rise to a population mostly young who have already been indoctrinated in anti police rhetoric and now feel vindicated that the stop is generally a form of harassment. Otherwise, why is this form necessary? What can surface from such dialogues is increased resistance on the part of the civilian, increased danger to the officer whose attention is diverted to preparing a mini report while probably dealing with bystanders engaging in a form of “street theater jury.” Street stops reached a record high of nearly 700,000 in 2011 but are on a pace for about 42,000 this year. A Chief Justice of the Supreme Court said the police officer on the street has the most discretion in the criminal justice system. Let’s hope such discretion doesn’t lead to reluctance on the part of the officer to make a lawful inquiry in the first place.

Finally, let’s reiterate the current oversights that permeates NYPD’s law enforcement function. The NYPD is governed by five County District Attorneys, Two US Justice Attorney Generals, the Civilian Complaint Review Board, the Department of Investigations, and, more recently, an Inspector general, who on 10/1/15 issued a scathing report on police use of force and the lack of documentation. He subsequently stated on a radio show that the department’s policies on excessive force have been “a little bit in the Dark ages.” When confronted, he refused to reword his description. The same Inspector General acknowledged that over the 5 year period he reviewed, a police-watchdog panel could only find 179 cases of “excessive force.” That is an average of 36 cases each year amidst millions of police contacts. Facts don’t matter when one considers that in 2014 NYC police fired their weapons in a city of eight plus million population in only 79 incidents, which is the lowest in NYPD’s history. Consider that NYPD has twenty three million citizen contacts a year, twelve million 911 calls, four hundred thousand arrests, and ½ million summonses. In 2015, shooting by cops are down another 18%. Oversight might be the legal term but out of sight is a more apt description.

As this newsletter was about to go to print, it was announced that NYPD new rules would required that virtually every police use of force, however, slight, was to be documented. Maybe we should educate the public and their elected officials that constitutional law enforcement even under the most favorable circumstances can be messy. The truth is that force is an essential ingredient of policing, particularly in a city where thousands of people engage in violent behavior and must be restrained. Policing has often been described as a “contact sport.” Even in what is described as nonviolent incidents; those arrested have to be handcuffed to prevent them from escaping or harming themselves or others. If it includes physical contact then just restraining demonstrations, protests, or even strikes would require documentation. Imagine the paperwork.

Commissioner Bratton’s track record and policies to date should allow him the opportunity to run his department as he sees fit, taking responsibility for the soundness of his policies and for his officers’ behavior without the addition of potentially stifling, unproven methods of oversight. **Charlie Connolly**

Our recent training participation with the Major County Sheriffs Association dealt with a very timely police community issue – Building Trust. When you review the criticisms laid at the police service, they are often one sided. Anyone involved with trust building recognizes that it is a two sided perspective. I suspect most of us are familiar with the call for one side of that community coin, the need for the police to build trust within the community. I agree and most department are hard at work building such trust. But nothing will work if the community doesn’t hear the other perspective. This is an interesting article that enlightens us as to whether there is little or no effort to bring rationality to truth building. Statistics can be misused or it can be ignored. The author of this article appears to be operating from a solid source base. You decide.

(Article begins on next page)

FACTUALLY EXAMINING DEATHS FROM POLICE USE OF FORCE

May 2015

by **Richard R. Johnson, Ph.D.**

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Are “Too Many” People Dying from Police Use of Force?

Community reactions to a few recent deaths from police use of force have raised public concerns about the prevalence of police use of deadly force generally, and police use of deadly force against African-American men specifically. Activists and media outlets have suggested a national epidemic of deaths from police use of force currently exists, with thousands of citizens being killed annually by the police. This article will attempt to estimate how many deaths from police use of force we should expect annually in the US based on officers' lawful and legitimate uses of force in response to serious attacks. After determining the benchmark for how many lethal force incidents we should expect, the article will then use death certificate records from the Centers for Disease Control (CDC) to determine exactly how many persons actually die from police use of force in the US each year.

Developing a Lethal Force Benchmark

The FBI annually publishes a Law Enforcement Officers Killed and Assaulted (LEOKA) report that details the Uniform Crime Report data on the number of law enforcement officers assaulted and killed across the nation's 18,000+ law enforcement agencies. These reports are publicly accessible at: <http://www.fbi.gov/about-us/cjis/ucr/ucr-publications>. According to these reports, for the 10-year period of 2003 through 2012 there were 576,925 reported felonious assaults against police officers. Of these assaults on officers, 191,225 (33.1%) involved some sort of weapon, such as a gun, knife, club, vehicle, baseball bat, table leg, beer bottle, hammer, etc. Of the assaults with a weapon, 32,767 involved an edged weapon or a firearm, for an average of 3,277 deadly weapon assaults on officers annually. We could use this figure (3,277) as a conservative estimate of the number of justified deadly force incidents we could expect each year from law enforcement officers.

This is a very conservative estimate for several reasons. First, not every law enforcement agency reports Uniform Crime Report data to the FBI every year, suggesting this figure undercounts the actual number of knife and gun assaults against police officers annually. Second, this figure also fails to count assaults against officers involving other deadly weapons, such as automobiles, since knives and guns are the only type of deadly weapon specifically measured by the FBI data. Third, not every instance justifying the use of lethal force involves a weapon as sometimes assailants overpower officers without weapons, or are engaged in taking control of the officer's own weapon. Nevertheless, in spite of these weaknesses, let us proceed with this conservative benchmark of anticipating about 3,277 lethal force incidents per year.

While the FBI data does not report the racial characteristics of the assailants in all of these assaults, the FBI does indicate the races of those who have feloniously killed police officers. According to these same reports from 2003-2012, of those assailants who murdered police officers, 44.3% were African-American males in spite of the fact African-American males make up only 6% of the US population. Assuming that attacks by African-American males are no more or less lethal than attacks by persons of other races and sexes, we can assume that 44.3% of all knife and gun assaults on officers are committed by black males. This would mean we should anticipate about 1,452 legally justified lethal force incidents against African-American men each year.

Based on knife and gun assaults on police, each year we can reasonably expect:

- 3,277 justifiable lethal force incidents expected annually
- 1,452 justifiable lethal force incidents involving African-American men expected annually

So How Many Use of Force Deaths Actually Occur?

The U.S. Centers for Disease Control (CDC) collects data from death certificates annually to track the various rate of many causes of death in the U.S. One category of death they track is death by “legal interventions” which includes deaths resulting from “injuries inflicted by police or other law-enforcing agents in the course of arresting or attempting to arrest lawbreakers, suppressing disturbances, maintaining order, and other legal action.” The CDC publishes their mortality data annually and this information is publicly available online at: <http://wonder.cdc.gov/ucd-icd10.html>.

During the 10-year period of 2003 through 2012, the CDC recorded 4,285 deaths from “legal interventions,” of which 3,627 (84.6%) were due to firearms and the remaining 658 were due to vehicles, impact weapons, electronic weapons, and officer’s unarmed use of force. Of the 4,285 deaths from “legal interventions,” 1,127 (26.3%) were of African-American men. These data, reported by medical doctors on death certificates, suggest that from 2003 through 2012 only an average of 429 individuals died each year from police use of force in the U.S. These data also suggest that, on average, only 113 African-American men die annually from police use of force.

So, from nation-wide death certificate data, we know that with over 800,000 peace officers policing a national population of over 320 million people:

- An average of 429 deaths from police use of force actually occur annually
- An average of 112 deaths of African-American men from police use of force actually occur annually

Comparing the Benchmark with the Actual Outcomes

Based on the number of knife and gun assaults police officers experience annually, we conservatively estimated that there should be about 3,277 justifiable lethal uses of force by law enforcement officers each year. In reality, however, morgues only see about 429 deaths from all forms of police action. This reveals that the numbers of deaths that occur annually from police use of force are actually only 13% of the situations in which law enforcement officers could legally and justifiably take a life. In other words, only about 1 in 8 knife and gun assaults on law enforcement officers results in a death of the assailant.

As for use of force deaths involving African-American men, based on knife and gun assaults on officers, it was estimated that officers could lawfully and justifiably use lethal force against African-American men an average of 1,452 times per year. In actuality, only about 112 African-American men die annually from the actions of law enforcement officers, or 8% of the situations in which officers were legally justified in using lethal force. Only 1 in 13 knife and gun assaults on officers by African-American men resulted in the death of the assailant. Also note that while African-American men make up 44.3% of assailants against the police, they only make up 26.3% of the deaths from legal interventions.

- Only 13% of the situations in which officers are legally justified in using lethal force results in a citizen death
- Only 8% of the situations in which officers were legally justified in using lethal force against an African-American male results in a death
- While African-American men make up 44.3% of assailants against the police, they only make up 26.3% of the deaths from legal interventions

Putting Things in Context

Deaths for any reason are regrettable, and deaths in the hundreds can easily raise public concerns, but one also must remember that there are approximately 320,206,000 persons in the U.S., of which approximately 19,212,360 are African-American men. CDC death certificate data indicates that many other forms of unnatural death are far more prevalent among Americans:

- 575 people die annually from firearms accidents
- 2,603 persons die annually from medical errors during surgery
- 16,491 persons are murdered annually
- 35,817 die in motor vehicle accidents annually
- 38,863 die from suicide annually

It is clear that people are far more likely to die at the hands of a criminal, an inattentive driver, their doctor, or themselves than they are to be killed by use of force from a law enforcement officer. In fact, according to the National Weather Service, an average of 363 persons are hit by lightning annually in the U.S., revealing that one's likelihood of being killed by a law enforcement officer is almost as rare as being struck by lightning.

Conclusions

Official data verified by the FBI and the CDC reveal that deaths from use of force by law enforcement officers are relatively rare. The evidence reveals that circumstances permitting the legal and justifiable use of lethal force by law enforcement officers occur thousands of times annually, yet less than 500 die annually from police use of force. The evidence reveals that while almost half of those who kill police officers are African-American men, only about a quarter of those who die from police use of force are African-American men. Finally, all of this evidence is publicly available online for any agency, news outlet, or community activist group to examine.

The evidence is clear that there is no epidemic of killings of citizens or African-American males by law enforcement officers in the U.S. While there appear to be a few highly-publicized cases of excessive lethal force recently, overall law enforcement officers kill far fewer citizens than they would be legally justified to do in self-defense.

Note: Court holdings can vary significantly between jurisdictions. As such, it is advisable to seek the advice of a local prosecutor or legal adviser regarding questions on specific cases. This article is not intended to constitute legal advice on a specific case.

MEMBER NEWS

Former Police Chief William McManus is set to return to his old position, City Manager Sheryl Sculley is expected to announce his return. Multiple sources confirmed that McManus, who left the position at the beginning of the year to head up security for CPS Energy, has accepted his former position. McManus, who did not apply for his old job, could not be reached for comment. He served as Police Chief from 2006 until the end of 2014. He earned \$190,845 when he left the department to join CPS Energy, where he reportedly was earning \$205,000. His stint at CPS will end as the utility's CEO, Doyle Beneby, is poised to depart in August. City Manager, Sculley had narrowed her search for a permanent Chief to five finalists, including interim Chief, Anthony Treviño; Austin Police Chief, Art Acevedo; and Roberto Villasenor, recently retired from Tucson, AZ. Chief Acevedo dropped out of the running after securing a larger wage-and-benefits package. Sculley has been tight-lipped about her choice for weeks. Sources had said that she favored Acevedo before he withdrew his name. After Acevedo dropped out of the running, Sculley said that she wasn't considering a McManus return. But the two have had a close working relationship ever since Sculley recruited McManus to be Police Chief shortly after becoming City Manager. It's unclear when McManus will return to the Public Safety Headquarters or how much he will earn. The council will have to approve the appointment, but given their praising comments when he left, McManus' return will likely be celebrated.

Our last newsletter reported that Chris Burbank had announced his retirement in June of this year. We had little information at the time. We have since discovered that he is currently consulting for the Center for Policing Equity, working on a national database, and working with several clients in a consulting role. He is still a representative for the Major Cities Chiefs Association consulting with FirstNet as a member of their advisory board. He has an office in downtown Salt Lake City, UT and can be reached at 801- 456 1463. Chris has been a contributor to NEIA success as a member of our board. He has our best wishes for a great second career.

Minneapolis Mayor Betsy Hodges said Wednesday that she will appoint Janeé Harteau to a second three-year term as the city's police chief. "Together we have made tremendous progress in improving public safety, public trust and transparency," the Chief said in a news release. "I am proud to have the opportunity to continue to lead such a professional and committed department and I am excited to see how we will build upon our recent successes." Since taking over the job in 2012, Harteau has been a popular speaker at law enforcement conventions and events around the county, building a national reputation as a chief eager to improve community relations and integrate new technology into the department. The Chief, who makes more than \$150,000 a year, was appointed by former Mayor R.T. Rybak. The announcement came after a week of intensifying rumors within the police ranks that the mayor would not reappoint Harteau and was actively seeking a replacement. The chief had told other officers that she had been courted by police departments in Texas and Oklahoma. Harteau did not respond to multiple requests for comment Wednesday. A department spokesman said that the chief would not discuss her future with the department until she is confirmed by the City Council in mid-November. Hodges acknowledged the rumors in her news release, saying she "planned to announce my nominations of department heads later this fall, but due to speculation regarding Police Chief Janeé Harteau, I am announcing today that I will forward her name to the Executive Committee for renomination, and that Chief Harteau has accepted." Both leaders have previously denied any friction when rumors surfaced before, and Harteau has gained the support of the majority of the council.

Harteau and Hodges have publicly shared a goal of trying to rid the department of officers who abuse their authority or use excessive force, which has drawn skepticism from some rank-and-file officers. She has also tried to run the department more like a business, with strict measurements and goals. Some cops are resistant to change, Harteau told the Woman's Club of Minneapolis in a speech earlier this year. "For the first time in the history of our department, we have actual performance measurements, we have goal setting (and) they're like, 'Chief, we're not the private sector.'" Harteau's reappointment drew a tepid response from police union officials. "At least we know what we're getting. She's not new to the department," said Lt. Bob Kroll, head of the Police Officers' Federation of Minneapolis. "It's a fairly new relationship and we don't agree on everything,

but she's given us a seat at the table and there's open communication." The uncertainty surrounding her future with the MPD forced Harteau to delay appointments to several high-level posts, Kroll said, including naming a replacement for former Deputy Chief Kris Arneson, who became the department's second-in-command after Matt Clark left to take the top job at the University of Minnesota's police force. Kroll said he hoped Harteau would make increasing the department's size a top priority. While the department's authorized strength is 860 police officers, union officials say that with a wave of retirements, and two classes of not-quite-street-ready rookie cops, the actual number on the force is closer to 800.

Tom Baker provided us with the good news that another NEI graduate has moved on to a second career. Jerry Pender is joining Z Capital Group ("Z Capital"), a leading global alternative investment manager with approximately \$2.3 billion of regulatory assets under management, as an Operating Partner of Z Capital Partners, L.L.C. ("Z Capital Partners"). Jerry served as Chief Information Officer and Executive Assistant Director of the Federal Bureau of Investigation (FBI) since September 2012. In this role, Jerry was responsible for all aspects of IT in the FBI globally and managed a budget of \$1.2 billion. From 2003 to 2012, he was the Deputy Assistant Director and Chief Information Officer for the Criminal Justice Information Services Division of the FBI which provided cloud services to over 1,000,000 federal, state and local law enforcement officers in 18,000 agencies throughout the country as well as over 100,000 retail sales locations. Jerry started his career in the United States Air Force where he rose to the rank of Captain. Jerry received his BS in Computer Science from the United States Air Force Academy and his MS in Computer Science from The John Hopkins University

I recently heard from Dick Cashdollar.

Hi Charlie! Doing very well thank you.....hope you are doing the same. Still working a bit as I look forward to my 70th coming up in a few months. Still doing some compensated work for MCC as well as occasional consulting gigs with Tom (Frazier Group LLC). We did a really interesting one this spring, working for the COPS Office at Justice. COPS was concerned that this report will be one of the most widely read pieces that they have ever published, and they wanted Tom and I to go back to Ferguson to review the report and interview many of the key players, then add our info to the draft to make it a more comprehensive and professional product. We delivered, and were told that publishing the report would be accomplished by July. We are interested to see how much of our input the policy level review process within DOJ survived. I'll send you a copy when it is released.

Other than that I'm really enjoying a mostly retired life. Working around the house, occasionally seeing our son, and playing with our five Doberman Pinschers. My major hobby is working on and showing my small collection of classic cars. I have a 1928 Model "A" Ford Roadster and two classic Corvettes - a 1980 and a 1995. I show all three in local car shows, and receive awards for all three whenever they are judged. Actually, between Brenda and I we have a total of 6 cars....my three show cars, a H2 Hummer (another toy), a Mercedes convertible (Brenda's driver), and a Yukon Denali (my driver).

Life is good.....but I do miss Sun Valley. Best Regards, Dick Cashdollar

Scott Cruse was recently named Special Agent in Charge of the FBI's Oklahoma City division on July 27, 2015. Most recently Scott served as Legal attaché in London as part of the Bureau's International Operations. He was appointed to the Bureau in 1997 and served in variety of assignment in Butte, Montana, Salt Lake City where he investigated violent crimes on all of Montana's Indian reservations. Prior to 2000 when he was promoted to a supervisory position at FBI's headquarters in Washington DC, Agent Scott was in Seattle handling a broad range of criminal matters including domestic terrorism, white collar crime and public corruption. Scott's career subsequently brought him back to Montana in a supervisory position responsible for managing six resident agencies and establishing the first Joint Terrorism Task Force for that state. Two years later, he found himself in Iraq as the deputy on scene commander over the Baghdad Operations Center. Prior to his position in London he had a similar responsibility as Legat in Canberra, Australia. Prior to his service, Scott was an officer in the U.S. Marine Corps. I had the pleasure of meeting Scott Cruse at a luncheon in Dungarvan, Ireland where we were attempting to initiate an FBI NEIA conference in Europe and at a recent NEI class session.

Former NYPD commissioner, Ray Kelly may be out of the limelight but retirement is definitely not on his bucket list. While still involved in his position as president with probably one of the largest real estate property managers, Ray has written a book called VIGILANCE published by Hachette Books publications, in addition to some special consulting opportunities, on the lecture circuit and traveling around the country on his book tour. I enjoyed his book. While it is an easy read, it is a story of a forty three year veteran of the NYPD, serving in twenty five different commands before being named police commissioner in 1992 and again in 2002 making Ray the longest serving commissioner in the department. In addition he served a decade with Interpol, as the undersecretary of the Treasury for enforcement overseeing U.S. Customs, and commanding an international police force in Haiti. A veteran of the Vietnam War, Kelly retired from the Marine Corps Reserves with the rank of Colonel after thirty years of service. The former police commissioner holds degrees from Manhattan College, St. John's University School of Law, New York University Graduate of Law and the Kennedy School of government at Harvard University. It a narrative of interest to all types of readers. It's about growing up in New York City and how he feels about law enforcement,, insights on government and challenges in leading the largest police department in difficult times in the largest city in the country.

Chicago police Superintendent Garry McCarthy said as of Monday morning the department has taken taken nearly 5,000 guns off the streets so far this year and detailed how city cops are faring in their fight against gun violence.

McCarthy called the number of guns a “frustrating milestone” as he spoke at a news conference at police headquarters on the South Side. He stood behind a table displaying 23 guns recovered since Aug. 23.

“That’s 4,824 opportunities to commit a murder,” McCarthy said of the to-date total. “That’s one gun every 72 minutes in 2015.”

Last year during the same period, 4,730 guns were taken off the streets. In 2014, there were a total of 7,000 guns confiscated, and in 2013, there were a total of 6,815 guns removed, according to police.

“We seize more (guns) than every city” in the country, McCarthy said.

Illegal gun possession is a “gateway crime to committing murder,” McCarthy said, adding that the department’s goal is to target repeat offenders before they commit more serious crimes.

McCarthy said police have made 2,155 arrests for illegal gun possession, a number that has spiked by 23 percent compared with last year for the same time period. But McCarthy also said most of the 1,500 people arrested in the first six months of the year were “back out on the streets.”

As an example, he pointed to one man who has been arrested 72 times and has two prior weapons convictions in his background.

“This is a problem that we can fix,” McCarthy said, adding that it will take the help of prosecutors, judges and “most importantly, the community.”

McCarthy turned his attention to officers, including Ogden District Cmdr. Frank Valadez, who were involved recently in a fatal shooting. McCarthy said the commander and other officers tried to stop a car carrying four people from the scene where gunshots rang out.

“The four individuals in that car who committed the attempted murder right in front of our police officers have a total of about 65 arrests between the four of them, including 10 incidents of gun violence, including two separate murders,” McCarthy said.

But while giving praise to the police officers, McCarthy said they need help.

“We need some help to make this work. Because what we’re doing is not working,” he said. Police and the community are being endangered “every single day. It’s got to stop.”

McCarthy said the “most common” way guns hit the streets is through straw purchases in which someone purchases a gun legally but illegally resells it to another person who cannot legally own the weapon.

When reporters asked for specifics on how he would bring gun violence down, he cited the Sandy Hook Elementary School massacre in Connecticut in 2012, when 20 first-graders and six teachers were fatally shot. He said President Barack Obama tried to get stricter background checks passed after the massacre, but his efforts were voted down on the Senate floor.

“Those elected officials are not hearing what their constituents want,” McCarthy said. “Until such time as the community makes their elected officials accountable for what it is they want, we’re not going to get to the place we want to be.”

Sometimes you get a chance to return to the scene of the crime.

We have just been advised that Steve Tidwell has returned as the Executive Director of the National Academy Associates, a post that he had previously served with distinction. Congratulations and welcome back, Steve.

REST IN PEACE

Reporting the death of a colleague is never a positive step. Losing a colleague who took his own life is worse.



Recently, we were told that retired Chief Robert Bobby Parker of Miami Dade Police Department has died. Parker rose through the ranks of Miami-Dade PD, through the race riots of the 1980s and ultimately seeing him take the top spot for six years, before he retired in 2009.

Cecil Lamb says he’s been Parker’s pastor and close friend for more than three decades. “We love this guy. We have friends calling from all over. It’s like, we don’t believe it. It’s like a nightmare,” said Lamb. Pastor Lamb says Parker, his wife, and his niece just drove back from Georgia yesterday when Parker said that he was tired. He also had high blood pressure recently and a blood work appointment scheduled for today. But the Pastor says Parker’s family has no clue why he would take his own life.

Community leaders are reacting to the loss of a man who spent 33 years in law enforcement giving back. “I found him to be an excellent director, an excellent police officer. It’s a tragedy it really is,” said Luis Fuste with the Miami-Dade Police Benevolence Association. Miami-Dade Mayor Carlos Gimenez issued a statement on Parker’s death. “Director Parker dedicated his life to the safety of Miami-Dade County. He was a member of the Miami-Dade Police Department for 33 years and in 2004 made history by becoming the first African American director of the Department. He led MDPD for five years until retiring in 2009. This is a painful time for Miami-Dade Police Officers, all County employees and our community. I ask all residents to keep Director Parker and his family in their thoughts and prayers.”

A U.S. Army vet, Parker spent 33 years with the Miami-Dade PD before retiring in 2009. He was the department’s first African-American director. He was recently part of a team that was hired to review police procedures and practices in Baltimore following the riots in that city earlier this year. Parker’s wife is a retired Miami-Dade Police officer, and his daughter currently works on the force.

On a personal note, every time I was in Bobby’s company he appeared to enjoy his surrounding always with an engaging smile on his face genuinely happy to be in the company of his peers. Probably, we will never know the circumstances involving the difficulties and sorrows that rob us of the presence of a friend and respected member of our profession. We can, however, take away the thirty three years of public service, six as its chief in which his family and friends will remember. For now all we can offer is our condolences to Chief Bobby Parker’s family.

NATIONAL NEWS

The Cleveland Police Department has promised to enact widespread systemic reforms, especially around the use of force, is one of the most stringent Justice Department settlements yet.

Federal investigations and consent decrees like the one in Cleveland have become increasingly common, and many experts say they're one of the best chances troubled police departments have for taking on the daunting task of reform, addressing police misconduct, and improving relations with a distrustful community.

"They are an effective and almost necessary remedy for troubled police departments, and I define troubled police departments as those that are incapable of reforming themselves," says Sam Walker, a professor emeritus of criminal justice at the University of Nebraska who has written extensively on police accountability. The measures they tend to require – early intervention systems, changes to use-of-force policies, citizens' complaint boards – are now fairly standard, but in some departments, the necessary changes won't take place in any meaningful way without outside intervention and oversight, says Professor Walker. "It's a jolt from the outside."

It's a tool for reform that's relatively recent: It was enabled by a 1994 federal law, enacted after the beating of Rodney King. The first major consent decree to be reached was in Pittsburgh in 1997. And it's been used sporadically, with few investigations launched during the Bush Administration. But under President Obama, the DOJ has launched nearly two dozen such investigations – including, most recently, ones in high-profile cities like Ferguson, Mo., and Baltimore that, like Cleveland, have played a big role in the debate about police misconduct and use of force.

And in Cleveland, as in Ferguson and Baltimore, the attempt at reform will be taking place under a very public eye, against the background of controversial investigations. Cleveland's announced agreement came just days after a judge acquitted a white police officer in the shooting of two unarmed African Americans in 2012. And the city is still waiting to see if officers will be charged in two other high-profile officer-involved fatalities, including the shooting of 12-year-old Tamir Rice, who also is black.

But while so much of the attention in the past year has focused on whether officers involved in questionable fatalities will be criminally prosecuted, these more systemic Justice Department investigations and consent decrees can be far more important in achieving true reform, says Walker.

How successful they are can vary; the consent decree doesn't end until compliance can be demonstrated (Los Angeles's decree lasted for 12 years). But it's harder to show that reforms and cultural shifts last even after the oversight is gone, and there's little data.

"Institutionalizing reform in policing is a big issue," says Walker.

One of the earliest, and by most accounts, most successful examples of a DOJ agreement that produced lasting results was in Cincinnati, where the mayor requested an investigation in 2001, and the decree was finally lifted in 2007.

Part of what made the Cincinnati reforms so successful was a collaborative agreement that the city entered into at the same time as the DOJ agreement, says Scott Greenwood, a civil rights lawyer and general counsel for the ACLU who was heavily involved in the Cincinnati reforms.

That collaborative agreement involved key community members, the police union, and thousands of Cincinnati residents, Mr. Greenwood says, and has served as a model ever since for other communities as well as for the Justice Department, which now tries to do more community outreach as part of its investigations.

"The early consent decrees were pretty strong on the nuts and bolts of how to change a police department, but they completely lacked any component that was driven either by the people that are policed or the police themselves," says Greenwood.

As part of the process, Cincinnati completely revised its policies about use of force and how force was

reported, emphasized de-escalation techniques and training, set up a citizens' complaint authority that investigates complaints along with police internal investigations, and shifted the overall philosophy of the police department from one of enforcement to one of problem-solving.

That emphasis on community problem-oriented policing (POP) was a key shift, says Greenwood, and one that took a long time to implement. Officers began partnering with community members, identifying key problem areas together and strategies to address them.

The fact that problem-oriented policing is part of the Cleveland directive – a relatively new area for the DOJ agreements – is a sign of how the Justice Department is evolving and improving in these cases, says Walker. The Cleveland agreement also mandates the creation of a permanent inspector general position, which will last even after the oversight is gone.

“This whole thing has been a learning process since Pittsburgh in 1997,” says Walker.

In Cincinnati, Greenwood says the changes have been pronounced.

Before the agreement was signed, there had been about 18 fatal shootings of African-American men by Cincinnati police officers over about four years. After the agreement, there was one 27-month period in Cincinnati where not a single shot was fired by a police officer, and none of the fatal officer-involved shootings in recent years have been controversial.

“The department has been transformed from one that was completely distrusted in the African-American community to one that works extremely well with the communities it serves,” says Greenwood.

He cites two events in the past few years that could have potentially incited unrest and distrust. In one, an officer shot and killed a 16-year-old boy during a major city cultural event. In the second, an officer shot and killed an African-American woman during a domestic dispute after she threatened him with a knife.

In both cases, says Greenwood, the police department's response was immediate and transparent, releasing a video in the first instance. “If either of these incidents had occurred prior to the collaborative agreement, the potential for civil unrest who would have been significant,” says Greenwood. “Instead, the community now trusts the integrity of the investigatory process when incidents like these occur.”

Another city that has been a model for success is Los Angeles, says Stephen Rushin, an assistant professor at the University of Alabama School of Law who has studied the DOJ settlements with police departments.

Initially supposed to be under consent decree for five years, the process ultimately took 12 years before the LAPD was deemed to be under compliance and released, but those years meant some widespread changes, says Professor Rushin.

“Critics said this would impair the ability of police to fight crime,” Rushin notes. “But LA is a great test case, because they not only saw a reduction in misconduct [by every measure], but they also had one of the largest sustained drops in crime in US history.” Those two facts aren't necessarily connected, he notes, but they showed “that you can have a consent decree that addresses misconduct and can also effectively fight crime.”

On the other hand, Pittsburgh was a disappointment, Rushin says – but that was partly to do with unexpected shifts, including a police chief who supported the reforms being replaced by a chief who was ultimately jailed for corruption.

In many cases, including Cleveland's, the DOJ investigations are launched at the request of the mayor. In a few, they've been requested by the police chief. Philadelphia Police Commissioner Charles Ramsey requested such an investigation when he was police chief in Washington DC. After he moved to Philadelphia, he asked for a similar, voluntary, review through the Justice Department's Office of Community Oriented Policing Services (COPS).

The DC police department had tried to implement reforms on its own, after being labeled the deadliest police

force in the country, Commissioner Ramsey said during a 2013 conference convened by the Police Executive Research Forum (PERF) on civil rights investigations into police departments. But continued community outrage after even justified shootings told him that the department lacked any credibility. “It didn’t matter what we might do on our own to implement reforms; the community did not have the confidence that we could fix the problems on our own,” Ramsey said, according to the PERF report on the subject. “My thinking was that the Justice Department had an obligation not just to come and tell us what was wrong, but also to help fix it.”

The COPS review is an alternate, more voluntary path that some cities are using, and that can work in certain circumstances, when there’s already a commitment to reform, say experts. And it has some big advantages: It’s voluntary, which means there is no enforcement of compliance, but it also avoids the negative implications of an outside lawsuit and the defensiveness that lawsuit can provoke.

And many of the COPS officers have a background in policing, or at least in studying police policy, as opposed to the lawyers in the Civil Rights division – a fact that can make local police departments much more receptive to their suggestions, says William Sousa, director of the Center for Crime and Justice Policy at the University of Nevada in Las Vegas.

Las Vegas was one of the first big cities to go through a COPS review, and Professor Sousa says the early indication is that it’s been successful. New policies emphasize better threat assessment and de-escalation techniques, and reality-based training, and have resulted in far fewer officer-involved shootings.

“While there’s always some degree of resistance [to reform], whenever you have a group that’s knowledgeable of police policy and has done it before, then people are more receptive to those outside ideas,” says Sousa.

In Cleveland, the outcome may turn on how collaborative the implementation is, says Greenwood. The recommendations – which include strict new rules for use of force and data collection, bias-free policing policies, new training and an advisory committee on mental health, a new Community Police Commission, and new recruiting policies – are good ones, he says, but there was little involvement from either community members or police officers in the creation of the agreement.

“The real key for success for Cleveland will be to involve the entire community in its implementation,” he says.

And while these investigations may eventually lead to systemic reform in all these cities, observers shouldn’t expect those changes to happen quickly.

“There are a lot of people who are so angry and frustrated already that they’re not going to believe this [can change things],” says Walker. “Others will expect great things immediately, and they’ll become frustrated. City leaders need to make it clear that it’s going to take a while in the best of circumstances, and perfection is not around the corner.”

Most new California licenses go to drivers in US illegally

By JANIE HAR (The Associated Press) — Saturday, July 18th, 2015;

SAN FRANCISCO (AP) -- After a new law went into effect in January, more than half of all new driver’s licenses issued in California this year have gone to people who are in the country illegally, the state said Friday. The California Department of Motor Vehicles reported it has issued roughly 397,000 licenses to people who live in the country illegally. A total of 759,000 licenses were issued in the first six months of the year. The DMV issued 435,000 licenses in the first six months of 2014. The new law initially generated huge interest, with long lines at DMV offices in January and February. The DMV expects to see about one million more applicants over the next three years who are covered under the new law. “We hope that all of those people will be able to pass the testing and have the necessary documents to obtain” a license, said DMV spokeswoman Jessica Gonzalez. Supporters of the law say giving licenses to people regardless of their immigration status makes the roads safer for everyone. New drivers say having a license means they can travel more freely for work or pleasure.

Some people had been driving without a license. "It's great that people are taking advantage of this new law," said Jackelin Aguilar, community organizer for Placer People of Faith Together, an Auburn, California-based group that supports the new licenses. "It's definitely a step forward for the families, and having identification is huge," Aguilar said.

Opponents say people who are in the country illegally should not be rewarded. Roy Beck, president of NumbersUSA, which advocates for legal and limited immigration, chided California for making life easier for people in the country illegally, at the expense of citizens and legal residents. "There are now 400,000 more signals to people all over the world that working illegally in California is encouraged by the government itself," he said. About 687,000 people have applied for the licenses issued to illegal immigrants. Applicants must pass driving tests and show proof of residency and identity.

The new license is marked differently than those issued to other drivers in the state and is not considered a valid form of federal identification, for example, to board an air plane. More than 1.1 million people who qualify for the new licenses took the written driver's test between Jan. 2 and June 30, and 436,000 have also taken a behind-the-wheel driving test.

Note: Californians aren't the only ones experiencing long lines at their local DMV. Illegal aliens are now free to get license in nine other state, including Illinois, Washington, Colorado, Maryland, Connecticut, Vermont, New Mexico, Nevada and Utah

Military site shootings crystallize FBI terrorism concerns

By ERIC TUCKER (The Associated Press) — Saturday, July 18th, 2015; 6:50 p.m. EDT

WASHINGTON (AP) -- The deadly shootings at military sites in Tennessee illustrate the threat that FBI officials have warned about: violence directed against a vulnerable government target by a lone gunman with apparent terrorist aspirations. The FBI has not detailed a motive, but Thursday's attacks that killed four Marines and one sailor are under investigation as a potential act of terrorism, with authorities combing through the gunman's past to look for travel, contacts and online writings. The rampage unfolded as the federal government has raised alarms about the online spread of terrorist propaganda, including repeated exhortations by groups such as the Islamic State for sympathizers to target police officers and military installations. It came two months after two men opened fire outside a Prophet Mohammed cartoon contest in Texas before being killed by police, and during a year when several dozen people in the United States have been charged with supporting terrorism, with more than 10 arrested in the month before the July 4 holiday. "This is the new normal," said Will McCants, a terrorism expert at the Brookings Institution in Washington. If a terrorist group is looking to influence public opinion and generate fear, he said, "this kind of tactic has a lot going for it." One federal law enforcement official said investigators did not immediately find an extensive online presence involving the gunman, 24-year-old Muhammad Youssef Abdulazeez, or evidence that he was directly influenced or inspired by the Islamic State. The official was not authorized to discuss an ongoing investigation and spoke on condition of anonymity.

But the line between inspired and directed is blurred in an age of pervasive social media, where anyone with a computer or smartphone can be exposed to what FBI Director James Comey has called "poison" propaganda from terrorist organizations. Law enforcement officials describe an ongoing challenge in distinguishing those who merely consume and share messages and those actually motivated to commit violence. Authorities say there's no question that social media platforms, coupled with the small-scale plots being devised, have made terrorist ideology more accessible than a decade ago. It can be easy for those who read messages, but do not post their own thoughts, to avoid law enforcement scrutiny.

"They have now spent a year, maybe a little longer, investing in this strategy," Comey told reporters last week, in a reference to IS. "And what you're seeing now is proof that it works. Americans all over the place responding to this constant push and feed and buzz."

The Kuwait-born gunman, who was killed by police, was not under investigation and was not on the radar of federal law enforcement before the shooting, officials have said. He had visited Jordan last year, a U.S. official

said Friday, and investigators will review those overseas travels for potential worrisome contacts with militants. Abdulazeez received an engineering degree from the University of Tennessee at Chattanooga in 2012 and worked as an intern a few years ago at the Tennessee Valley Authority. Those who knew him described a typical suburban upbringing, though court documents allege an abusive and sometimes turbulent household. The president of the Islamic Society of Greater Chattanooga said Saturday that Abdulazeez's father called and apologized to him and said that he had not seen any recent changes in his son. Bassam Issa said Youssuf Saed Abdulazeez told him he felt blindsided. "He told me that he had never seen it coming, and did not see any signs from his son that he would be that way and do something like that," Issa said.

GOP Rep. Michael McCaul of Texas, chairman of the House Homeland Security Committee, said Friday that officials are looking into whether Abdulazeez was what some at intelligence agencies consider among the "losers to lions," meaning a young person who is looking "for a cause greater than himself" and commits a terrorist act in the process. Federal officials have warned over the last year that today's terrorist sympathizers can be difficult to track and predict, in part because their plans are often spontaneous, poorly formed and lack the sophisticated execution that has defined al-Qaida and its operatives. Officials also have expressed concern that potential recruits are using encrypted forms of online communication as a way to evade detection from law enforcement, an issue the Justice Department raised before Congress last week. In turning away from the grandiose bomb plots of al-Qaida, IS has encouraged followers to carry out smaller-scale gun attacks that cause less carnage but require less planning and are harder to detect. The organization can survive as long as it is able to spread propaganda and find willing recruits, said McCants of the Brookings Institution. "Inspiring people to do it on their own is almost a greater feat than training an operative," he said.

MORE ARTICLES TO CONSIDER

Portland police chief was unaware surveillance video was shown to officers involved in shooting (OR)

Portland's police chief said he was angry and disappointed that the detective division commander and an assistant chief allowed detectives to show video surveillance from a nearby restaurant to three officers involved in a June police shooting before they were interviewed. Yet O'Dea said that he would not abolish the practice. Instead, any future decision to show a video to an officer before an investigative interview will require the chief's approval, he said.

http://www.oregonlive.com/portland/index.ssf/2015/09/portland_police_chief_was_unaw.html

OPM says 5.6 million fingerprints stolen in cyberattack, five times as many as previously thought

<https://www.washingtonpost.com/news/the-switch/wp/2015/09/23/opm-now-says-more-than-five-million-fingerprints-compromised-in-breaches/>

Dallas Morning News editorial: Requiring police, firefighters to live in Dallas could backfire

<http://www.dallasnews.com/opinion/editorials/20150924-editorial-requiring-police-firefighters-to-live-in-dallas-could-backfire.ece>

Police secretly track cellphones to solve routine crimes

<http://www.usatoday.com/story/news/2015/08/23/baltimore-police-stingray-cell-surveillance/31994181/>

Sheriffs Association builds Cold Case Review Team

WINTER HAVEN — Local law enforcement may soon be getting a little extra help solving cold cases. The Florida Sheriffs Association has formed a Cold Case Review Team to provide a fresh look at cases where leads have long since dried up. The team will be led by three sheriffs — Chris Blair, Sadie Darnell and Wayne Ivey of Marion, Alachua, and Brevard County, respectively — and they have recruited team members from various fields to help, including a medical examiner, polygraphist, DNA scientist and two professors of forensic anthropology.

Polk County Sheriff's Office spokesman Scott Wilder said his agency's detectives have nearly a 100 percent clearance rate dating to June 2009. The exceptions are an open homicide case in Lakeland from July 29 and an Aug. 11 Lake Alfred homicide case they are assisting. Before June 2009, however, there are 79 cold cases on file dating to 1961. "We are big supporters of the FSA's Cold Case Review Team," Wilder said. "Sheriff (Grady) Judd was an advocate for its passage. He thinks it is a great idea and is hopeful that it will help solve cold, unsolved murder cases," he said. Nanette Schimpf, public relations counsel for the Sheriffs Association, said the committee is made up of volunteers and does not cost the agencies anything to participate. David Brand, law enforcement coordinator for the association, added that it takes care of all funding, and no tax dollars will be used aside from agencies sending individuals to attend the meeting.

There is a crime alert Thursday night about a dangerous drug concealed as candy that is being smuggled into the Bay area. The Polk County sheriff says the people peddling the poison are living off your tax dollars. "They're trying to poison your children. Addict your children today, and worry about collecting money from them tomorrow. These are evil people," says Sheriff Grady Judd. In a 7-month investigation, called Operation Numero Uno, detectives along with the drug Enforcement Administration discovered a ring of 11 people shipping in \$5 million worth of meth disguised as Mexican candy. It looks like colorful suckers, but hides the dangerous drug.

"It's the ingredients, it's a recipe for death," says Jimmy Dicaprio, DEA special agent in charge. "These are people that don't care about life, and they want money, and if your children die as a consequence, oh well," says Judd. Investigators say they've been moving the drugs from Mexico, through Texas and Georgia to Florida and to kingpin Guadalupe Aguirre. "Where there's drugs and money, there's guns. At the end of the day, this guy is very dangerous," Judd says.

They found six illegal guns in Aguirre's Winter Haven home, and that shocks neighbor Austin Kellom. "I'm really surprised. I didn't know something like that can happen right next door to you," Kellom says. The sheriff says parking lots are the preferred place, where a lot of the deals have been going down, or sometimes giving it away to get people hooked.

"He's said I knew I was taking a ride to the Lowe's parking lot, I didn't realize I was taking a 15-year ride," Judd says. The suspects are now facing that prison time. The sheriff says many of the suspects' free rides are over. None of them has a job, and many have been living off your tax dollars. "Some of them are receiving federal assistance, 7 of them are here illegally, and they're poisoning the people of the state of Florida. And you wonder why we get frustrated," says Judd. "It's just amazing what people would do," says Kellom.

African American Sheriff says "No Longer Can Blacks Claim Victim Status"

Milwaukee County Sheriff David Clarke was on Fox News recently where he said something that is sure to drive liberal warriors crazy with anger. Hillary, meet Frankenstein, they created this monster, now they realize that, if you cannot continue to feed the beast, the beast will turn on you and eat you. And that's what's going on here. Sean, let's take a look at this group, this Black Lives Matter, which I have renamed 'Black Lies Matter,' and the reason I have is because, this is the bastard child, as you know, of the 'Hands up, don't shoot.' The whole thing is built on a lie. The whole premise is built on a lie. But it's a conglomeration of misfits, alright, you have the Occupy movement, you have organized labor in on it now, you have criminals, you have black racialists, you have cop-haters, and anarchists have now formed together this full movement, if you will. No longer in the United States, and I think that I'm living proof of that, no longer can blacks as a whole claim victim

status, except for one situation. They are victims to the Democrat Party in the United States of America, and what modern liberalism has done to the black family.

Read more at <http://lastresistance.com/13295/african-american-sheriff-says-no-longer-can-blacks-claim-victim-status/#MOe5dJ6ZF5Qr5iVI.99>

Virginia ponders a new sort of prisoner swap May of 2015

On their way into Virginia's state prison system, thousands of felons remain in local jails for months until a prison bed becomes available. What if, those at the group meeting on Capitol Square wondered, inmates spent that time in jail on their way out of prison instead? Getting newly convicted inmates into prison sooner would give them quicker access to mental-health and substance-abuse services that local jails are often ill-equipped to handle. And those wrapping up their sentences could benefit from moving from remote prisons to jails near the communities where they will eventually settle, allowing them to reconnect with family and perhaps start employment through work-release programs.

http://www.washingtonpost.com/local/virginia-politics/va-ponders-a-new-sort-of-prisoner-swap/2015/05/27/ed804898-0493-11e5-8bda-c7b4e9a8f7ac_story.html

After Baltimore riots, changes to police 'bill of rights' sought (MD)

Police officers, advocates of police restructuring, sheriffs and police chiefs offered testimony on the merits of reducing a provision that gives officers 10 days to receive representation before cooperating with an investigation, opening trial boards to the public, and increasing from 90 days to a year and one day the length of time that someone may file a brutality complaint against an officer.

http://www.washingtonpost.com/local/md-politics/police-reform-advocates-call-on-md-lawmakers-to-address-officer-misconduct/2015/08/24/e2775c88-4a67-11e5-846d-02792f854297_story.html

Activists come up with a plan to end police killings. Here it is.

On Friday, prominent black activists introduced a comprehensive policy platform to end killings by the police in the U.S. and said they will track and hold 2016 Presidential candidates accountable for their stances. "Campaign Zero," marks the most sweeping and detailed policy platform to emerge along with the Black Lives Matter movement.

<http://www.latimes.com/nation/la-na-police-campaign-zero-20150821-story.html>

NRA sues Seattle over 'gun violence tax'

Three gun-rights groups, including the National Rifle Association, sued the city of Seattle on Monday over its adoption of a so-called "gun violence tax," a tax on firearms and ammunition designed to help offset the financial toll of gun violence.

A man in New York who apparently had enough of red light cameras doling out tickets to himself and fellow drivers was arrested this week after he posted videos instructing viewers on how to disable the cameras. Stephen Ruth filmed himself on a cell phone with a selfie stick using a painters pole to knock the cameras so that their lenses uselessly faced skyward. He claims in the video that this act saved New York taxpayers \$10,000 a day.

Ruth used this tactic on four cameras in Suffolk County, Pix11 reported, most near the Long Island Expressway and another near Ocean Avenue. He posted videos of his tampering on August 21 and 23. At the time of writing one of the videos has just under 240,000 views.

“I’m going to show you how easy it is to take the power back,” Ruth tells viewers of the video. But it wasn’t as easy and risk-free as Ruth made it appear. A few days later, Ruth’s videos caught the attention of local law enforcement and he ended up in police custody. He was arrested and charged with four counts of criminal tampering.

Plenty of people might be interested in Ruth’s how-to videos. Over the past three years, red-light cameras have fallen out of favor in America. More than 70 municipalities have stopped using such cameras, according to figures from the Insurance Institute for Highway Safety. The number of communities using them peaked at 540 in October 2012. Today, the number stands at 461. Cameras have faced legislative and judicial challenges in several states, including Ohio, Colorado, Iowa, Minnesota, New Jersey, and Florida. Cameras have been found to malfunction and there have been allegations that municipalities sometimes illegally shorten red lights to shore up funds. One county in Long Island forgave \$2.4 million in speed camera tickets due to a glitch.

<http://www.sltrib.com/home/2872256-155/nra-sues-over-seattles-adoption-of>

Social media are reshaping policing and conversations about violence (Los Angeles)

<http://homicide.latimes.com/post/social-media-reshaping-policing-and-conversations-about-violence/>

Maryland attorney general recommends profiling standard for police

http://www.washingtonpost.com/local/md-politics/in-wake-of-gray-death-md-attorney-general-adopts-new-profiling-standard/2015/08/24/8691d73e-4a87-11e5-8ab4-c73967a143d3_story.html

Kansas City Star editorial: Law enforcement group calls for big changes to cut down on police shootings

<http://www.kansascity.com/opinion/editorials/article31841949.html>

LAPD urges officers to be community guardians, not warriors on crime

<http://www.latimes.com/local/crime/la-me-warrior-guardians-20150821-story.html>

Oakland police show body-cam video of officer-involved deaths

Top police officials on Wednesday released dramatic video footage of two high-profile and deadly confrontations between officers and suspects, an unprecedented move that comes as the department faces heavy criticism for its role in the deaths. “We are in uncharted waters,” Chief Sean Whent said at a news conference after the viewing. “The public has a right to know what occurred. We want to respect that but, at the same time, we also want to respect the integrity of our investigations.”

http://www.contracostatimes.com/breaking-news/ci_28666124/oakland-police-show-body-cam-video-officer-involved

Police body cameras: statewide policies or agency by agency? (UT)

Instead of creating detailed statewide standards about how and when police body cameras should be used, several Utah legislators said Wednesday they instead hope to require local law-enforcement agencies to write and follow their own rules.

<http://www.sltrib.com/home/2855958-155/police-body-cameras-statewide-policies-or>

How Americans actually feel about stronger gun laws

Background checks for all gun sales, not just those sold in stores, are supported by 85 percent of respondents, Pew's poll found. Laws meant to stop mentally ill people from buying guns have support from 79 percent, while 70 percent support a federal database tracking gun sales. A fourth proposal — banning assault-style firearms — is supported by a majority of Americans (57 percent), but the margin is slimmer.

<https://www.washingtonpost.com/news/post-nation/wp/2015/08/29/how-americans-actually-feel-about-stronger-gun-laws/>

Angry and armed: How some states are trying to keep guns away from volatile people

Several states have enacted laws that go beyond the federal background check system and can help prevent people with anger issues from obtaining guns — or take weapons out of their hands once they turn violent.

<http://www.thetrace.org/2015/08/anger-issues-gun-violence-prevention-wdbj-shooter/>

Gang-related shootings underscore problem of retaliatory gun violence

Retaliation shootings and a code of silence amongst the victims and perpetrators make these crimes particularly difficult for police to solve. The “I’ll take care of it myself” attitude coupled with a proliferation of cheap guns on the streets have fueled an increase in the number of shootings in Cleveland and many other American cities.

http://www.cleveland.com/metro/index.ssf/2015/09/gang-related_shootings_undersc_1.html

Hundreds hurt, killed when Wisconsin teens get guns

<http://wisconsinwatch.org/2015/08/hundreds-hurt-killed-when-wisconsin-teens-get-guns-2/>

Official: Gun in Virginia television murders purchased legally

The gunman who murdered two Virginia journalists and wounded another person on live television legally purchased two handguns last month, including the one used in the attack, and was able to pass a required background check despite his apparent emotional problems, a federal law enforcement official said.

<http://www.usatoday.com/story/news/nation/2015/08/27/flanagan-virginia-guns-background-checks/32477133/>

Virginia shooting spotlights riddle of workplace safety

Vester Lee Flanagan stormed out of the news director's office when told he was being dismissed and slammed a door so hard that nearby workers hid in a locked room. The station hired off-duty police officers to guard the building for the next two days and hoped that the problems with Flanagan were over. It is a nightmare for any employer: what to do with a volatile, constantly aggrieved worker who has had frightening confrontations with fellow workers — yet has committed no crime. Because he had no convictions and had not been adjudicated mentally ill, Flanagan was able to legally purchase from a licensed dealer the Glock 19 handgun used in the killings, federal officials said.

<http://www.nytimes.com/2015/08/28/us/virginia-shooting-spotlights-riddle-of-workplace-safety.html>

Howard Safir is the former commissioner of the New York City Police Department (1996-2000) and Chairman and CEO of Vigilant Resources International (VRI).

Stop demoralizing police officers—and start focusing on criminals

In Baltimore this year there have been more than 160 homicides, about a 50% increase compared to the first half of last year, and shootings and robberies have also gone up. Similar increases are taking place in Chicago, Milwaukee, St. Louis, New Orleans and New York City. The image of police and trust in officers are under continual attack.

Our elected officials are touting the buzzword “community policing” as the panacea that will solve the problem of crime in America. They are dead wrong. The Community Oriented Policing Services office of the Department of Justice defines community policing as a “philosophy that promotes organizational strategies that support the systematic use of partnerships and problem solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.”

The words are impressive, and I support the concept. “Feel-good policing” will indeed build trust and make the law-abiding citizens of our community feel better about our police. But it has not and will not reduce violence. The social causes of crime should be addressed, and in the long term, this hopefully will have an effect on crime reduction.

To reduce crime, there is one key element that is missing from the community policing philosophy: using assertive policing tactics to ensure that the one group that causes violence, the criminals, believe that there are consequences, including the certainty of arrest, for engaging in criminal activity. Community policing and what I call “goal-oriented community policing” must exist side by side.

Criminals and gangs may or may not be the result of society’s ills. But the first and foremost responsibility of police is to keep our citizens safe. Those who believe that crime will be reduced merely by having the same officer on a beat so that the community knows his or her name, or think that a 21-year-old officer in the midst of a crime-ridden city can solve their problems are woefully naive.

In the last 20 years, assertive policing has reduced crime to historic lows. This has been accomplished through the use of tactics that target criminals, a large police presence, and intelligence-led policing that uses technology to tell police who the criminals are. This enables police to both respond to and prevent crimes.

Unfortunately, the anti-police politicians, some at the highest levels of our government, along with the usual anti-police activists have changed the conversation from focusing on those who commit serious crime to those who prevent it. The few instances of police misconduct or misjudgment have been blown out of proportion to give the impression that they are the norm rather than the exception. This could not be further from the truth.

We are at a tipping point in this country. We can continue to demoralize our police officers with rhetoric and legislation that makes them the focus rather than the criminals whom they have taken an oath to arrest. We can reject the successful tactics, such as stop, question, and frisk, which when used properly and legally has taken thousands of guns off our streets and prevented thousands of crimes. If we continue on this path, we will surely see a continued rise in violence, and our officers will stand on the sidelines being reactive rather than proactive.

Through the use of goal-oriented community policing, we can regain the trust of those communities that view the police negatively. We should address the minority makeup of our police to reflect the communities they serve. We should aggressively prosecute those few police officers who are involved in misconduct. We should encourage body cameras to protect both the public and police officers. We should get to know our communities, and they should get to know us.

But we should not forget what got us to the lowest crime in decades. It is the dedication and sacrifices of many police officers and assertive tactics that ensure that criminals are the one group that fear and respect police.

NOW, HERE IS A STORY

Story edited for brevity.

When Edward Thomas joined the Houston Police Department in 1948, he could not report for work through the front door. He could not drive a squad car, eat in the department cafeteria or arrest a white suspect. Walking his beat, he was once disciplined for talking to a white meter maid. Officer Thomas, who died on Monday at 95, was the first African-American to build an eminent career with the Houston Police Department, one that endured for 63 years. By the time he retired four years ago, two months shy of his 92nd birthday; he had experienced the full compass of 20th-century race relations. His days were suffused with the pressure to perform perfectly, lest he give his white supervisors the slightest excuse to fire him — and he could be fired, he knew, for a transgression as small as not wearing a hat. They were also suffused with the danger he faced in the field, knowing that white colleagues would not come to his aid. In 2011, when Officer Thomas retired with the rank of senior police officer, he was “the most revered and respected officer within the Houston Police Department,” the organization said in announcing his death, at his home in Houston.



Edward Thomas, in wheelchair, saluted last month as Chief Charles A. McClelland Jr. and Mayor Annise Parker of Houston unveiled an image of Police Headquarters, renamed in his honor. Credit Cody Duty/Houston Chronicle, via Associated Press.

On July 27, two weeks before he died, the department renamed its headquarters in Officer Thomas’s honor. “He was a pioneering figure, not just in the Houston Police Department but in Southern policing in general, representing an era bookended by Jim Crow and the modern period,” Mitchel P. Roth, the author, with Tom Kennedy, of “Houston Blue,” a 2012 history of the city’s police force, said in a telephone interview. “It’s very rare to find a person of color having as long a career and having had a career with as much respect.” Officer Thomas, by necessity and temperament so taciturn as to seem enigmatic, never spoke to the news media about his work. But interviews with his associates make it plain that the respect he earned was hard won, over a very long time. “We all know what America was like in 1948,” Charles A. McClelland Jr., Houston’s police chief, the fourth African-American to hold that post, said by telephone. “If you think about some of the milestones in the civil rights movement, when Rosa Parks would not give up her seat on the bus in Montgomery, Ala., in 1955, Mr. Thomas had undergone this disparaging treatment for seven years. When major civil rights legislation was passed in 1964 which made his treatment unlawful in the workplace, he’d been a cop for 16 years.”

On Jan. 12, 1948, the day Officer Thomas joined the force, and for years afterward, he could not attend roll call in the squad room: His attendance was taken in the hall. He could arrest only black people. Apprehending white suspects, he could merely detain them until a white officer was dispatched to make the arrest. He patrolled his beat — a half-dozen-mile-wide swath spanning largely black neighborhoods — twice a day, alone, on foot: The department long refused to issue him a squad car. “He told me,” Chief McClelland said, “that the very first time he was given permission to drive a squad car, when the sergeant gave him the keys, his instructions were: ‘You better make sure that you don’t wreck it, but if you do’ — and he referred to him by the N-word — ‘you better pin your badge to the seat and don’t come back.’ For years to come, to spare the car, and his job along with it, Officer Thomas drove it to his beat, parked it, locked it and, as he had before, pounded the pavement on foot.

For talking to the meter maid, who had asked him to accompany her past a line of wolf-whistling construction workers as she made her rounds, Officer Thomas was fined a day’s pay. Edward Thomas was born on Sept. 23, 1919, in Keachi, LA, near Shreveport. His father, Edward, was a local landowner; his mother, Dora, was a schoolteacher. When Edward was about 9, his father died, and he became the de facto man of the house. As a young man, he attended what is now Southern University and A&M College, a historically black institution in Baton Rouge, but he was drafted by the Army before graduating. Serving in a segregated unit, he took part in the Normandy invasion and the Battle of the Bulge. After his discharge, he returned home and embarked on a career as a postal worker. Then one day, while traveling by bus to visit family in California, he picked a stray piece of paper off the floor. The paper was an application for the Houston Police Department. He would graduate as a member of its first organized cadet class.

African-Americans had served with the department since Reconstruction, hired to patrol Houston’s black wards. In the 20th century, three are known to have preceded Officer Thomas on the force. But by the time he graduated from the police academy, he was the department’s only black member. “The others were driven out of the organization: They were forced to quit,” C. O. Bradford, Houston’s second black police chief and now a member of its City Council, said. “He endured it.” He endured vitriol not only from his fellow officers but also from the very community he wanted to serve.

SOME THOUGHTS TO PONDER

Our entire life consists ultimately in ourselves as we are.

- Jean Anoulin

No man was ever wise by chance.

- A Native American Quote

Many of Life’s failure are people who didn’t realize how close they were to success when they gave up.

- Anonymous

I hear, I know, I see, I remember, I do, I understand.

- Confucius

Sometimes, we must be willing to let go of the life we have planned, so to have the life that is awaiting us.

- Anonymous

Note: *Success requires more than just wanting or wishing. You can dream all you want but you still have to wake up to get it done.*

Now read the next item – You have a choice

LET IT REALLY SINK IN - THEN CHOOSE.

John is the kind of guy you love to hate. He is always in a good mood and always has something positive to say. When someone would ask him how he was doing, he would reply, "If I were any better, I would be twins!"

He was a natural motivator. If an employee was having a bad day, John was there telling the employee how to look on the positive side of the situation. Seeing this style really made me curious, so one day I went up and asked him, "I don't get it! You can't be a positive person all of the time. How do you do it?"

He replied, "Each morning I wake up and say to myself, you have two choices today. You can choose to be in a good mood or ... you can choose to be in a bad mood. I choose to be in a good mood."

Each time something bad happens, I can choose to be a victim or...I can choose to learn from it. I choose to learn from it. Every time someone comes to me complaining, I can choose to accept their complaining or... I can point out the positive side of life. I choose the positive side of life.

"Yeah, right, it's not that easy," I protested.

"Yes, it is," he said. "Life is all about choices. When you cut away all the junk, every situation is a choice. You choose how you react to situations. You choose how people affect your mood. You choose to be in a good mood or bad mood. The bottom line: It's your choice how you live your life."

I reflected on what he said. Soon hereafter, I left the Tower Industry to start my own business. We lost touch, but I often thought about him when I made a choice about life instead of reacting to it.

Several years later, I heard that he was involved in a serious accident, falling some 60 feet from a communications tower. After 18 hours of surgery and weeks of intensive care, he was released from the hospital with rods placed in his back.

I saw him about six months after the accident.

When I asked him how he was, he replied, "If I were any better, I'd be twins...Wanna see my scars?"

I declined to see his wounds, but I did ask him what had gone through his mind as the accident took place.

"The first thing that went through my mind was the well-being of my soon-to-be born daughter," he replied.

"Then, as I lay on the ground, I remembered that I had two choices: I could choose to live or...I could choose to die. I chose to live."

"Weren't you scared? Did you lose consciousness?" I asked

He continued, "...the paramedics were great.

They kept telling me I was going to be fine. But when they wheeled me into the ER and I saw the expressions on the faces of the doctors and nurses, I got really scared. In their eyes, I read 'he's a dead man'. I knew I needed to take action."

"What did you do?" I asked.

"Well, there was a big burly nurse shouting questions at me," said John. "She asked if I was allergic to anything 'Yes, I replied.' The doctors and nurses stopped working as they waited for my reply. I took a deep breath and yelled, 'Gravity'."

Over their laughter, I told them, "I am choosing to live. Operate on me as if I am alive, not dead."

He lived, thanks to the skill of his doctors, but also because of his amazing attitude... I learned from him that every day we have the choice to live fully.

Attitude, after all, is everything.

Therefore do not worry about tomorrow, for tomorrow will worry about itself.
Each day has enough trouble of its own."

Today is the tomorrow you worried about yesterday.

You have two choices now

HUMOR

Love vs Marriage

Tom finally decided to tie the knot with his longtime girlfriend. One evening, after the honeymoon, he was cleaning one of his hot rods for an upcoming show.

His wife was standing there at the bench watching him. After a long period of silence she finally speaks.

“Honey, I’ve just been thinking, now that we are married maybe it’s time you quit spending all your time out here in the garage. Maybe you should consider selling your cars, along with your gun collection.

Tom gets this horrified look on his face. She says, “Darling, what’s wrong?”

“There for a minute you were starting to sound like my ex-wife.”

“Ex wife!” she screams, “YOU NEVER TOLD ME YOU WERE MARRIED BEFORE!”

Tom’s reply: “I wasn’t.....”

She’ll Mop the Floor with You

A police officer called the station on his radio.

“I have an interesting case here. An old lady shot her husband for stepping on the floor she just mopped.”

“Have you arrested the woman?”

“Not yet... The floor’s still wet.”



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Pierce Co. Sheriff's Dept.

Sheriff Donny Youngblood

Major County Sheriffs Association
President;
Kern County Sheriff's Office

MCC - FBI NEIA Conference Dates

**IACP
Conference**

October 24-28, 2015
Chicago

**NEIA Reception at
IACP Conference**

October 25, 2015
Chicago

**NEIA/MCCA/PERF
Annual Conference**

May 23 - 25 2016
Marriott Marquis, New York

VISIT THE FBI NEI ASSOCIATES WEBSITE.

www.neiassociates.org

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