



NEIA: The Best of Us

July 2021

A MAYOR'S VIEW ON DEFUNDING THE POLICE

Interview of Mayor Jane Castor

1. There are many groups calling for defunding of the police, but without solutions. How does a Mayor navigate these tumultuous waters?

In my view, 'defunding' the police is an unrealistic call. It is a simple slogan that is very difficult to accurately define. Even those who state a desire to take funding away from law enforcement do not want to lose police coverage in their neighborhoods. Most are unaware that the majority of a police department budget goes to personnel – over 90% in Tampa.

We can all agree that we ask the police to do too much. When governments underfund education and social services, the tasks and associated issues fall to police officers to handle. I completely agree that many social services are better carried out by other specifically trained individuals, but it takes time to effectively put those resources in place. We cannot simply transfer funding and not maintain the social safety net that police officers currently provide. Effective and sustainable solutions will take time and funding.

2. Has the call to defund the police had any impact so far on your department's budget?

I increased the budget for our police department in FY2021 and will be adding a mental health response component that will also add to the FY 2022 budget. Many agencies that reacted quickly to calls for defunding the police have had increases



in their police budgets (outsizing the cuts) based on the need for overtime, in addition to increased crime.

I am 100% behind taking social services off the shoulders of law enforcement. I encourage funding for state and federal issues such as providing an adequate education, effective mental health solutions, dealing with the homelessness, etc. As we have done with crime, we are continually looking at ways to proactively prevent the need for police services in the first place.

3. There is an increase in violent crime, shootings, homicides, etc. How can we defund the police at a time when the needs for law enforcement are greater than ever?

We cannot defund the police and expect that violent crime will subside. I do support adequate funding for education and social services that will lead to a reduction in crime across the board.

4. As the Mayor, how do you ensure your citizens are fully educated on how the police department operates and the budget they require?

Newsletter Highlights

A Mayor's View on Defunding	1
Message from NEIA President	3
ADL and Law Enforcement	4
Message from Executive Director	6
The First Amendment and Law Enforcement Agencies	6
NEIA at IACP	9
Contacts & Board	10
Our Loyal Partners	11



Law Enforcement is the most visible arm of government and I would argue the most important, but few people have any idea how they operate. Here in Tampa, we incorporate a number of programs to educate and collaborate with our residents. We have Citizen and Youth Academies, Front Porch Roll Calls, Ride Along Programs, Internships and a host of youth programs that can build those positive relationships early on.

5. Clearly most people, including the police, believe there needs to be more services available and find ways for those who need help get the help without the police always being the ones who are called. Are there other areas in a city budget that can be de-prioritized in order to fund these services without negatively impacting your citizens?

We have added a response unit that will handle responses to mental health and homelessness. The teams consist of mental health experts and social workers. We never look to de-prioritize services to our residents. As we reduce crime and the need for services, we allocate those resources to other needs that lead to an improved quality of life for everyone.

6. As a former Chief and now as a Mayor, can we prevent the types of incidents that are causing so many people to hate the police?

While we can't prevent all incidents that involve interaction between the police and the citizens, we absolutely can prevent some of those that can go bad. This is done through constant training and utilizing new techniques that have been shown to help de-escalate difficult situations.

Technology is advancing every day with solutions that can enhance situational awareness for officers which in turn can help officers best prepare for any incident.

We must also work with the community on an ongoing basis, not only to build relationships, but to educate on police policies and practices that will ensure all parties involved receive a fair look at any incident that may be disputed. We have to build and maintain collaborative relationships with the entire community. These relationships must be worked on each and every day.

7. As the Chief of Tampa PD, you did a great job of building a diverse command team. Do you see this happening enough in other cities?

Building not only a diverse command team, but ensuring our department reflects the community we serve is one of the most important steps a law enforcement leader can take to build and maintain a successful police department. This is a tough time to recruit new officers, but we must look at innovative ways to generate interest in candidates from all races, sexual preferences, and religions, in addition to diverse work backgrounds.

Having an agency that reflects the community they serve and, in turn, a staff that is diverse is critical. We are all a sum total of our life experiences and we need diverse perspectives, especially when making decisions that impact our community.

8. Do you have discussions with other Mayors on these topics? Is there a general consensus on what they should be doing?

I am an active member of the U.S. Conference of Mayors and assisted in crafting a position paper for the organization on policing reform. We don't have a general consensus because we can't have a general consensus. Each city is different and how they police their own community must be collaboratively decided by the citizens and law enforcement. There are general strategies we can agree on, but the tactics and goals must be developed locally.



And, in my opinion, they should be developed based on input from the various constituent groups in the city.

9. How has the division of political parties affected your own ability to lead?

My position as Mayor of Tampa is non-partisan. I consider it a complement when people must guess my party affiliation. The most difficult experience has been the politicization of COVID-19. So many lives have been needlessly lost because of misinformation and political divide. "Crisis Management" – to a degree – defines law enforcement, so my time as a police officer has served me well in this new position. I consider the facts, get input from all interested parties and, based on the objective weighing of all the information, make decisions in the

best interest of our community. I try not to let politics enter the picture while serving my community.

Editor's Note: Mayor Jane Castor is the 59th Mayor of the City of Tampa. Born and raised in Tampa, Jane has spent a lifetime in service to the community, first as a police officer, then as Tampa's first female Chief of Police serving six years of her 31 years with the PD, and finally as the Mayor. While in the Tampa PD, Castor served in nearly every capacity and in nearly every neighborhood of the city. During her time as a senior staff member, Castor worked to reduce major crimes 70% citywide.

Castor was instrumental in the development of the plan that reorganized the police department, consisting of 1,300 officers and employees with a \$145 million annual budget – creating three smaller, more manageable districts. Decentralization ensured commanders had the necessary resources to fulfill their missions and gave officers the opportunity to immerse themselves within the community.

Message from FBI NEIA President



As President of the Executive Board of FBI NEIA, I have had the privilege of observing the efforts of men and women who bring a tremendous amount of intelligence and heart and a wealth of experience to the organization.

Our webinar and training efforts have addressed the topics of conditions relating to immigration on America's southern border and the issue of the degree of political extremism within the ranks of law enforcement agencies. We will also be addressing proposed revisions in the doctrine of Qualified Immunity and the challenges we face in recruiting entry level personnel in the face of challenges and change.

The FBI NEIA confronts these topics and others from the perspective of large local, state and national law enforcement agencies in America and internationally.

Within our profession we regularly hear concerns expressed about "this being a difficult time to be in law enforcement." More notably, more accurately it is a crucial time to be in law enforcement and to be engaged and to intentionally guide the future of the profession.

The future is not something that just sweeps over us. It is something that we need to help shape and direct. We are not passive spectators. By virtue of the roles we occupy and our store of experience in hard, demanding situations, we are in a unique position to shape the future of our profession.

And that is precisely what the FBI NEIA intends to do.

Sheriff Paul A. Pastor



ADL and Law Enforcement: Working Together in the Fight Against Hate

ADL[®]

FIGHTING HATE FOR GOOD

By **Greg Ehrie**, Vice President,
Law Enforcement and Security, Anti-Defamation League

Editors Note: Our Partnerships At Work- You have heard about the various partnerships we are pursuing in order to help us meet our Mission as well as help tackle some of the new challenges we and all law enforcement leaders are facing today. One of these is with the Anti-Defamation League (ADL)

The ADL has a long history of working with law enforcement as outlined in the article below. Most of you have engaged with them whether directly or indirectly. As the FBI NEIA continues to grow as an organization, we approached the ADL with the assistance of Board Member Tom Manger based on the working relationship he had while Chief of the Montgomery County Police Department. The first project we worked together on was our webinar titled "Extremists in the Ranks?"

Our panelists discussed this issue and more

important how to tackle this challenge. Close to 1200 people registered for the event and I am sure none were disappointed.

In addition to our webinar, the ADL asked us to sign a letter to Congress on the issue of Domestic Terrorism. We were the first law enforcement organization to sign this and our leadership helped ADL bring on many more. Click here to read the letter.

We thank the ADL and Elise Jarvis Wilson their Director of Law Enforcement Outreach and Partnerships for their work on this and look forward to building our relationship to bring additional value to both our organizations and to policing everywhere.

[View Letter to Congress](#)

In December 1941, just a few weeks after Nazi Germany had declared war on the United States, the Federal Bureau of Investigation was scrambling to gather information about pro-Nazi and antisemitic organizations operating inside the U.S. The FBI turned to an unlikely source: The Anti-Defamation League (ADL), a nonprofit organization that had been tracking extremist groups such as the German American Bund since the early 1930s. ADL had the information they were looking for, and has been working with federal, state and local law enforcement ever since.

Law enforcement comes to ADL for information and insights because of the quality of our resources, our deep expertise on extremist groups and trends, and wealth of information on hatred and bigotry in the U.S. and beyond.

Today, ADL is a global leader in areas that are critically important for law enforcement agencies in the 21st century—including combating extremism and hate crimes and developing trust. ADL works with law enforcement because it enables us to carry out the mission on which we were founded more than one hundred years ago—to stop antisemitism and to secure justice and fair treatment to all. With 25 regional offices and a staff of more than 300, ADL is a non-profit and non-partisan organization.

In the eight decades since the FBI first requested intelligence from us, ADL has grown into the most respected private authority on extremism and domestic terrorism. Our [Center on Extremism](#) (COE) tracks, monitors and exposes extremist activity from across



the ideological spectrum, on the ground and online, providing law enforcement with information and understanding to prevent and disrupt acts of terror and hate.

One recent illustration of this partnership is our collaboration with law enforcement on the arrest of white supremacist accelerationist Paul Miller. Our Center on Extremism identified Miller as a volatile New Jersey-based extremist in October 2020. Concerned by his increasingly radical and violent rhetoric, as well as his online display of various weapons and real-life extremist related activities, we reported him to federal law enforcement authorities in New Jersey. We later tracked him to Fort Lauderdale and again shared significant intelligence about Miller with state and federal law enforcement. In March of 2021, Miller was arrested in Florida on weapons violations. In June, he pleaded guilty to three felony counts including possession of an unregistered firearm and ammunition and possession of a weapon as a felon. When sentenced on August 30, he could face up to 30 years in federal prison.

Another critical resource for law enforcement is ADL's expertise on [hate crimes](#). ADL is the leading organization in the fight against hate crimes. We created the model for the statute which is the basis for the hate crime laws in 46 states and the District of Columbia. ADL chaired the task force of more than 200 organizations which secured the passage of the 2009 federal Hate Crimes Prevention Act. Our expertise and experience provide law enforcement with the tools to recognize, investigate and successfully prosecute hate crimes, as well as strategies to build trust with communities targeted by such crimes.

ADL also provides law enforcement with professional development opportunities, including informational briefings and interactive workshops on topics which include combating extremism and hate crimes and inclusive policing. Sessions are tailored to meet the needs of each agency and are led by ADL's subject matter experts or trained facilitators. ADL provides most of these sessions at little or no cost to the law enforcement agency.

Providing resources in the forms of intelligence, expertise, and professional development has been a core part of what we do since that first contact with the FBI on the eve of World War II through today. This partnership helps keep our communities safe and secure, while protecting civil liberties and individual rights.

For more information on ADL's resources for law enforcement, contact Elise Jarvis, ADL's Director of Law Enforcement Outreach and Partnerships, at ejarvis@adl.org. More information about ADL's work with law enforcement can also be found on our [website](#).



Message from FBI NEIA Executive Director



Greetings and encouragement to our FBI NEIA membership!

These are exciting and challenging times, filled with great opportunities to collaborate, partner and make a difference in serving our troops and accomplishing the mission of protecting and serving our communities. As we recover from the Covid-era of the past year and so many other challenges, many issues continue. Among the most negative trends is the increasing violent crime across our country. Additional trends include escalating numbers of opioid overdoses/deaths, gang activity, protests, fiscal deficits and troubling police tactics/bad outcomes being widely publicized. These events are negatively impacting the public trust of the police.

I remain optimistic and confident as we lean into these discussions and efforts together, leading and influencing change and making our communities better. Policing has never been

more important, relevant, timely, impactful and better positioned to make a difference. Your FBI NEIA board continues to work on ways in which we can assist and serve you through a variety of means and efforts. There are so many challenging topics and areas of importance and so much expertise within our membership that we are able to identify the most emergent topics while we enter into timely and important dialogues and innovative efforts.

As we build our membership, partners, sponsors and activities, we are building our relevance, influence and impact in our profession and communities. We encourage any of you with ideas and interests, to contact us and get involved. Thanks for all you are doing to serve our communities and engage in the important work of making a difference. There is much at stake and together with our teams, our partners and residents, we will accomplish much in the days ahead!!

Chief Luther Reynolds
Executive Director

The First Amendment and Law Enforcement Agencies



The First Amendment and Law Enforcement Agencies: Leaning on Legal Counsel to Help Navigate Through Complicated Issues

By **Heather Mulloy, Esquire**

The events of 2020 led many law enforcement agencies across the country to seek out legal advice and support. From the news of a global pandemic, to the murder of George Floyd, to continuous protest activity and riots, agencies encountered new challenges that presented them with a unique opportunity to utilize counsel to assist in navigating through rough waters.

When these challenges arise, an agency's relationship with its counsel (either in-house or outside counsel) cannot be over-looked. The development of a solid relationship between an agency, its personnel, and legal counsel can be crucial when it comes to significant events occurring within an agency's jurisdiction. Legal counsel can provide support in a variety of ways, such as risk management, training, legal drafting, document review, and general legal advice.



One of the most complex areas of the law that agencies have recently encountered is that of the First Amendment to the U.S. Constitution, and its guarantees of free speech, the right of people to gather peacefully, and the right to petition the Government for redress of grievances. As the government is responsible for the protection of an individual's constitutional rights, as well as ensuring public safety, this area is sometimes difficult to navigate. Legal counsel can be of great assistance in putting an agency on the right path.

The following article outlines several ways legal counsel can assist a law enforcement agency prior to, during, and after events involving First Amendment activity, civil disobedience, riots, and related activity.

How can legal counsel assist my agency before First Amendment activity occurs in my jurisdiction?

It is crucial that a law enforcement agency engage legal counsel prior to First Amendment activity. The First Amendment is a complicated legal area, with broad protections and limited exceptions. Having a thorough understanding of this area of the law is important for all agency personnel, and assists in providing protection for those lawfully engaged in First Amendment activity, citizens, and the community as a whole. Here are some valuable ways counsel can assist:

1. Review and update applicable policy and procedure. Ask counsel to review all relevant policies and procedures that touch on First Amendment activity, and provide legal updates. This may include a review of policies that cover specialized units, and issues such as response to resistance and aggression.

2. Review and update any agreements with outside agencies. Quite often, law enforcement agencies call on neighboring agencies to assist with activity occurring inside

its jurisdiction. Ask counsel to review applicable laws, and make sure mutual aid agreements are up-to-date.

3. Training: teach the basics to ALL agency personnel. Knowledge of this area of the law is critical to understanding the permissible parameters of agency action as well as decision-making when it comes to enforcement. Therefore, it is especially important to teach all personnel – from recruits to Command staff, so that everyone is on the same page. Teaching should include practical application of the law to agency operations. Ask counsel to address the following basic areas, at a minimum:

- **What activity does the First Amendment protect?**

Understanding the breadth of protection that the First Amendment provides is important. Not all First Amendment activity is protected, and it takes a well-versed attorney to explain the intricacies of this area. For example, while the Constitution generally protects speech on public property, those same protections do not apply when a property owner wishes to restrict speech on his or her own private property.

- **What does “speech” mean?**

“Speech,” as stated in the First Amendment, is not limited to words alone, and agency counsel can explain the Supreme Court's expansion of the definition of “speech,” to include other expressive conduct.

- **What are the categories of restricted speech?**

While the First Amendment protects almost all forms of expression - even hateful, racist and offensive speech, there are exceptions, and the Supreme Court has found that certain categories of speech are not protected. For example, the First Amendment does not protect violent or unlawful conduct, fighting words, or speech aimed at inciting imminent,



unlawful activity. Agency counsel can assist in explaining all of the parameters of restricted speech.

- **How is speech restricted?**

Generally, restrictions on the content of speech, i.e., the substance or message of the speech, will not be upheld unless they pass a court's strict scrutiny analysis. Restrictions solely focused on the time, place or manner of the speech (and not the message), may be permissible. However, these restrictions must be narrowly tailored to serve a significant governmental interest, and leave open ample alternative channels for the communication of the information. Often, government officials and agencies consider factors such as public safety, accessibility of streets and sidewalks, coordination of uses of public space, and availability of resources prior to implementing time, place and manner restrictions. Agency counsel can be extremely helpful in explaining applicable laws and guiding an agency through the required analysis.

- **Is the law different when speech is directed toward law enforcement personnel?**

It is important for agency members to understand that courts may hold personnel to a higher standard when it comes to offensive speech directed at law enforcement. Courts have reasoned that police officers may be expected to exercise a higher degree of restraint than the average citizen, when it comes to verbally challenging police officers. Although seasoned personnel may be aware of this standard, recruits and newer personnel should be educated on the differences.

4. Review current applicable federal, state and local laws with counsel. Sit down with legal counsel and review all applicable laws that may apply to First Amendment activity, potential

unlawful activity, and procedures for declaring an unlawful assembly in your jurisdiction. Ask counsel whether there are any laws in play that may affect upcoming activity. Is there a current State of Emergency or curfew order in place? What are the parameters?

5. Review your agency permitting system with legal counsel. Many law enforcement agencies are tasked with managing a permitting system for First Amendment activity. Engage your counsel in this process as soon as possible so that you understand the specific parameters of the system and the responsibilities of the agency. Many permitting laws do not apply to small gatherings or spontaneous groups (groups responding to late-breaking events). Inquire about the specifics, and educate your personnel, as different rules may apply to different groups.

How can legal counsel assist my agency during First Amendment activity?

Situations may arise where an agency has legal questions regarding permissible action to take while First Amendment activity is taking place. At these times, it is invaluable for an organization to have access to legal counsel to discuss certain scenarios. For example, counsel can address questions regarding application of First Amendment restrictions, declarations of unlawful assembly and enforcement of laws. Counsel can also address any need for emergency legislation. Here are some of the ways counsel can assist an agency while First Amendment related activity is occurring:

1. Time, place and manner restrictions. As situations may rapidly develop, decisions on time, place and manner restrictions may become necessary. Think barricades, buffer zones, re-direction of groups, physical separation of opposing groups, or other actions necessary to prevent violence. These actions



must be taken in a constitutional manner, and having counsel present to assist is beneficial.

2. Declaration of an Unlawful Assembly.

Counsel can assist in determining whether an unlawful assembly is present, and in making certain that all proper procedures for declaration, dispersal, and enforcement are followed.

3. Enforcement and interpretation of laws.

Questions will likely arise during activity regarding enforcement of laws. Ask counsel to develop a list of federal, state and local laws that may apply to any activity that is unlawful, and not protected by the First Amendment. This will ensure that the agency is protecting the rights of citizens and also protecting the community in the event of criminal activity.

4. Communication and drafting emergency legislation.

Counsel can be very effective in assisting an agency with communications regarding any emergency action that may need to be taken. For example, determinations regarding curfews, closing public areas, and drafting of other emergency legislation may need to be made quickly, depending on the circumstances.

How can legal counsel assist my agency following First Amendment activity?

Following an event, it is important to undergo an assessment of the agency's actions and counsel can be helpful in walking the agency through this process from a legal and risk management perspective. Although it is tempting to move-on to the next challenge, the value of stopping and taking the time to make an assessment cannot be understated.

[Click here to read full article](#)

FBI NEIA at IACP

The 2021 IACP Annual Conference will be held in New Orleans from **Sept. 11-14, 2021**. We have traditionally hosted an Evening Reception, however this time we are having a special Awards Breakfast thanks to our partners Booz Allen Hamilton and Motorola Solutions.

The breakfast will be held on **Monday, September 13, 2021** and will be an invitation only event. More details will be sent via email blasts soon and everyone wishing to attend must register accordingly. FBI NEIA Penrith Leadership and the FBI NEIA Ethics Awards will be presented. Booz Allen Hamilton will present their IACP/Booz Allen Hamilton Leadership in the Prevention of Terrorism Award.

Until further details are sent, if you have any questions, please call Dave Weisz on his cell at 847-404-8189.

IACP #2021 **SEPTEMBER 11-14**
Ernest N. Morial Convention Center
New Orleans, Louisiana
theIACPconference.org



Contact Information

Sheriff Paul Pastor

President
253-229-5751, 04pastor@gmail.com

Chief Luther Reynolds

Executive Director
843-577-7434, reynoldsl@charleston-sc.gov

Dave Weisz

Deputy Director
Editor: The Best of Us
847-404-8189, dave.weisz@comcast.net

For change of address or payment of dues:

Chelsea Frances

Executive Assistant
P.O. Box 70171
North Charleston, SC 29415
843.412.9380
chelsea.fbinea@gmail.com

FBI NEIA Board Members

Sheriff Paul Pastor

NEIA President;
Sheriff Pierce County, WA Sheriff's
Office (Retired)

Chief Luther Reynolds

NEIA Executive Director;
Charleston, SC Police Department

Chris Burbank

NEIA Past President;
Salt Lake City PD (Retired)

David Corderman

NEIA Treasurer;
Academy Leadership Associates, LLC

Chief Art Acevedo

MCCA President;
Houston Police Department, TX

Timothy J. Cannon

NEIA Class Rep, Class #41
Special Agent, Florida Lottery –
Division of Security

Rocco J. Diina

Rocco J. Diina, LLC;
Commissioner, Buffalo PD, NY (Retired)

Terry G. Hillard

TGH Consultants;
Superintendent Chicago PD (Retired)

Sheriff Peter Koutoujian

President MCSA
Middlesex, MA

Director Frank L. Milstead

Arizona Department of Public Safety
(Retired)

Colonel Edwin C. Roessler Jr.

Fairfax County Police Department, VA
(Retired)

**1st Assistant Chief Lashinda Stair
Motorola Solutions**

Detroit Police Department, Office of
the Chief (Retired)

Tom Streicher

Greenwood and Streicher, LLC
Chief, Cincinnati PD (Retired)

International Representative

Odd Berner Malme

Dep National Police Commissioner -
Norway (retired)

Advisory Board

Richard Ayres

Former NEIA Executive Director;
Center for Labor & Management
Studies; FBI (Retired)

Charles Connolly

NEIA Past President;
NYPD (Retired)

Tom Manger

Past President MCCA
Chief, Montgomery County Police
Department (Retired)

NEI Class

Representatives

Don Tuten,

NEIA Class Rep, Class #42
Chief, Jacksonville Sheriff's
Office, Dept. of Homeland
Security, Narcotics & Vice, Special
Operations

Sheriff Earnell R. Lucas

NEIA Class Rep Class #43;
Milwaukee County Sheriff's Office

FBI Liaisons

**Supervisory Special Agent Teresa
(Teri) Payne**

Law Enforcement Services,
Office of Partner Engagement, FBI

Assistant Director Don Alway

Training Division, FBI Academy,
Quantico, VA.



WWW.NEIASOCIATES.ORG



2021 NEIA Loyal Partners

FBI NEIA extends a sincere thanks to:

Corporate Partners



MOTOROLA
SOLUTIONS

Booz | Allen | Hamilton



Foundation Support

**The Francine LeFrak and
Eric Friedberg Foundation**



FBI NEIA Website

Visit FBI NEIA online at our association website. It has information, articles, newsletters and more.

www.neiassociates.org