

The Magazine of the  
FBI National Academy  
Associates

# NATIONAL ACADEMY



ASSOCIATES

Mar/Apr 2016 | Vol. 18  
No. 2

## LIFE AFTER LAW ENFORCEMENT: *Financial Considerations*

PLUS | *Is Civil Forfeiture Dead?*

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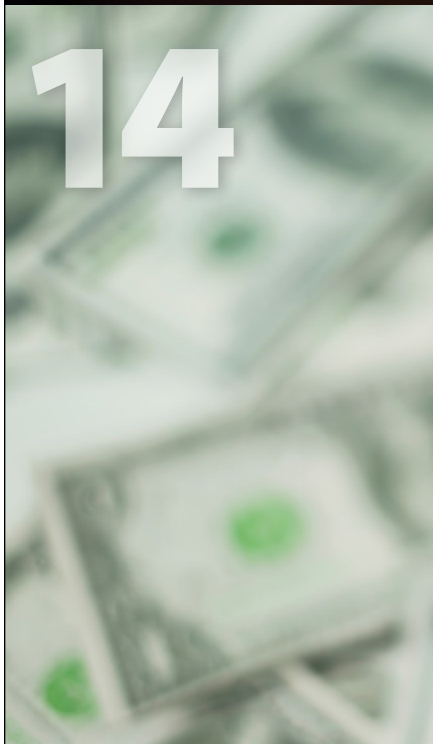
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*"Continuing Growth Through Training and Education"*



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**Steve Tidwell** / Executive Director, Managing Editor

**Ashley R. Sutton** / Communications Manager

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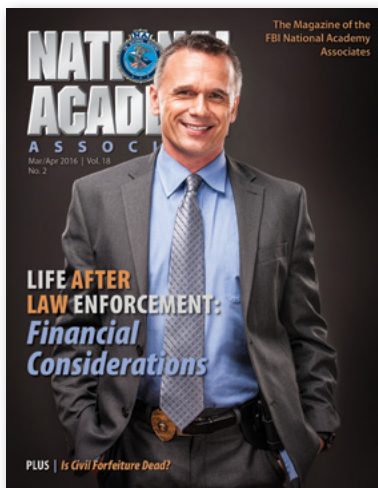
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ISSUE	EDITORIAL DEADLINE	MAIL DATE
Jan/Feb	12/1	2/28
Mar/Apr	2/1	4/30
May/Jun	4/1	6/30
Jul/Aug	6/1	8/30
Sep/Oct	8/1	10/30
Nov/Dec	10/1	12/30



**On the Cover:**

Life After Law Enforcement  
Financial Considerations:  
If you haven't planned ahead  
for your retirement, the  
conflagration of forces  
(IRS, credit card debt,  
alimony payments, outstand-  
ing loans, emergency bills,  
health-care costs) step in line  
ahead of you to claim YOUR  
money.

**A ROADMAP TO YOUR FUTURE**

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# ASSOCIATION PERSPECTIVE

by Barry Thomas


## The Blessing of Community

As I compose this edition of the *Association Perspective*, I sit in the Jefferson Dormitory in Quantico reflecting on the significance of community to our profession. I ponder this as we just wrapped up our 2016 Chapter Officer's Meetings that were held on the FBI Academy grounds March 30 through April 2. I'm so thankful to Assistant Director Mark Morgan and his wonderful staff for welcoming us back to the hallowed grounds we all at one time called "home". For those that don't know, we annually hold an event, hosted by the FBI, where officers from our forty-four domestic and four international chapters gather together to train, discuss association business and network. It is a wonderful opportunity for many to get back to the Academy again and relive what was for many of us, the best experience of our professional career.

So, why did my latest visit to Quantico inspire so many thoughts on community? The answer is multi-faceted. First, hearing the in-depth discussions by those in attendance regarding community engagement was inspiring. In spite of the difficult times facing us in law enforcement, when it would be easy to try and distance ourselves from the public, they were actively pursuing ways to improve our standing with those we protect and serve. While they could have easily spent their time complaining about how we are being treated in the media or by the vocal minority in some jurisdictions, they instead took the high road as great leaders do. They discussed being actively engaged with civic leaders and talked about ways to work with citizens to jointly impact how society views police in general. It was encouraging to hear those FBINAA leaders forging the way to stronger bonds in their communities. It was equally encouraging to know that across the globe, many of the citizens living amongst us are interested in embracing and assisting us to establish and maintain a good standing with the public. When that togetherness is in action, everyone wins. As broadly defined by Merriam-Webster, a community is a unified body of individuals that interact to promote social, economic and political interests. In those areas where we, the police, and our civic leaders are working together, we truly are establishing a "community" that makes life better for everyone. For those working in an environment like that, the harmony is truly a blessing.

Additionally, my most recent time at the FBI Academy made me appreciate the law enforcement community I'm a part of; especially those FBINAA members I'm honored to be associated with most closely. As you all are keenly aware, we are facing the most difficult period for the law enforcement profession in recent memory. The first quarter line of duty deaths for officers in 2016 is staggering, especially those that have been killed by gunfire. Additionally, many of our international counterparts, especially our European brothers and sisters wearing blue, are now on the front line of the war on terror and are being attacked on a regular basis. You add that to the critical media outlets that seem to thrive on tearing us down and appear to be preoccupied with the



mistakes that a small few in our profession make while traditionally ignoring the good done by 99.9% of us can make for very discouraging times right now for those in law enforcement. However, what I saw in Quantico wasn't an angry resentful mob, sulking about our current situation. What I saw was a cadre of champions supporting each other and discussing how we, as the leaders of our communities, can pave the way to a brighter future. It was so reminiscent of when I attended Session 223 of the National Academy back in 2005. Being surrounded with like-minded people dedicated to learning, growing and being the best that they can be. You see, that is the beauty of being surrounded by those that have proven themselves worthy of the National Academy experience. They are a community of brothers and sisters, a family that lifts one another up while searching for answers to the most challenging problems facing our world. I am so blessed to be a part of that community and thank God for each and every one of you that is part of the world's most noble occupation; law enforcement. 

Take care and God bless,

*Barry Thomas*

Barry Thomas



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# CC CHAPTER CHAT

The intent of this column is to communicate chapter news. Announcements may include items of interest, such as member news, section activities, events, training calendar, special programs, etc. Refer to the editorial submission deadlines, particularly with date sensitive announcements.

Submit chapter news/high-resolution digital .jpg or .tif photos with captions to:

Ashley Sutton, Communications Manager

ph: 302.644.4744 | fx: 302.644.7764

asutton@fbinaa.org

## ARIZONA

■ **Bob Irish**, 113rd Session, was awarded the 2015 Presidential Award, also known as the "Gaylord Bronze" in honor of Chief Joseph Gaylord. This award is given by the Chapter President to an individual he/she feels has made an outstanding contribution to the Chapter during the past year. Congratulations, Bob. Very well deserved!



(L-R) Joe Gaylord congratulates Bob Irish on the 2015 Presidential Award.

■ Both our **Spring Membership BBQ** in Chandler and the **Spring Training** in Prescott were well attended. The BBQ was a fun evening for all. For our Spring Training we were fortunate to have informative presentations on the Boston Marathon Bombing, the Sandy Hook Shooting, and the local Walmart Shooting in Cottonwood.

■ Our **Arizona Leadership, Education and Development Academy (ALEAD)** for high school students is scheduled for June 5-10 this year. Thanks go out to Surprise Assistant Chief **Geoff Leggett** for his work on the Academy.

## PROMOTIONS

■ **Santiago "Jimmy" Rodriguez**,

256th Session, was promoted to Deputy Chief for Goodyear PD

■ **Anthony Lythgoe**, 252nd Session, was promoted to Assistant Chief for Mesa PD

■ **Michael Soelberg**, 258th Session, was promoted to Assistant Chief for Mesa PD

## RETIREMENTS

Congratulations to the following on their retirements. Thank you for your service:

■ Tucson Police Chief **Roberto Villaseñor**, 229th Session

■ Cottonwood Police Chief and Past President of the Arizona FBINAA Chapter **Jody Fanning**, 225th Session

■ Pinetop-Lakeside Police Chief and Past President of the Arizona FBINAA Chapter **Ron Wheeler**, 232nd Session

■ Gilbert Commander **Kenny Buckland**, 242nd Session

## FLORIDA

■ The **Duval Lawmen's Association Annual Fish Fry** has been organized by 1983 Florida Past President **Vernon Branch** and Area Rep **Mike Hardee**.



Florida FBINAA members at the Duval Lawmen's Association 8th annual spring fish fry.

■ **Chris Daniel** was named as Chief of Police at the University of South Florida Police Department in Tampa, FL in March 2016. Chris, was a graduate of

the 241st Session, and he previously served as the Assistant Chief at USF. He was placed in an interim Chief capacity in October of 2015, before being formally announced in his new role.

## CALIFORNIA

■ Captain **Ann Young** began her career with the LAPD on June 29,

1981. She moved up the ranks of leadership positions, which included uniformed police officer,

detective, sergeant and lieutenant. Captain Young entered the history books on April 9, 2000, by cracking the glass ceiling and becoming the first female African America Police Captain in the history of the LAPD. During the course of her career she worked assignments which included Central Traffic Division, South Traffic Division,



Ann Young

graduate of the Federal Bureau of Investigations National Academy Associates, 195th Session. She served on the California Chapter Executive Board as the Training Manager during the 2011 National Training Conference in Long Beach, CA.

Captain Young is a very special individual who inspired by encouragement and led by example. Her subordinates enjoyed working for her because of her commitment to integrity and the positive upbeat leadership style she utilized to motivate and shape those working around her. All of the assignments she worked proved to be both exciting and challenging and she performed in an exemplary manner. Captain Young excelled in athletic events, mentored at-risk girls in local schools, and held key board positions on several executive law enforcement organizations. She will continue these passions after she retires. Captain Young's retirement will be effective on July 13, 2016.



(L-R) Captain White and SAC Miller.

■ The California Chapter congratulates Captain **Jaeson White** from the California Highway Patrol as a Distinguished Graduate of the 262nd Session. He was

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# CHAPTERCHAT

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selected to attend the Academy by the Sacramento Field Office. Jaeson excelled in all aspects of the Academy including academics, networking and fitness. Captain White is currently assigned to the California Highway Patrol Headquarters. He is joined by Special Agent in Charge, **Monica Miller** of the Sacramento Field Office.

## ANNUAL TRAINER AND CONFERENCE

■ The California Chapter is proud to announce that it will host its **annual training conference** on the coast in beautiful Monterey, California. The venue for this event will be the Monterey Hyatt and Spa from September 5 to September 08, 2016. Our 1st Vice President and Conference Chair **Ken Tanaka** and his committee are hard at work to provide a memorable experience. The theme, *21st Century Policing*, is packed full of current events and exciting speakers. The Monterey area provides numerous activities for all so bring the family. The unbeatable rate of \$131.00 per night for two can be extended to heighten your experience. All resort fees have been waived but hurry, reservations must be made by August 5, 2016. Please register at <https://www.eventbrite.com/e/fbinaa-inc-california-chapter-advanced-trainer-2016-registration-20099386807>. If you have any questions our Committee Chairman, 1st Vice President Tanaka will be happy to answer any questions at **Kenneth.tanaka@wvm.edu**.

## PROMOTIONS

■ Congratulations to our very own **Johnnie Adams**, Session 222, National 3rd Vice



Johnnie Adams

President and Past California President for his appointment to Chief of Police of the Santa Monica College Police Department.



(L-R) Dawson, Jensen, and Rehberg.

## IOWA

■ We welcome the following Iowa attendees to the FBI National Academy Associates. Captain **Jeremy Jensen**, Dubuque Police Department, and Special Agent-In-Charge **Dan Dawson**, Iowa Division of Criminal Investigation recently completed the 264th Session. Sergeant **Mark Rehberg**, Clive Police Department, will be attending the 265th Session shortly. They are pictured here at the luncheon at FBI-Omaha on March 22, 2016

## KANSAS/W MISSOURI

■ Hello to everyone from the Kansas-Western Missouri Chapter! We have several of our distinguished members from our Chapter retiring that we would like to honor!!

■ Captain **Rick Wilson**, 226th Session, retired April 1, 2016 from the Kansas Highway Patrol after serving 40 years in law enforcement! Captain Wilson has worked with the KHP



Rick Wilson

for over 33 years. In addition, he served with the Frontenac, Mo Police Department and the Crawford County, KS Sheriff's Office. Over the past 40 years,

Captain Wilson is most proud of his accomplishment of being chosen and attending the FBI National Academy in 2006. He is going to take the summer off and consider a 'retirement job' this fall!! We wish him well in his retirement and many relaxing days!!

■ Deputy Chief **Mark Kessler**, 174th Session, retired from the Overland Park, KS Police Department on March 1, 2016 after serving his community for 37 years! Deputy Chief Kessler worked his way up through the ranks and served his entire law enforcement career in Overland Park, KS. He is unsure of a new job for now and we hope that he takes some time off to enjoy retirement! We wish Mark all the best!!



Mark Kessler

## MARYLAND/DELAWARE

■ On March 31, 2016 the Maryland-Delaware Chapter Executive Board met for a luncheon with the recent graduates of Session 263, and the candidates

of Session 264 who begin their 10 week venture at Quantico on April 4, 2016.

## MICHIGAN

■ After 21 years of service with the Shiawassee County Michigan Sheriff's Office, **David Kirk**, from 222nd Session, has recently accepted the post as the Chief of Police in Portland, Michigan.



David Kirk

■ Members of FBINAA Session 220 reunite during the FBINAA Michigan Chapters "Ice Breaker" event. This picture was taken during the Michigan Police Chiefs 2016 Winter Conference on February 3rd, in Grand Rapids.

## NEW ENGLAND

Please join me in congratulating several fellow NH grads on their recent accomplishments.

■ 3rd Vice President of the National Executive Board and Deputy Chief of the Rochester, NH Police Department, **Scott Dumas**, 226th Session, has been named the new Chief of Police for the Rowley, MA Police Department. NH's loss is MA's gain and I'm sure Scott will do very well in his new position.

■ **Bill Shupe**, 250th Session, has been named the permanent Chief in Exeter, NH. Bill had served as interim chief for the past few months and obviously made the right impression!

■ I would also like to recognize Chief **Nick Willard** of the Manchester, NH Police Department. Chief Willard, 247 Session, has been named to a national task force to combat the opioid crisis. Chief Willard is the only law

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# CHAPTERCHAT

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Maryland/Delaware Chapter: (L-R) Fire Marshal Kevin Frazier – Montgomery County Fire Marshals Office, Lieutenant Michael Hertzfeld – Delaware Capitol Police, Special Agent Van Mance – Air Force Office of Special Investigations (OSI) and Captain David Folderauer – Baltimore County Police, Maryland.



Michigan Chapter: (L-R) Mark Newman (Captain retire Oakland County Sheriff's Office), Gordie Warhock (Chief Forsyth Twp. P.D.), Fred Posavetz (Chief Clinton Twp. P.D.), Mark Barnett (Chief Ludington P.D.), and Greg Lawrain (Director Public Safety Van Buren Twp.).

enforcement representative on the board commissioned by the National League of Cities and the National Association of Counties.

## NEW JERSEY

■ Chief **Peter Thomas Neillands**, 93rd Session, 89, passed away January 27, 2016. He was born and raised in Cliffside Park, NJ. He was drafted into WWII and served in combat in the Philippines and Okinawa. Upon his return home, he moved to Leonia, NJ, where he went on to a distinguished 41-year career in law enforcement, retiring as the Bergen County Police Chief.

## NEW YORK/E CANADA

■ Chief **Mike Bellai** began his police career in 1988 with the Peel Regional Police Service.

In January 1990 Chief Bellai became a Constable with the Stratford Police Service. He has had a number of different assignments including: Uniform Patrol, Emergency Response Unit officer and supervisor, Criminal Investigations Detective, Criminal Intelligence, Drug Enforcement, Sergeant in charge of the Drug/Intelligence Unit, Inspector of Support Services and Deputy Chief of Police. Chief Bellai has a Diploma from Conestoga College in Law and Security Administration, a Bachelor's degree from The University of



Mike Bellai

Guelph in Justice Studies, Police Administration Certificate from Dalhousie University, and is a graduate of National Academy's 258th Session.

## WASHINGTON RETIREMENT/ TRANSITIONS

■ **Pete Fisher**, 247th Session, formerly of Bremerton PD, was hired as the Police Chief for the City of Fife effective March 28th.

■ **Bill Bryant**, 226th Session, Bellevue PD, retired as of 4/1/16 after 35 years on the job.

Karen Manser, 188th Session, Lynnwood PD retired as of 4/1/16.

■ **Dennis McOmber**, 237th Session, Tukwila PD retired as of 2/29/16.



Bill Bryant

■ **Jim Costa**, 219th Session, Olympia PD, retired 4/15/16. Wes Rethwill, 254th Session, has retired from the Washington State Patrol and is now serving as the Undersheriff in Lewis County.

■ **John Green**, 222nd Session, works as an instructor at Northwest Technical Academy at the Skagit Valley College Campus.



Jim Costa

■ **Ron Gibson**, 222nd Session, announced his retirement as Chief of Police for the City of Redmond, WA after nearly 37 years of public service. Ron was appointed Chief of the Redmond Department in June of 2010. Prior to coming to Redmond he served as a police

officer for nearly 31 years in Colorado Springs, CO. His last assignment in Colorado Springs was as the Deputy Chief of Patrol Operations. Chief Gibson holds a BS Degree in Sociology from the University of Southern Colorado and a Master of Criminal Justice from the University of Colorado. Ron was an active member of both the Colorado and now Washington Chapters of the FBINA, IACP and PERF. Ron served the IACP as a past member of the Civilian Law Enforcement –Military Cooperation Committee and authored an article for Police Chief Magazine in 2009 concerning best practices in civilian and military law enforcement cooperation. Ron and his wife of 40 years plan to remain in the Northwest, travel and enjoy time with their three grandchildren.



Ron Gibson

■ On April 8th, **Kristi Wilson**, 251st Session, will be sworn in as the new Chief for the Redmond PD. Kristi worked as an officer with Anacortes PD for 5 years before going to Redmond. She has a total of 23 years with Redmond PD. Kristi has a Bachelor's in Sociology from Central Washington University (where she was also inducted into the CWU Athletic Hall of Fame for basketball). She also earned a Masters in Organizational Leadership from Gonzaga University in 2013. Her assignments while with Redmond PD include being a



Kristi Wilson

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**HOW A SIMPLE  
CONVERSATION  
CHANGED MY LIFE –  
*and* SAVED MY CAREER**

Melvin Allick II

## OFFICER SAFETY AND WELLNESS

The Executive Board of the FBI National Academy Associates is dedicated to furthering the conversation on officer safety and wellness issues that impact the law enforcement profession. Moving forward, members can expect articles in each Associates Magazine that highlight challenges that are inherent to the profession and present solutions to those looking to enhance their own personal resiliency or that of their agencies.

Only three years into the profession I love, I turned into the very person I promised myself I would never become. Every day I salivated near the end of my shift for the taste of my first drink of the day. The problem was that the first drink was inevitably followed by a calculated number of additional drinks, right down to the point I knew I could sober up for my next shift. In 2011, I would endure a family crisis that would take my drinking to a whole new level, and would lead me down the road to nearly being terminated as a result of my off-duty behavior. My hope is that by unabashedly detailing the struggles I have faced, as well as the help I sought and received, some possibilities may open up for you or someone you know in law enforcement that could end up saving their job, their family, and potentially, their life.

As I explained, while my drinking eventually reached a breaking point, thankfully, my behavior did not result in me losing my job or being placed on special duty of some sort. I got the help I needed, and today, I am no longer a liability to myself, my family or my employer. I am sober, I have since promoted, and my agency supports my passion to share this message of hope, health and wellness with you.

When I was in the U.S. Armed Forces, my comrades and I had a “work hard, play harder” mentality, and because alcohol was an easy way to manage the day-to-day rigors of the job, it was my chosen coping mechanism. When I left the service and joined the Texas Department of Public Safety, I still found myself wanting to drink hard. That behavior did not represent the high standards reflective of a State Trooper, so I became secretive in my indulgences. Shortly after the family crisis in 2011, while I managed to keep my work production and performance high, the turmoil at home


overwhelmed me. From January 2012 to June 2012, I was punitively written up twice for off-duty incidents. The first incident was related to my off-duty behavior in which alcohol was an element of the complaint. Not long after, I was involved in another off-duty, alcohol-related incident that very well could have left me dead. I knew termination was imminent at the rate I was going, but I had no idea how to change gears. I have always known how to help other people, but it was becoming clear that I could not help myself. Against all odds and despite the perceived stigma of consulting a professional, I decided to seek help from the department’s counselor. I thought I would be required to relinquish my badge and weapon the minute I stepped foot in her office, but I braved the consequences and went in anyway.

Contrary to my apprehension, the conversation was simple, and the meeting was straightforward. Before I knew it, I was voluntarily sitting with a psychologist. Apparently I had a number of challenges to work through, so I was asked to consider seeing a psychiatrist. I was terrified of losing my job, and even more terrified of losing my family – so I agreed. The psychiatrist recommended a three-month outpatient therapy group for me. The whole process was confidential, and I was not required to disclose my personal struggles with anyone else at work. Nonetheless, after sharing some information with my chain of command, I was pleasantly surprised at how supportive they were through the process. I later learned that the personal accountability I demonstrated in addressing my problems had a significant impact and impressed them. My work production increased beyond expectations in 2013, and as a result, I was awarded the *Regional Commanders Award for Traffic Enforcement Excellence*. I was subsequently promoted to Sergeant on March 1, 2014 – which to me was an incredible feat after having faced the possibility of termination only a year earlier. Starting a conversation with that counselor was the best decision I’ve ever made, and it has since put me in a position to promote the positive and life-changing impact of simply asking for help.

Today my marriage is thriving rather than surviving. My career is stable, and my job responsibilities continue to increase. Since my last drink on June 25, 2012, at 3:30 am, I now find myself living a happy life while still wearing the uniform I so dearly love. I have never been a quitter, but seeking help to quit my destructive behavior is one of my proudest accomplishments – because it brought honor back to my life and my career.

## TO MY BROTHERS AND SISTERS IN BLUE

Struggling in this profession doesn’t mean you’re weak – it means you’re NORMAL! We have an opportunity and obligation to come together on this important issue – to support one another; to simply ask a colleague how they’re doing; to squash the old culture views that seeking help is a weakness; to instead encourage and support our colleagues in their efforts to better themselves both on- and off-duty. Looking back, it is now clear to see that I was never alone in my personal battle – even at work. In fact, a specialized section of our department was instituted to help its employees deal with their struggles. My counselor’s door was always open – just waiting for me to walk in and begin a humbling and honest conversation.

So how about you? Are you willing to start a potentially life-altering conversation today – with a colleague in need? With your own agency’s leadership to help promote similar services for its employees? Or maybe with a counselor, about your own struggles? I encourage you to take the brave and important step of beginning these simple conversations within the law enforcement community – it could very well save a career, a family, or a life. 

*About the Author:* Melvin Allick is a Training Sergeant with the Texas DPS Academy, he has been my honored to engage in the development of the most dynamic and culturally changing resilience seminar. With the support of a progressive chain of command, Lacy Wolf and Melvin are challenging the law enforcement community to look in the mirror, and thrive through a tough life style rather than continue in the survive ethic that is common place. If you’re a leader, or an officer

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# REACHING OUT TO A MEMBER

Member Since 1967  
California Chapter | 80th Session

Gina Di Napoli

When a California Chapter member contacts the National Academy Associates to say he no longer has anything to offer, we take it seriously. So, I contacted the member, **Bert Seymour** and found out that he had plenty to offer, he just didn't know it! Bert, who is 91 years old, was born in Ventura, California on June 12th, 1924, before the days of computers, cellphones, DNA, in-car cameras and all the other technology we take for granted today.

**B**ert grew up in Fletcher, OK, where his father worked in the oil-fields and later owned a furniture store. Bert's father knew the infamous Jesse and Frankie James as they both moved to the town of Fletcher after being granted amnesty. During his teen years Bert's job was delivering furniture for his father after school. In 1942, at the age of 18, Bert joined the U.S. Army Air Corps and worked on B-17s. The Second World War was going strong and after a year in the States, Bert was shipped to a military base in England, where he stayed until after the war returning Stateside in February of 1946. Still a young man and now back home in Ventura, Bert decided to get into law enforcement. There were no other members of his family who had been in law enforcement and there have been none since, but Bert joined the Ventura County Sheriff's Department and became the first Deputy hired after World War II.

There was no formal hiring process in those days, the Sheriff interviewed a number of candidates and if he liked you, you were given a set of keys to the patrol car and told to go and fight crime. Like Bert says, "I knew killing, stealing and things like that were wrong, but I didn't know about the Penal code or the Vehicle Code". Few new hires got to work in the jail as there were permanent jailers. When Bert was hired, the Department needed a B.I. (Bureau of Investigation) guy, today we

would know it as C.S.I. (Crime Scene Investigator). So Bert was sent to Los Angeles, to a two week fingerprinting school to learn how to identify prints, take photographs, etc., which was the foundation for a major part of his career, going on to become an "expert witness" in Superior Court for photographs and fingerprints.

In the 1950's movies and TV were mostly in black and white, crime scene photos were also in black and white. However, color was starting to become more popular and the Bureau of Investigation where Bert worked also began using color film. This disturbed the District Attorney as he was concerned that the gory color pictures would inflame the jury, so color pictures were slow to enter the courtroom and pictures continued to be taken in both black and white and color. Elizabeth Duncan "Ma Duncan," one of the last females executed in the gas chamber at San Quentin for hiring two men to kill her 7 month pregnant daughter-in-law, was one of Bert's first color cases.



*Bert Seymour; (L-R) Treasurer Cris Trulsson presents Bert with a check, a chapter shirt and coin.*

In those early days it was all "on the job training", there was no Police Academy, a deputy even had to provide his own gun. It wasn't until 1960, when Bert was a Lieutenant that he started a training academy and the idea of formalized training came into being. Five weeks of intensive training at a live-in academy. Bert, being the resourceful man he was, had one wing of the County jail converted and that was used as the academy. Not only did the training become formalized, but Bert was also instrumental in formalizing the interview process and keeping personnel files on the officers.

In 1967, at the rank of Chief Deputy, Bert attended the FBI National Academy, 80th session, he was the first from his Department to attend. Bert, like many others, considers this the highlight of his career. Bert explained that in 1967 the building in Quantico didn't exist, only Hogan's Alley. Where the FBINA building is now there were only trees. Chainsaws could be heard most of the day felling trees preparing the ground for building. When I asked Bert where he stayed during his academy days, he stated, "we were given a list of boarding houses and rooms to let and from that list we made our own arrangements. The classes took place in a Barracks Building in Washington DC, we were there the whole 3 months, except for the two weeks at Hogan's Alley." Bert and other class members rode public transport to get to the classes. Bert had a 45 minute bus ride there and back every day as Bert had a rented apartment in Alexandria to cater for him, his wife, their three children and his wife's mother who had come to help with the children, the youngest of which was two and a half years old. When I asked Bert whose idea it was to have his whole family there, he said his wife had made the arrangements! No other classmate had their family there, so Bert missed out on some of the 'after hours' socializing, he had a family to go home to. There were a 100 people in Bert's class, all men,

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## CHAPTERCHAT

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member of the Accreditation Team, Field Training Officer, Background Investigator, Redmond Police Association President, Oversight of the Defensive Tactics program, Range and Rangemasters, Field Training Officer program, Department Budget Coordinator and an active member of the city's Technology Committee and the department's Technology Team. Kristi promoted to Lieutenant in June, 1997; supervising the Administrative Systems Division, and later served as a Patrol Lieutenant and Operations support Lieutenant. In December, 2006 she was promoted to Administrative Commander responsible for internal investigations and department recruiting and training, and later she also served as Support Services Commander. She was promoted to Assistant

Chief on July 2, 2012; her duties included overseeing the day to day police operations and budget.

■ On April 16th, **Cherie Harris**, 258th Session, will become the new Chief for Kirkland PD. Harris has over 23 years of law enforcement experience. At the City of Kirkland, she has served as Acting Chief, Professional Standards Captain, Operations Captain and has held a wide variety of supervisory and command positions throughout her career. She



*Cherie Harris*

previously held the position of Deputy Chief in the Monroe Police Department. Harris is a member of the International Association of Chiefs of Police, the Washington Sheriff & Police Chiefs Association's Accreditation Committee and is an Accreditation Assessor. She has a Bachelor's degree in Social Sciences from Washington State University, has attained Executive Level Certification through the Washington Criminal Justice Training Commission, and as well as graduating from the NA, she also attended Northwestern University's Center for Public Safety School of Police Staff and Command.

Harris has a history of community outreach and is involved in the downtown Kirkland Rotary Club, Special Olympics of Wash-

ington, a Board Member for an area Food Bank, and participates on a state wide Incident Management Team (IMT) that supports the Behind the Badge Foundation, a trusted resource for the law enforcement community during times of critical need. Harris is also the proud mother of two. Her daughter is currently attending Western Washington University and her son will be attending Washington State University in the fall.

■ **Lonnie Hatman**, 191st Session, reports: I retired (again). In June of 2015, I sold my house in Chehalis (didn't need the big house after all the kids moved out), found a quiet, secluded 5 acres just off the water west of Olympia and only 7 miles from the grandkids. My wife Mary

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# IS CIVIL FORFEITURE DEAD?

Albert L. DiGiacomo

If civil forfeiture isn't dead, it is certainly on life support. Major shifts in attitudes of criminal justice scholars, government agencies and the public have seriously damaged the ability of local law enforcement agencies to continue to supplement their shrinking budgets through the civil asset forfeiture process.

**O**n January 16, 2015, the U.S. Department of Justice (DOJ) announced they would no longer accept adopted cases for civil forfeiture unless local police agencies were actively engaged in joint task forces with federal agencies.<sup>1</sup> This applies to municipal, county and even to state law enforcement agencies. In a more recent and dismal announcement from the DOJ on December 21, 2015, equitable sharing funds to local, state, and tribal agencies have been suspended for the foreseeable future due to budget considerations.<sup>2</sup> This unilateral action by the DOJ took the IACP by surprise; and not a welcomed surprise. IACP's recent comment on this program modification was "given the immense impact that this decision will have on agencies throughout the country, it is simply unconscionable that such a decision could be made without their input".<sup>3</sup>

## Value of Asset Forfeiture

Historically, asset forfeiture actions are as old as our country. Our early Congress approved forfeitures based on British maritime laws as way of ensuring tariffs and taxes were paid to support

the new republic. During the Prohibition Years, government forfeiture was used to seize equipment as a way of hampering the bootlegging industry. However, the modern use of civil asset forfeiture arose from the emerging illegal drug trade in the 1980s'. The 1984 Comprehensive Crime Control Act allowed equitable sharing of forfeited assets between federal and local law enforcement agencies. State agencies also created their own form of civil asset forfeiture.

There is no question of the inherent value of civil forfeiture when dealing with transnational drug cartels where seizing assets within the U.S. borders can be the only achievable action when criminal prosecution is not likely. And no one seems to object when civilly forfeited funds are returned to investors after they have been swindled through sophisticated ponzis and other financial crimes.

## What Is Civil Asset Forfeiture?

Asset forfeiture, specifically civil asset forfeiture, has become a steady source of funds for police departments for the past two decades. The

civil asset forfeiture process is a legal action placed against property (in rem), meaning "against the property," not the individual (in personam), "against the person." This legal distinction allows forfeiture hearings to accept a lower standard of proof that the property was a tool or proceed of a specific illegal activity. This separate action against property can result in forfeiture regardless of a criminal conviction for the underlying facts surrounding the original seizure. In fact there does not need to be any criminal charges for civil forfeiture to proceed. According to DOJ statistics 78% of all federal forfeitures between 2008 and 2013 were civil forfeitures without criminal prosecutions.<sup>4</sup> Law enforcement agencies have received billions of dollars over the past two decades through state and federal forfeiture actions without the need for criminal convictions. We assumed that this revenue stream would never end.

## So What Happened?

Two of the major areas of recent attacks on civil forfeiture actions involve the actual

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## Is Civil Forfeiture Dead? *continued from page 14*

process of civil forfeiture, and the distribution or beneficiary of the asset. The concerns of the process include the 1) standard of proof levels needed for successful forfeiture action, and 2) the burden of proof involving innocent ownership. Civil forfeiture evidentiary standards under federal guidelines, and those of most state forfeiture laws, are by definition, a preponderance of the evidence. And because the forfeiture action is a civil procedure, indigent property owners cannot use a public defender to represent them at forfeiture hearing. Additionally, at civil forfeiture hearings innocent owners of seized property bear the burden of proof to show that they were unaware of the use of the property for criminal purposes.

Some of the problematic areas of civil forfeiture were revealed in a notable 2014 case in Philadelphia that involved the seizure of a home owned by **Christos Sourovelis** when his son was arrested for selling \$40 worth of illegal drugs outside of the property.<sup>5</sup> The Philadelphia District Attorney's Office seized that property under Pennsylvania's state civil forfeiture law but was legally challenged on constitutional and due process aspects of the forfeiture process. After Sourovelis successfully filed a class action federal lawsuit, enjoined by the Institute of Justice, the DA's Office not only dropped the forfeiture action against Sourovelis, but in 2015 amended future civil forfeiture procedures.

This Philadelphia forfeiture action prompted a closer look by a watchdog agency at that city's civil forfeiture program. A 2010 study of the Philadelphia District Attorney's forfeiture program identified an average of \$550 of currency seizures in approximately 8,000 forfeiture cases. A stark contrast when compared to the average \$25,000 per case in civil forfeiture actions by Los Angeles County.<sup>6</sup> These relatively small currency seizures seems to suggest that some programs do not always represent the designed goals and objectives of asset forfeiture by interrupting the revenue stream of drug cartels or by restoring sizable funds to financial crime victims.

### Policing for Profit?

As much controversy as there is regarding the legal process of civil forfeiture, the distribution of forfeiture funds is likewise criticized. Here is where the inference of "policing for profit" is introduced. In both state and federal guidelines governing asset forfeiture, disposition

of the assets are always returned in some way to the law enforcement agencies that initiated the action. Forfeiture laws in most states return all forfeited property back to state or county prosecutors to divide with the seizing police department(s). Police departments have circumvented more restrictive forfeiture laws in some states by turning to the federal equitable sharing program through federal adoptions. Critics have commented that police departments use the civil forfeiture laws as an incentive to prioritize aggressive policies toward seizures. But before we attribute any profit motivation just to police departments, we should look closely at municipalities that may intentionally alter police budgets by projecting anticipated forfeiture funding. Under such circumstances police departments could reasonably see asset forfeiture as economic survival.

And police agencies rarely see dollar for dollar returns; especially when local prosecutors' offices use substantial forfeiture funds to pay for full time salaried positions that administer the forfeiture process. Some police departments see minimal returns with spending restrictions from county and state prosecutors' offices and instead opt for the federal equitable sharing program where the returned funds are clearly defined and spending less restrictive.


### End of Equitable Sharing?

The new DOJ restrictions in the equitable sharing program may be reflecting Washington's concern of how forfeited funds have been used by police departments, as suggested by Chief **Steve Evans** of Collinsville, Illinois. Evans states that in the wake of the Ferguson civil unrest, police were criticized about the use of equipment characterized as "military."<sup>7</sup> Tactical equipment, including armored vehicles, has often been purchased through the equitable sharing program. Chief Evans may certainly have a point when examining Presidential Executive Order 13688 issued on January 16, 2015. This order specifically mentions community concerns regarding the Ferguson incident.<sup>8</sup> The executive order restricts local and state law enforcement agencies from using federal funds to purchase military equipment such as tracked vehicles, .50 cal weapons and bayonets. Other allowable tactical weapons and equipment come with strong language to protect community civil rights. This order would certainly pertain to funds acquired under the equitable sharing program. Ironically if there was ever a pervasive community fear

that local police were becoming over-militarized by the acquisition of tactical equipment, the recent terrorist incident in San Bernardino certainly validated the critical need of military type equipment by law enforcement.

The likely future of civil forfeiture programs: To address some of the many concerns of the legal application and the appropriate distribution of assets from civil forfeiture, two Pennsylvania state senators, **Mike Folmer** and **Anthony Williams** have proposed a bill that would modify that state's forfeiture laws, SB869.<sup>9</sup> SB869 would not only eliminate the pernicious practice of civil asset forfeiture by requiring a criminal conviction, it would also limit how proceeds from forfeitures can be used, squashing the perverse profit motive often behind seizures. Property would be transferred to a general fund, not directly back to law enforcement agencies. This legislation would likely eliminate or reduce supplemental law enforcement funding.

Other states may propose similar legislation to increase the standard of proof from "preponderance of evidence" to at least a higher level of "clear and convincing".

Recent litigation and media-influenced public opinion has presented a challenge to the entire civil forfeiture process and is prompting serious changes to state laws. And with very few exceptions the federal government has all but closed the door on the equitable sharing program. Police agencies should continue seizures where legally and reasonably appropriate, but can expect the possibility of diminished returns, increased scrutiny, and legal challenges to their efforts. 

*About the Author:* **Albert L. DiGiacomo** is a retired captain in the Philadelphia Police Department, and former Chief of Detectives in Chester County, PA. He is a graduate of the 186th session of the National Academy and is qualified as a subject matter expert in police management and practices. He is currently a tenured track faculty member in the Criminal Justice Department at West Chester University of Pennsylvania.

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- 4 Institute of Justice, "Policing for Profit"
- 5 *Sourovelis v. City of Phila.*, No. 14-4687
- 6 *Isaiah Thompson*, City paper
- 7 *St. Louis Post Dispatch*, December 23, 2015
- 8 Presidential Executive Order 13688
- 9 Pennsylvania Assembly, 2014-2015

**Reacng Out to A Member** *continued from page 12*

there was no uniform, but a shirt and tie was the order of the day. The classes were not affiliated with any university and the subjects taught were on current affairs, such as racial issues and riots. When shooting, class members used shotguns and handguns. Bert used his Colt 38 special, which he had brought with him. Each class member furnished their own weapon and everyone had something different, which had its limitations, one being you couldn't share ammunition. Physical exercise didn't take place as there was nowhere for it and no place to shower afterwards, so no "yellow brick road".

Upon graduation, which took place in the Auditorium on the Mall in Washington DC, Bert got to shake hands with **J. Edgar Hoover**. Ninety nine out of 100 class members graduated that day as one was sick. Addressing the graduates were **J. Howard Wood**, chairman of the board of directors of the Tribune Co., Chicago, Ill; Los Angeles Chief of Police **Thomas Reddin** and Sheriff **Herbert Brown**, Winnebago County, Rockford, ILL. who was class President. The graduates were from 43 States, the District of Columbia, the U.S. Army, Air Force and Marine Corps, White House Police, National Park Service, Canada, Guiana, Korea and Malaysia. Including the 80th Session, this made a total of 5, 235 people who had graduated from the FBI National Academy.

As side trips from the National Academy are a big attraction, I asked if Bert and his class had taken any. Bert told me the class members had to provide their own transportation. He had driven there from California with his wife and family in their Chevrolet station wagon with bench seats and no seatbelts, so he and his family were able to take a side trip to New England to visit friends and see the fall colors.

Another question put to Bert was whether attending the Academy had helped his career. He told me that in those days there were lots of Chief positions filled by young graduates. The City only hired FBINA graduates. Being a graduate definitely helped Bert, who never had a college degree, he went on to become the first Chief of Police for the City of Camarillo when it became VSO's first contract city.

Bert retired in January 1975 and later took a part-time job with the Ventura Co. Superior Court (where the **Rodney King** trial took place), as the Juvenile Traffic Hearing Officer. He remained in that position for 17 years, retiring again in 1992. Bert remained loyal to the FBINAA, attending conferences and the occasional get together. There were no organized training lunches at that time, and it wasn't until this year that Bert decided he no longer had anything to offer. Hopefully, I have been able to convince Bert that his contribution to law enforcement is as important today as it was back then. He is a window to a past that many officers today have no idea about and having a witness to tell us of that era helps give us an appreciation of just how far we have come due to members like Bert.


A few weeks after having met Bert and his wife **Nancy**, myself and two other local Board members met at their house for lunch. Meeting at the member's house was their request as Bert is a little hard of hearing (not surprising at 91 years old!). We brought lunch for us all and on our arrival Nancy had set the table with a beautiful china tea service, she had also squeezed fresh orange juice and made the most terrific coffee, so the necessities were taken care of!

Bert entertained us with stories of what life in law enforcement was like in the 1950's and he chatted about local Deputies we knew that he had played tennis with some years back. After lunch, we presented Bert with a check for his overpayment of dues, along with a chapter shirt and coin. Also, our Treasurer, being the caring and thoughtful guy



*There were many firsts in Bert's career, receiving a new coffee pot was not one he was expecting. Bert can be seen on the right of the picture; FBINAA 80th Session, class of 1967; (L-R): Cris Trulsson (Treasurer), Gina Di Napoli (Secretary), Bert Seymour (Member), Wayne Ikeuchi (Historian).*

that he is, gave Bert's wife, Nancy, a pretty FBINAA Christmas ornament. Both Bert and Nancy had no idea they were going to receive anything but a few friends for lunch, so this part of the luncheon came as a big surprise. Bert kept saying that he couldn't believe a few lines on an email had generated so much for him and later Nancy confessed to me that Bert had been feeling that life wasn't holding much for him of late and our lunch had given him meaning and totally lifted him up. What a blessing to have made such a huge difference in the life of a member.

Bert and Nancy are two beautiful people who were active members of the IPA (International Police Association) and are extremely well traveled. They are interesting and have certainly made us feel a part of their family, which is a little ironic considering I was trying to keep them a part of our family! They cannot believe that being a part of the NA in 1967 would give their life meaning nearly fifty years later... WOW, how cool is that. 

# CHAPTERCHAT

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and I are enjoying the deer, owls, eagles, and various other critters that wander through what we affectionately call "the compound". I have taken up an old hobby I haven't had time for in years (working on old cars). After over 30 years in law enforcement I am happy to let the young folks carry on. I am looking forward to travelling this summer and seeing new things.

## QUANTICO

■ The official grand opening and ribbon cutting ceremony at the new NAA Store in Quantico.



(L-R) 5.11's CEO Tom Davin, Unit Chief Mike McCormick, President Barry Thomas.

## How A Simple Conversation Changed My Life *continued from page 11*

in the line of fire; you will leave the seminar inspired and re-energized to fulfill your purpose as a peace officer. We are not just the Blue Line; we are the community that we serve. Let our Blue Line be a standard of trust, Strength & Honor.

*As a member of the Officer Safety and Wellness Committee FBI National Academy Associates:* He will be contributing to an overall goal of establishing formalized wellness programs for law enforcement, while assisting to help establish partnerships with private industry to help fund initiatives. "I am grateful to Co-Chairmen **Joseph Collins** and **Kevin Wingerson** for selecting me and my colleague **Lacy Wolff**, and I am thankful for Major **Jason Hester** who has guided and supported our efforts."

He also trains active DPS personnel in High Risk Stops/Live Threat Engagement Training, Swift Water Awareness and Tactical Emergency Casualty Care skills along with Leadership, Professional Policing and Ethics. He also presents a premiere Resiliency Leadership Training program for All Law Enforcement, Fire and EMS Agencies. The program S.H.I.E.L.D has been invited to the 2015 ALERRT, 2016 FBI National Academy, and 2016 American Polygraph Assn. National Conferences. Saving lives, marriages, careers, and improving inter-department/agency relationships is my passion.



*What a crew enjoying their last night in Quantico after the 2016 Chapter Officers meeting.*

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## A MESSAGE FROM OUR **CHAPLAIN**

by *Dan Bateman*

### **Going the Extra Mile**

**I**t is with sadness I greet my fellow graduates. This year begins with a tragic number of officers killed in the line of duty. In the first quarter alone, we have lost 30 officers.

One of my responsibilities as your Chaplain is to send FBI National Academy Associate sympathy cards on your behalf to agencies who have lost officers in the line of duty. I share with those agencies our collective heartfelt sympathies and express our sorrow in their loss. As I express our sympathy to departments who have suffered this devastation, I remember the agency's fallen officer, their families, and their department in prayer. I have written far too many cards this year.

As officers and in honor of our fallen comrades, we close ranks when the thin blue line is broken and carry out our God-given calling to protect and serve with an unwavering pledge to never forget. That process of re-engaging can be difficult following the loss of a fellow officer who has donned the same uniform and worn the same badge. And, yet, we must. And it falls to us, as command officers, to lead our line officers to continue to fulfill their sworn duties with the same vigilance, care, and diligence especially as they carry on the memory and honor due their fallen comrade.

And that is the value of our organization, the FBI National Academy Associates. Not only do we enhance our leadership skills learned while attending the NA, we develop close friendships that last a lifetime and become a lifeline when we are faced with the loss of one of our officers in the line of duty. My continued prayer is for your strength, determination, and ability as you continue to lead in the face of one of our profession's worst tragedies.

These tragic events are milestones in our career we cannot control and are a result of tragic circumstances. But other milestones in our career we can control and it all comes down to choices. These milestones are sometimes hidden until we are right upon them. But the choices we make every day when faced with tasks we do not like become the paving stones on the path to the next great threshold we may cross in our careers.

One such milestone in our careers is the occasional reluctance to carry out a task assigned to us by our commanding officer. Whether we perceive it as an edict handed down from someone on high or whether it is a policy or procedure we dislike on some personal ground, or whether it is because of who is giving the command, we sometimes balk philosophically in carrying out our orders. Sure, we'll complete them... but with less enthusiasm than should be expected.

I want to take a moment and encourage you to "go the extra mile" in your career. Some wonder where that expression came from but it is Biblical in origin. The famous Sermon on the Mount was delivered by Jesus Christ during the time of the Roman occupation of Palestine. In the Bible's book of Matthew in the New Testament, Jesus spoke these words in Chapter 5, verse 41: "*If anyone forces you to go one mile, go with them two miles.*" This admonition is found in a paragraph that some would find perplexing. In it, Jesus encourages His listeners to show love for enemies and outlines behaviors that seem to contradict how we want to react to those we view as "enemies".



Given the historical background of this passage, the statement, "If anyone forces you to go one mile, go with them two miles" made perfect sense. You see, during this time in history, the conquering and occupying Roman army had complete domination of the residents of Palestine. The subjugation of the land required residents to assist Roman soldiers whenever called upon to do so. Much like the forced quartering of British armed forces during colonial days in the early history of America, Roman soldiers could compel citizens of Palestine to perform laborious tasks in service to the armed forces.

The equipment a Roman soldier had to carry must have been an enormous burden! Sword, shield, spear, armor, supplies, food and other soldiering necessities made their load extremely heavy. But under the oppression of the occupying army, Palestinian residents could be forced to carry all of the heavy equipment a Roman soldier required with one caveat: they could only compel someone to go one mile. No more, no less.

Imagine now, a citizen of Palestine, working away in his front yard with duties required to support his own family. In the midst of all he planned that day, a Roman soldier shows up and yells at him, "Hey, you! Come over here and carry my equipment for the next mile." The citizen reluctantly and with great bitterness, anger, and enmity, does the bidding of the Roman soldier.

But the citizen had been waiting and planning for this day. Having placed a marker exactly one mile from his home, the citizen had craftily planned to do a soldier's bidding but would go no further than absolutely required once he reached the marker.

At the end of the mile, the citizen reaches the exact point measured, drops the Roman soldier's equipment and, without so much as even an acknowledgment, turns around and quickly returns to his home leaving the soldier to find another hapless resident to carry his equipment over the next mile.

Now imagine someone who had listened and heeded the words of Jesus. The exact same scenario plays out except for one difference – this citizen engages the Roman soldier in conversation. "How is your family? Where have your travels taken you? What is the greatest danger you faced?" and so on. Soon, the marker comes into view and the soldier expects the citizen, under the burden of all the equipment, to slow down. Not so. The pace continues.

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## THE HISTORIAN'S SPOTLIGHT

by Pat Davis

### Clyde Bevis, 93rd Session

I was not fortunate enough to know Clyde Bevis but having had the opportunity to learn about him through articles, photos and quotes provided by family and friends I am reminded of a line from the Joni Mitchell song, *Big Yellow Taxi*: “Don’t it always seem to go – That you don’t know what you got ‘till it’s gone”.

Clyde E. Bevis was born on August 1, 1925, in Kansas City, Missouri to Edward and Vera Bevis. While still a child his family moved to Wichita so that his father, Edward, could find work in a Wichita aircraft plant. Clyde attended Saint Mary’s Cathedral High School and in December of 1943 he graduated a semester early so that he could enlist in the United States Marine Corps. He was inducted into the Marines on January 26, 1944. While on active duty he was assigned to 1st Battalion, 26th Marines, and 5th Marine Division. He was in the 17th wave landing on Iwo Jima in February 1945 and was involved in the occupation of Japan in Sasebo. Clyde was discharged from active duty on May 1, 1946 holding the rank of Corporal. After his discharge from active duty Clyde joined the Marine Corps Reserves in Wichita, Kansas.



(L) Lt. Clyde Bevis of the Wichita Police Department inspects a briefcase that was found at the Wichita Municipal Airport shortly after a suicide bombing in 1958; (R) Lt. Clyde Bevis.

After the war, Mr. Bevis enrolled at Wichita University and graduated in 1950 with a bachelor’s degree in chemistry and botany. It was at WSU that Clyde met Barbara Gayle Gist, whom he married on March 31, 1951. They shared 63 years together. Clyde and Barbara raised ten children who in turn had eleven grandchildren and three great-grandchildren.

Shortly after graduating from WSU in 1950, Clyde joined the Wichita Kansas Police Department, where he worked until his retirement in 1974. He held various positions during his tenure with the Department and was responsible for advancing the service levels within the Department.




Clyde Bevis



Clyde is credited with starting the Wichita Police Departments Bomb Investigation Unit. While working in that unit in 1958 an unemployed aircraft engineer detonated a bomb at the Wichita Municipal Airport. Lieutenant Bevis was called to the scene to collect evidence. To assure the safety of others, he retrieved the dead bomber’s briefcase and carried it to a nearby field where he inspected it to make certain it was not carrying additional explosives. Photos of the incident show that he performed this feat without armor or special equipment; merely carrying it in his hands and inspecting it only inches from his face.

He investigated some of the city’s biggest crimes, including BTK (Bind, Torture and Kill) serial killer Dennis Rader’s first slayings, the Otero family. The last seventeen years of his career with WKPD were spent commanding the Crime Lab. At the time of his retirement from the police department he held the rank of Deputy Chief. Not to be idle in retirement, he served as Executive Officer for the Sedgwick County Sheriff’s Office, and for a time, he was worked for the State Attorney General’s Office as an investigator. He also worked for the U.S. Department of Justice Public Defender’s Office and at the U.S. Attorney’s Office in Wichita. During his law enforcement career Clyde returned to his Alma Mater, WSU, to teach Criminal Justice and Forensic Science for 17 years.

Clyde attended the 93rd Session of the FBI National Academy graduating on June 22, 1973. He remained a member of the Kansas/Western Missouri Chapter until his passing on January 30, 2016 at the age of 90. When notified of his passing, former Director of the Kansas Bureau of Investigation and close friend Larry Welch said, “I had a tough time keeping track of how many retirements he had, and he earned every one of them”. Another friend stated “Clyde was a proud Marine – *Semper Fidelis* – Always Faithful. He will be remembered for his staunch loyalty and service to his country, his tenacity and grit in the line of duty as a police officer and for his stubborn insistence on accuracy as an investigator”. A family member said that “They will also remember him for his quick wit, easy smile and enduring love for all of his family and friends. He was faithful to every agency he served and to his church and family”.

Thank you Clyde, for your service, dedication and sharing of your talents with so many in your community. There are many others within our Association that live and give in so many ways throughout their careers, let’s not wait until their gone to show appreciation and gratitude. 

Patrick Davis, Session 152  
FBINAA Historian

STAYING ON THE **YELLOW BRICK ROAD**


**YELLOW  
BRICK ROAD  
FBINA 264**

# THE SUCCESSFUL KEYS TO THE TRUCK

E.J. O'Malley

I had another ah-ha moment in my relentless pursuit of acquiring better knowledge. Dr. Jack Daniels is the Head Coach of Men's and Woman's Cross Country Coach at Wells College in Aurora, New York. I know what most of you are thinking. I sure have tons of practical application with the Jack Daniels in the local watering hole. My friends, this 83 year old is a former Olympic Medalist and has a doctoral degree in exercise physiology. He is regarded as an expert in the field of distance running and coaching. His 1998 book, Daniels' Running Formula is a gold standard in his profession. I'm going to borrow his essential keys for successful athletes. I will humbly provide my insight on these keys where I work and play.

## ABILITY

We are disease free and are blessed with the talent to move. Life and work sometimes reminds us all that we don't move well or consistent enough. We take our talents for granted. Our students leave our system with a better understanding of priority, especially our value of movement quality. The window of fitness never closes as long as we are healthy. Actions are not without consequences. The engines need reliable work or we have breakdown. I told NA 263 that I'm fed up with people who take better care of their guns and cars than their minds and bodies. We are all Master level athletes, train as such. The majority of the drills should reinforce athletic movements. Father Time will remain undefeated but the goal is to hold onto your movement skills as long as

possible. Power, strength, and anaerobic capacity will diminish as we age. The number one modality that does not deteriorate with age is flexibility. The less we train, the faster it erodes.

## Motivation

How important is spending more time with your family or your best friends? If your grandkids asked you to play in the back yard, will you answer the bell? Are you a phone call away from participating in a 5k run, a hike, or 18 holes of golf? If the answer is no to any one or all of those questions, we need to refer out. The problem is an intrinsic and/or extrinsic motivational issue. Your daily movement habits should allow you to be in those moments in the athletic arena without having

to prepare. We are the leaders and every game matters. In week 9 at the FBI Academy, we measure team speed in our 1 Mile re-test. Everyone is accountable to destroy their Week 1 time. All 200 plus athletes run to the fight! Effort trumps gambling any day of the week. Life will always be about purpose and action.

## Opportunity

I learned in Defensive Tactics to stay busy and don't stop moving. That is the exact strategy that we need to implement for 30 minutes a day in our lives. The other 23 1/2 hours all too often derail the sweat equity. Don't ever backload hydration, clean fueling tactics, foam rolling, and better sleep habits. The training goal should enhance your movement skill-set, not change the way you look. The cosmetics will come but the strength to body weight ratio must improve before looking in that mirror. We talk in class about self care for the long term. Reading mindful stuff matters and be pro-active in the training process. All we do is simulate the essential job tasks of law enforcement. Eradicate the drills that do not translate to those skills. I encourage all to read more about my profession My students know leadership, legal, and defensive tactics. When have they cracked open a book on lumbar spine strength/prevention? Books about performance nutrition, injury reduction, and exercise science should be in the home library.

**JACK TUPPER DANIELS (born April 26, 1933)** is a professor of physical education at A.T. Still University and a coach of Olympic athletes. On March 21, 2013, he was named the Head Coach of the Wells College men's and women's cross country programs.<sup>[1]</sup> He received his doctoral degree in exercise physiology at the University of Wisconsin-Madison. Named "The World's Best Coach" by *Runner's World* magazine,<sup>[2]</sup> he led SUNY Cortland runners to eight NCAA Division III National Championships, 31 individual national titles, and more than 130 All-America awards.<sup>[2]</sup> Daniels outlined his training philosophies in the 1998 book, *Daniels' Running Formula*. He mentors and coaches some of America's top distance runners in the country.

Daniels won a team silver medal in the 1956 Summer Olympics and a team bronze medal in the 1960 Summer Olympics for his participation in the modern pentathlon.<sup>[3]</sup>

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Staying on the Yellow Brick Road *continued from page 20*


## Direction

This pillar can be destructive or constructive. Unfortunately, the flood gates are open with too much fitness misinformation. We live in a drive thru world where decisions are made with a click of a mouse without relentless research. Don't believe the hype. Do your due diligence. The science and the individual athlete's goals must drive the training. Use your business card and reach out to the biggest fish in your area. I've had pro athlete strength coaches return my phone call faster than a local high school coach I'm never afraid to tell people that I don't know. My parents taught me humility a long time ago. Go deep to find those answers. In my eyes, that is how we separate true leaders. The contenders will ask the tough questions and are relentless to find those answers. The rest are pretenders that are average leaders who inspire no one.

## The Irish Finisher

My wife and three boys rolled into my hometown of Tunkhannock, PA recently. We took the boys to an open swim at our high school pool. My older boys were complaining about how cold the pool was and my wife yelled "swim faster". The Registered Nurse in her chimed in with a brilliant command to do more! She is tougher, smarter, and much better looking and I absolutely define marrying up! Their whiteboard in the pool arena reinforced my passion.

## PRACTICE LIKE YOU NEVER WON, COMPETE LIKE YOU NEVER LOST.

*About the Author:* E.J. O'Malley is a Health and Fitness Instructor at the FBI Academy, Physical Training Unit. He earned his B.S. from Lock Haven University of Pennsylvania and M.S. from Virginia Commonwealth University. He holds certification from the National Strength and Conditioning Association. 




A Message from Our Chaplain *continued from page 18*

Before long, the soldier and the citizen are nearly upon the marker. The soldier begins to look around for another unfortunate soul who will be compelled to assist. But wait...the resident is not slowing. In fact, the Roman soldier has to catch up to the citizen who is now well beyond the one mile marker. Without even a pause, the villager continues his pace and further engages the soldier in conversation. Soon the second mile marker begins to appear. As they both approach, the citizen begins to slow and comes to a stop.

Carefully lowering the equipment, the citizen explains how the teaching of Jesus had changed his attitude toward those considered "enemies" and how he had been encouraged to "go the extra mile". They shake hands and part ways. As the Roman soldier watches, the resident returns in the direction of home in no particular hurry. He turns, hails one more hearty "Good bye and good luck" as he waves to the Roman soldier and heads home. Perplexed, grateful, and pondering, the Roman soldier realizes there is something different and good in what had just occurred.

Likewise, we occasionally may think, when given a task with which we are not enthused, "I will do only what is required. Nothing more, nothing less. Yet, imagine how your attitude and career would

change if you went "the extra mile". In all that we do, let me encourage you to "go the extra mile". If you need proof of this encouragement from the words of Jesus, imagine those individuals who report directly to you. Without a doubt, they would be high performing if they always went "the extra mile". And so it is with you.

When the pace of the job is overwhelming and that one task comes across your desk that leaves you less than enthusiastic, let me encourage you to pick up your equipment (the talents, skills, and determination you possess that qualified you to attend the FBINA) and fulfill the words engraved on our FBI National Academy logo: "knowledge, courage, integrity" and go that extra mile. 

Peace and blessings!

Dan Bateman, *Chaplain*  
dbateman@fbinaa.org | 586.484.3164



# LIFE AFTER LAW ENFORCEMENT

FBI NATIONAL ACADEMY ASSOCIATES





# LIFE AFTER LAW ENFORCEMENT: FINANCIAL CONSIDERATIONS

Robert Whitlow III

## **PAY YOURSELF FIRST!** Sounds wonderful, doesn't it?

However, unless you have planned ahead for your retirement, the conflagration of forces (IRS, credit card debt, alimony payments, outstanding loans, emergency bills, health-care costs) step in line ahead of you to claim **YOUR** money.

*Inquiring minds will ask: Why does that happen?*

**Answer: Lack of preparedness**

**M**any who were privileged and honored to have been selected to attend the FBI National Academy are currently or soon to be retired from our respective agencies. Preparing for that transition is the focus of the National Academy Associates' **Life After Law Enforcement** seminar.

The first and second seminars were held in Orlando, Florida and Las Vegas, Nevada. Between the two, the planners (including FBI N/A President Barry Thomas, Executive Director **Steve Tidwell**, and super-transitioning coach **Al Malinchak**) recognized the need for greater focus on preparing for their financial futures than previously existed to help law enforcement families achieve financial independence.

## **PRESENTATION TOPICS**

**Transamerica Financial Advisors, Inc.**, Investment Advisor Representative **Robert Whitlow, III**, working in the Las Vegas, Nevada area with FBI National Academy graduate **Bruce C. Martin** (retired Marina, California Police Department) was asked to assist with the seminar's financial planning component.

For the afternoon of the first day of the seminar (spouses were invited to attend) subject matter experts in the following fields gave their presentations:

- Social Security
- Long Term Care
- Medicare
- Financial Strategies

## **SOCIAL SECURITY CONSIDERATIONS**

Established during the **Franklin Delano Roosevelt** administration, Social Security was originally designed to be part of a "three-legged stool" for Americans, consisting of: pensions, proceeds from Social Security payments, and personal savings.

The "pay-in" period occurs during the worker's earning years. A total of 40-quarters (10 years) of contributions are required in order to later be eli-

gible to receive retirement benefits. For most people the optional "pay-out" years begin either at age 62 or 65 (the person must declare to the Social Security Administration their option before reaching age 62). (The best advice is to establish an account with the Social Security Administration's website <https://secure.ssa.gov>).

The factors involved in determining the payout formula for each retiree are too numerous to discuss here. What is important (not only for you but for your eligible spouse) is to register early. The analysts at the Social Security Administration have an excellent reputation for following through quickly (usually within 72 hours) of preparing every applicants' "pay-out" schedule and amount.

The analysts can also answer questions relating to post-retirement employment (how many hours you can work per year and not be penalized) and spousal benefit amounts. (NOTE: Per law, every spouse you were married to for at least 10 years is entitled to Social Security benefits from your account).

## **LONG TERM CARE INSURANCE**

Many people confuse Long-Term Disability Insurance with Long-Term Care Insurance. The critical difference is that the former is designed to protect your income should you become disabled either on or off the job. The latter is a type of insurance which begins after a period of hospitalization (usually a minimum of 3 days) with a follow-on period of various levels of care which can either be institutional (such as a nursing home) or at the patient's own home with visits from a home health care nurse, therapists, licensed care aids, etc.

The reality of life is that 70% of people turning age 65 can expect to use some form of long-term care during theirs or their spouse's lives. People who are uninsured or underinsured can find themselves in a less-than-desirable recovery/care facility which can be hundreds of miles from their family, making the recovery process much more difficult. The choices you make at the time you select the policy determines the length and amount of care you receive. Consider finding an insurance provider as early as possible that you and your family trust and a policy that fits your personal needs. Let your agent know what is most important to you and your family to help them design the proper protection.

## **MEDICARE CONSIDERATIONS**

Medicare is a federal health insurance program for qualified people who are:

- Age 65 or older
- Under age 65 but with certain disabilities
- Any age but with end-stage renal disease or Lou Gehrig's disease

There are regular, annual Medicare enrollment periods. You should begin thinking about when to start your Medicare plan as well as which of

*continued on page 24*

**Life After Law Enforcement: Financial Considerations** *continued from page 23*

the various parts will be of benefit to you and your spouse. Enrollment begins 3 months before you reach your 65th birthday. Various Medicare supplemental plans are available as well and provide different care options. The chart below demonstrates the most common supplement policies:

**FINANCIAL STRATEGY CONSIDERATIONS**

When focusing on your personal financial strategy, time can be your worst enemy, or your greatest ally. No matter where you are in life, the key to building an asset accumulation program is to begin saving now. The sooner you begin, the less money you will need to put aside to create solid savings for your future.

For the past 5 years, and continuing for at least the next 15 years, as the “Baby Boom Generation” retires, the greatest transfer of wealth in the history of mankind will take place. With so many things to consider, planning for retirement on your own can be hard.

An alternative is to seek the guidance of a qualified financial representative who can help you and your family take advantage of wealth improvement/preservation strategies (such as tax deferred or tax advantaged investments) to help you move toward financial independence. They will work with you to find out what is most important to you, as well as help you overcome the unique and powerful challenges facing you and your investments.

**FINANCIAL SERVICES CAREER OPPORTUNITY**

In addition to being a client of a financial services business, many talented, entrepreneurial minded people who are looking for a different career train to become financial representatives\* themselves.

As a licensed professional you can enjoy the benefits of self-employment, control your time and create a career on your terms. You can chart a pathway to success by helping others plan their retirement financing. And, if any of those people want to partner with you, you can quickly build a quality sales-force.

**OTHER CONSIDERATIONS**


Other important considerations for a quality, well-rounded Life After Law Enforcement:

- Balancing of mental, physical, social and spiritual aspects of your life.
- Finding and maximizing your own personal “gift”.
- Resume’ building and career coaching.
- Should I incorporate as a Limited Liability Company (LLC)?

- A Limited Liability Company is an entity formed under state law
- Combines the tax aspects of a partnership with the liability protection of a corporation. All of the LLC members are shielded from being personally liable for the debts and obligations of the LLC
- It is disregarded for tax purposes.
- **FOR ADVICE AND ASSISTANCE CONSULT YOUR ATTORNEY OR CERTIFIED PUBLIC ACCOUNTANT**
- Speaking of attorneys: What type of legal protection should I seek?
  - You are almost three times more likely to be in court than you are to be hospitalized.
  - Your own personal needs (establishing a Will, Living Trust, Health-Care Power of Attorney, Medical Directives, etc.) require legal advice/ preparation.
  - The legal advisors and/or protection you had while in law enforcement (district and city attorneys, Police Benevolent/Association contract attorneys, etc.) are no longer available to you.
  - Personal legal issues or other matters requiring legal advice (personal injury, civil trial, IRS audits, identity theft, etc.) can occur without notice and cause great personal and financial pain.

If you are fortunate to have amassed enough wealth, you can hire a private attorney or legal firm in advance (on retainer). For the rest of us, you should find a quality pre-paid legal service that provides quality protection with a staff that is available 24/7.

**CONCLUSION**

There are upcoming Life After Law Enforcement seminars scheduled at convenient venues throughout the United States. The seminar planners at the National Academy Associates recognize that this subject matter has universal application: therefore, any law enforcement officer can attend and need not be a FBINAA graduate. Take advantage of what these seminars have to offer you and your family. Victory is yours when you pay yourself first! 

*About the Author:* Robert Whitlow, III is an Investment Advisor Representative at Transamerica Financial Advisors, Inc., with over 19 years’ experience in financial planning. Robert can be reached at: robert.whitlow@tfacconnect.com.

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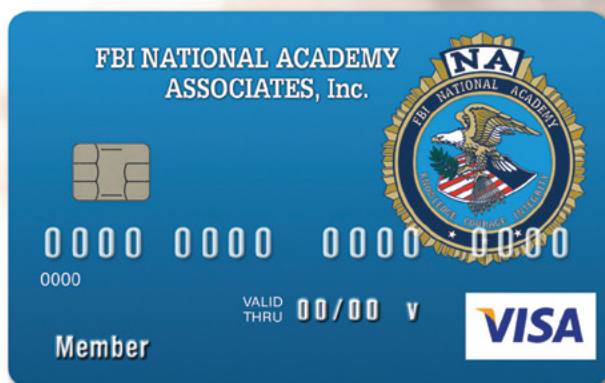
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