

AELE LAW ENFORCEMENT LEGAL CENTER

ANNOUNCES ITS REVISED AND EXPANDED DISCIPLINE AND INTERNAL INVESTIGATIONS FOR LAW ENFORCEMENT, PUBLIC SAFETY AND CORRECTIONS

A FOUR-DAY PROGRAM FOR...

- ★ **Chiefs and public safety administrators**
- ★ **Internal affairs investigators**
- ★ **City and county attorneys**
- ★ **Union/association officials**
- ★ **Personnel administrators**
- ★ **Civil service commissioners**
- ★ **Supervisors and Managers**



LAS VEGAS

SEPTEMBER 28 - OCTOBER 1, 2020

AELE's popular and well-respected discipline and internal investigations program has been expanded to include additional subject matter including social media, administrative searches, expanded substantive rules of conduct, internal affairs best practices, use of force investigations, ethics and integrity testing, race and sex harassment, hostile work environment, body and in-car cameras, and civil liability arising out of discipline.

*For future workshop dates and site information,
visit our website at <http://www.aele.org>*

PROGRAM CONTENT

For a detailed agenda, see our website at www.aele.org

Program Introduction

- Program Goals and Objectives
- Review of Workshop Materials
- Use of AELE Website and Resources
- Computer Technology
- Nature of Discipline Litigation
- Why Discipline is a Difficult Area
- Types of Systems
- “The Virtual (Electronic) Investigation”
- Substantive and Procedural Due Process

First Amendment Related Conduct

- What is Covered
- Speech Issues
- Public Interest & Private Interest Speech
- Association Rights
- Political Activity
- Criticism of Superiors
- Chain of Command Rules
- Protected and Unprotected Speech
- Sexual Activity
- Hairstyles and Grooming
- Consistency Problems
- Prior Restraint
- Exempt Employees
- The Balancing Test
- Damage Suits

Conduct Unbecoming Rules

- Use of the Rule
- Off-Duty and On-Duty
- Common Pitfalls
- Drafting Problems
- Vagueness and Consistency
- Scope

Disciplinary Procedures

- Procedural Due Process
- Types of Hearings
- Types of Evidence
- Case Preparation

Disciplinary Investigations

- The Complaint Process
- Investigation Procedures
- Locker, Car and Desk Searches
- Telephone Monitoring
- E-mail and Computers
- Videotaping

- Representation
- Witness Statements and Interviews
- Disclosure of Investigation
- Procedural Bill of Rights
- Record Keeping
- Investigation Review
- Types of Complaints

Disciplinary Interrogations of Employees

- Advice of Rights
- Representation Issues
- Interview Considerations
- Relationship to Criminal Investigations

Rules of Efficiency

- Incompetence
- Inefficiency
- Secondary Employment
- On- and Off-Duty Application
- Residency
- Sick Leave
- Equipment and Property
- Absence and Lateness
- Financial Disclosure
- Fitness for Duty
- Job Performance
- Criminal Conduct
- Rules, Policies and Procedures
- Agency and Supervisory Orders
- Truthfulness and Reports

The Decisional Process

- The Elements of Just Cause
- Penalty Considerations
- Types of Penalty Systems
- Court Review Standards
- The “Substantial Evidence” Test
- Administrative Review
- Burdens of Proof
- Preserving the Record
- Evidence Issues
- Types of Proceedings
- Arbitration Considerations
- Federal Court Considerations
- Classes of Exempt Employees

New Troublesome Issues

- The Untruthful Employee
- “Brady” Discovery Problems
- Transfer and Reassignment
- Transfer as Punishment

- Transfers for Agency Efficiency
- Orders and Directives
- Employee Evaluations
- Poor Performance and Inefficiency
- Financial Disclosure
- “Whistleblower” Problems
- Retaliation Problems

Substantive Rules of Conduct

- On-Duty vs. Off-Duty
- Application
- Drafting/Wording
- Standards
- “Savings” Clauses
- Content
- Distribution
- Court Standards
- Substance Abuse

Auditing and Managing the Discipline and Internal Affairs Function

- Complaint Processing - Thoroughness and Timeliness
- Investigation Protocols and Procedures Compliance
- Quality Assurance
- Central Indices
- Early Warning Systems
- Exit Interviews Complaint Disposition
- Relationship to Civil Liability

Post-Incident Analysis and Review

- Training Considerations
- Assessing Training Needs
- Management and Analysis of Lawsuits
- Access and the Chain of Command
- Policy and Procedure Analysis
- The Review Process

Risk-Based Discipline Auditing Fundamentals

- The Auditor’s Role in Assessing Risk
- Risk Activities
- Personal and Organizational Losses
- Community and Reputation Losses
- Control Risk
- Inherent Risk
- Detection Risk
- Residual Risk
- Audit Risk

REMARKS

- **All training will be held at the hotel facility. Registration is from 8:15 to 9:00 AM on Monday. Class hours are from 9:00 AM to 5:00 PM on Monday through Wednesday, and from 9:00 AM to 12:00 noon on Thursday.**
- Training or prior familiarity with legal procedures is not necessary. Instructional techniques are employed that will benefit both lawyers and lay personnel. Ample time will be allowed for questions. Participation by attendants is encouraged.
- Registration includes luncheons on Monday through Wednesday.
- The staff and speakers, as their schedules permit, will be available during the workshop to answer questions.
- Workshop attendance will be limited; seating will be arranged behind narrow tables to facilitate discussion. If a larger number of persons register than can be accommodated, those in geographical proximity will receive preference.

WORKSHOP MATERIALS

- Electronic access will be provided for all workshop materials including a course workbook, PowerPoint presentations, and research material. WiFi access will be provided in the meeting room. Attendants must bring a device that provides access to the internet.
- Directions will be provided for accessing legal research through the AELE comprehensive web page for case review/research, experts, and legal, procedural, and tactical website links.
- Each attendant will receive a Certificate of Attendance.

MANDATORY CONTINUING LEGAL EDUCATION

- AELE has received approval for this course in Nevada. Other states with MCLE and In-Service requirements have accredited this seminar in prior years. For additional information, see www.aele.org/cle.html

FACULTY

Paul Coble	Retired Captain, LAPD, 21 years. Served as special labor counsel to the Chief of Police, and as Employee Relations Administrator. Represents agencies throughout California in employment, labor, discipline and civil rights matters. Frequent lecturer and author.
Eric P. Daigle	An attorney and former State Trooper, he defends municipalities and public officials. He also conducts training on use of force standards, including electronic control weapons and responses to deadly force incidents.
Elmer Dickens	Attorney with many years of corrections litigation experience and broad corrections policy and training experience. Former corrections officer, inmate hearings officer, and chief editor of <i>Oregon State Sheriff's Assn. Jail Standards</i> , a statewide resource used by all county jails in Oregon.
Rodney Hill	Attorney and Consultant. Served as the Chief of the Baltimore City Police Dept IA Div., led high profile police corruption and use-of-force investigations. Retired Deputy District Commander with Montgomery County Police Dept, and served as a criminal prosecutor with Baltimore County State's Attorney's Office.
G. A. "Jack" Pecoraro	Former Executive Director of the Illinois Assn. of Chiefs of Police. In state government, he has prior service as the Chief of the Secretary of State's Police and as a Deputy Director of the Dept. of Corrections. In municipal government, he has served as a Police Legal Advisor in Chicago and Springfield.
John G. Peters, Jr.	President and Chief Learning Officer of the Institute for the Prevention of In-Custody Deaths. Dr. Peters, a former police officer, deputy sheriff, and police administrator, has many years of criminal justice training experience, and is frequently called upon to be an expert witness. He has authored several books and more than a hundred articles and informational videos.
Ron Sanchez	President of Veritas Assurance Group, a California law enforcement risk-based auditing, training and consulting organization. As an LAPD Captain, he launched its newly created Audit Division. He is a Certified Government Auditing Professional and Fraud Examiner.

***(Because of trial schedule changes or other unplanned events,
we may have to engage substitute speakers with similar knowledge and experience.)***

DISCIPLINE AND INTERNAL INVESTIGATIONS REGISTRATION INFORMATION

Telephone (800) 763-2802
or (847) 685-0700

Fax (24 Hours) (800) 763-3221
or (847) 685-9700

HOTEL

Upon registering with AELE you will receive an attendant's memo outlining the workshop activities. Hotel reservations are the individual registrant's responsibility and should be made as soon as possible.

The Orleans Hotel & Casino is located at 4500 W. Tropicana Avenue, Las Vegas, Nevada 89103, (800) 675-3267. Reservations can also be booked through the Hotel's website at www.orleanscasino.com/groups using the group code. Please note: Due to promotional pricing offers, rates could be lower if booked by phone or on an internet hotel site without the group code.

A limited number of rooms have been reserved if booked before August 26, 2020 at a maximum rate of \$77 per night, single or double occupancy, Sunday through Thursday. The group code "AAE0C09" must be used to obtain this rate.



AELE WORKSHOPS
P.O. Box 75401
Chicago, IL 60675-5401

Move your pointer to a blank space, and use your keyboard to complete the form.
Mark selection boxes with a pen. Then fax to our secure line at 1-800-763-3221.
Toll-free in the U.S. & Canada.

TUITION

REGISTRATION: Fees for the workshop are: \$1,290.00 for the first person and \$1,190.00 for each additional person from the same government agency or private employer (including the attorney for the entity).

• \$ _____ is due; ☐ Check enclosed; ☐ Bill agency; ☐ Charge my credit card Purchase Order No. _____ (if needed).

VISA, MC, Am Exp or Discover accepted. Credit Card# _____ Exp. Date _____



Signature (if using a Credit Card) _____

CANCELLATION POLICY: The tuition is fully refundable if cancellations are made before Monday, September 21, 2020. Otherwise, a \$200.00 cancellation fee will be charged per attendant. Upon written request, you may transfer your tuition to a future workshop.

REGISTRATION FORM

Register me for the Discipline Workshop, September 28 - October 1, 2020

Name _____ Title _____

Agency or Organization _____

Address _____

City _____ State _____ Zip _____

Business Phone (_____) _____ E-Mail Address _____

Fax Number (_____) _____ **Our Federal Tax ID # is: 36-6140171**

I hereby authorize AELE to confirm my registration (or to send information relating to this seminar) by (a) sending me a fax at the above number, and/or (b) sending me an e-mail, and/or (c) telephoning me at the above number.

Signature (Required): _____

RETURN PROMPTLY

DO NOT DELAY REGISTRATION WHILE AWAITING
FORMAL APPROVAL OR A PURCHASE ORDER.

SEND OR FAX A COPY OF THIS APPLICATION,
MARKED "PENDING APPROVAL."