



BROOKS BAWDEN LLC

Weekly Update

October 31 - November 4, 2016

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Latest News

- **Congressional Update** - The House and Senate are expected to return on November 14. They have been home campaigning, which is why you won't see congressional updates or new bill introductions below! When Congress returns, it must confront how the government will be funded for the remainder of FY 2017. While there are hopes for an omnibus bill, there is high possibility that given the Presidential and Congressional elections, a short term continuing resolution will be considered that lasts until early next year. Additionally, depending on the make-up of the new Congress, we may see criminal justice reform and other pertinent issues arise affecting the law enforcement and homeland security communities.
- **Insider Threat Detection** - Great insights by Bryan Ware, CEO of our client Haystax Technology in a Politico article. During the aftermath of the leaking of classified material in 2011 by Chelsea Manning, President Obama issued an order to increase efforts to detect insider threats among federal government employees and contractors. Despite these efforts, we have seen multiple mass breaches of security since then. "Most agencies are just starting," said Bryan Ware, CEO of Haystax Technology, which has worked with law enforcement, defense and intelligence clients on insider threat programs. He said the intelligence community got a head start a few years ago — but even there, Ware said, leaders are probably now wondering, "Do we need to rethink the way we're doing this?" **Read the article [here](#).**
- **National Fusion Center Association Conference** - We were proud to support the NFCA at its annual Training Event from October 24 - 27 in Alexandria, Virginia. As always, the conference provided the year's premier networking opportunity to establish and deepen relationships that enhance public safety collaboration across the National Network. Dozens of training sessions offered cutting edge content for analysts, directors, and partners of the National Network. Hot topics included cyber threats, social media analysis, radicalization, responding to mass casualty events, and preparing to host major events. Director of National Intelligence James Clapper, DHS Deputy Secretary Alejandro Mayorkas, and FBI Director Jim Comey made it crystal clear that the National Network of Fusion Centers is a centerpiece of analysis and information sharing to protect the homeland. Congratulations to NFCA President Mike Sena, Executive Director Glenn Archer, and the NFCA Executive Board, and



Ben Bawden giving the legislative update at NFCA Directors day

thank you to the industry partners who helped to make the conference possible. Thanks also to Donna Lindquist of IIR, and Brooks Bawden's own Josh Ledden for their great work behind the scenes to make the conference a success.

- IACP 2016 San Diego:** Everyone on the Brooks Bawden team had a productive (and fun) time in San Diego at the IACP conference. The IACP staff always do an amazing job with the conference and the men and women of the San Diego Police Department were outstanding hosts. We had great discussions and made significant headway on a number of issues important to public safety practitioners. ASCIA had its best attended conference to date. Ben presented on a panel focusing on the current policy status related to the "going dark" issue. We enjoyed seeing old friends and making new ones and are already looking forward to Philadelphia in 2017.



Ben Bawden presenting at [IACP 2016](#) on the legislative update and considerations concerning "going dark."



Ron Brooks discussing the latest drug trends and legalization efforts in the U.S. at the 2016 Norwegian Narcotic Officers Association Conference in Bergen, Norway.

- Ron in Norway to discuss drug policy:** Ron Brooks traveled to Norway last week to attend the Norwegian Narcotic Officer's Association (NNPF) Conference in Bergen Norway where he gave presentations on the dangers of marijuana and strategies to combat the marijuana legalization movement. The NNPF conference is the largest law enforcement conference in Norway and was attended by more than 600 law enforcement professionals from the Norwegian National Police, Customs Service, Prison Service and police officers from Sweden and Denmark.

Ron delivered remarks at the opening session on the dangers of marijuana and the impact of marijuana legalization in the United States. The other opening session speakers included Norway's Minister of Justice, Attorney General, National Chief of Police and Director of Customs.

Ron and Ernie Martinez, representing the Colorado Drug Investigators Association, conducted a workshop attended by more than 200 police officers to discuss the myths and facts related to marijuana decriminalization and legalization and the impact in states that have legalized marijuana.

Ron and Ernie also conducted drug policy strategy sessions with the NNPF Executive Board and the association's leadership from districts across Norway. Ron was interviewed by TV 2, one of two national television networks regarding the public safety and public health impact of marijuana in the U.S. Click [here](#) for the latest Rocky Mountain HIDTA report on the legalization impact in Colorado.

- Legalization of Recreational Marijuana in California** - California is one of five states that will consider whether to legalize the recreational use of marijuana when voters go to the ballot box on November 8. Many supporters of the legalization of marijuana cite the stream of new revenue through taxation as one positive affect of legal weed. In light of this, we recommend that you [read this letter](#) from a member of the California State Board of Equalization expressing his concerns with California Proposition 64, and the associated costs from the increased use of marijuana amongst its citizenry.

- **BJA Body Camera Program** - The Bureau of Justice Assistance released an update fact sheet on the awards for the Body Worn Camera Program. You can view the update [here](#).
- **Presidential Commutations** - On October 28, President Obama commuted the sentences of 98 additional prisoners, bringing his total number of sentences commuted under the Obama Administration to 872. 19 of those in the latest round of commutations had firearms related offenses. President Obama has issued a record number of commutations, most of which were for drug-related offences. You can view the commutations [here](#), and view the statement from the Major County Sheriffs' Association [here](#).

- **ARTICLES OF INTEREST:**
Americans' Respect for Police Surges
Gallup | Justin McCarthy

Three in four Americans (76%) say they have "a great deal" of respect for the police in their area, up 12 percentage points from last year. In addition to the large majority of Americans expressing "a great deal" of respect for their local police, 17% say they have "some" respect while 7% say they have "hardly any." Gallup has asked this question nine times since 1965. The percentage who say they respect the police is significantly higher now than in any measurement taken since the 1990s and is just one point below the high of 77% recorded in 1967. Solid majorities of Americans have said they respect their local law enforcement in all polls conducted since 1965. Continue reading [here](#).

California's Bad Example for Criminal-Justice Reformers
The Wall Street Journal | Allysia Finley

The vagrancy endemic to San Francisco seems to be spreading to the Golden State's suburbs. Blame it, at least in part, on Californians' well-intentioned efforts to reform the criminal-justice system by releasing low-level offenders from jail. Encampments with an estimated 500 homeless have formed in the dry Santa Ana riverbed by Angel Stadium and the city's civic center. Last month the Santa Ana City Council declared a public-health crisis due to dangerous and unsanitary conditions, such as used syringes and human feces. Many transients visit the library to charge their smartphones and shoot up with drugs. After increasing reports of everything from indecent exposure to vandalism, the library underwent renovations this summer to enable workers to more closely monitor "patrons." Property crime in Orange County has surged, too: It was up 26% in Santa Ana, 29% in Orange and 43% in Garden Grove between 2014 and 2015, according to the FBI. Nationwide, the property crime rate dropped 3.4% over that same period. Continue reading [here](#).

The Real Reason Officers Are Rarely Convicted for Shooting Suspects
National Review | David French

As so often happens, an allegedly clear-cut case of police brutality just got more complicated. Terrence Crutcher, an unarmed black man killed by a white female police officer in Tulsa, Okla., reportedly, according to the autopsy, had PCP in his system when he died — enough to make him acutely intoxicated. The fact that Crutcher was high on PCP doesn't by itself make the use of deadly force either appropriate or lawful, but it does have real effect in the courtroom. The chances of convicting Betty Shelby, the officer who fired the fatal shot, just decreased significantly. Why? Because of the law. The public shout-fest over any given police shooting almost always asks exactly the wrong question: Was the police officer in actual, physical danger when he or she pulled the trigger? Moreover, that improper question is almost always asked against the background of an incomplete or inaccurate factual picture. In the case of the Ferguson, Mo., shooting, activists believed that a police officer shot an unarmed black man (true) who had his hands up, peacefully surrendering (false). In the utterly horrifying case of Cleveland's Tamir Rice, protesters knew that police shot a child with a toy gun, and later they learned that the police shot him almost immediately after arriving on the scene. But it wasn't until much later that the public learned of the breakdown in communication that led officers to believe they were encountering not a kid with a toy but rather a "potential active shooter" in a public park. Continue reading [here](#).

Facebook, Twitter block social media surveillance tool

CNN | Selena Larson

Social media has been key to some of this year's most significant protests -- but it turns out that these platforms have also been used to target the activists behind them. The ACLU of California reported that Geofeedia had been providing law enforcement with data -- including locations -- from the social media accounts of protestors. In response, it said Tuesday that Twitter, Facebook, and Instagram had cut off Geofeedia's access to their feeds. The extent of law enforcement's social media surveillance was discovered through public records requests of 63 agencies in California, according to the ACLU of California. Emails obtained show the tools were used to monitor chatter around "the Ferguson situation," and that Geofeedia told California law enforcement agencies to find out how police in Baltimore used its tools to "stay one step ahead of rioters," after the death of Freddie Gray in police custody. **Continue reading [here](#).**

US moves forward on plan to collect police use-of-force data**Associated Press | Eric Tucker**

The Justice Department is moving forward with plans to collect data on how often law enforcement officers use force and how often civilians die during encounters with police or while in police custody, federal officials said Thursday. FBI and Justice Department leaders say better information on police use of force is essential to build community trust and promote transparency. Demands for more complete data surfaced in particular in the last two years amid a series of high-profile deaths of black men at the hands of police officers, after the federal government could not say reliably how often fatal encounters occurred across the country. "Accurate and comprehensive data on the use of force by law enforcement is essential to an informed and productive discussion about community-police relations," Attorney General Loretta Lynch said in a written statement. **Continue reading [here](#).**

Marijuana Legalization Could Get a Boost in a Democratic Senate**Roll Call | Stephanie Akin**

The momentum toward marijuana legalization — already accelerated this year by a raft of state ballot measures — could get an even bigger boost if Democrats win control of the Senate. That's partly because the controlling party will choose the chairman of the committee that determines whether a sweeping marijuana proposal advances or dies. The so-called CARERS Act has stalled in the Judiciary Committee under Chairman Charles E. Grassley of Iowa, who, in the past, has staunchly opposed legalized marijuana. The Democrat next in line to take the gavel, Patrick J. Leahy, has shown more interest. He said in 2013 that federal officials should not "waste their time" prosecuting marijuana crimes in states where it is legal. He also comes from Vermont, which has led the country in legalization efforts. **Continue reading [here](#).**



BROOKS BAWDEN, LLC

Office Address:

300 M Street, SE
Suite 402-B
Washington, DC 20003

Mailing Address:

401 Massachusetts Ave, NW
Suite 509
Washington, DC 20001

Phone: (202) 350-0103
Fax: (202) 629-4528

Email:

rbrooks@brooksbawden.com
bbawden@brooksbawden.com
jledden@brooksbawden.com
lcooper@brooksbawden.com
fscalera@brooksbawden.com



Visit us at:

www.brooksbawden.com

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jledden@brooksbawden.com**