

Minutes of a Meeting
of the Board of Directors of
Americans for Effective Law Enforcement, Inc.
June 19, 2010

Two electronic notices were sent to all Directors and active Trustees, calling a general Board meeting at 10:00 A.M. at the Holiday Inn O'Hare, Second Floor Board Room at 5615 N. Cumberland Ave., Chicago, IL.

Attendance

In attendance were six of the seven voting Directors: George P. Graves, Charles A. Gruber, Daniel B. Hales, Charles D. Reynolds, Wayne W. Schmidt and Richard N. Williams. Also present were two guests: Judge [Emory A. Plitt, Jr.](#) of Maryland, who is Course Director of AELE seminars, and [Eric Daigle](#) of Connecticut, who is a member of AELE's use of force seminar faculty. Russell B. Laine was absent on family affairs. A quorum was declared, and the attendance of Chief Laine was excused. Mr. Schmidt noted that non-voting Trustees Charles Remsberg and Jack Pecoraro had other commitments, and that Harry Mahoney is no longer able to drive.

Election of Directors and Trustees

Mr. Reynolds then nominated Mr. Daigle for Board membership. Mr. Hales seconded the motion and his election was confirmed unanimously. Mr. Reynolds then moved the reelection of all current Directors and non-voting Trustees. Mr. Williams seconded the motion, and the reelection was confirmed unanimously.

Election of Officers

Mr. Schmidt suggested it would be better if the Treasurer was a voting director, and moved the election of Mr. Reynolds as Treasurer and Carl Wolf as Assistant Treasurer. Mr. Graves then moved the reelection of the following officers: Mr. Hales as President, Mr. Schmidt as Secretary and Assistant Treasurer, Bernard J. Farber and James P. Manak as staff Assistant Secretary-Treasurers, and Helen Finkel as staff Vice-President. Mr. Hales seconded the motions, which passed unanimously.

Prior Minutes

Mr. Schmidt then moved to ratify the Minutes of two prior meetings: April 30, 2008 (Minutes, pp. [479-480](#)) and Sep. 24, 2008 (Minutes, p. [481](#)). Mr. Graves seconded the Motion, which passed unanimously.

Financial Situation

Mr. Schmidt noted that the organization's net worth had remained steady between June 30 (\$1,545,335) and Dec. 31, 2008 (\$1,555,633). He stated that this figure had fallen to \$1,325,535 as of June 17, 2010 -- which was a shocking surprise. See, [List of AELE Funds and Investments](#).

Payroll Reductions

Mr. Schmidt explained that he took a \$2,000 a month voluntary pay reduction as of February 2009, and increased that to \$3,500 a month reduction as of May, 2009. He announced that he would further increase the reduction to \$5,000 a month effective in July, 2010. He also announced that the retirement supplement of 7.65% would be based on his reduced salary, and not on his regular salary, which is pegged to a senior federal [Administrative Law Judge](#) (with Chicago adjustments). His total reduction will be \$5,382.50 a month (\$64,590 per year). He also said that additional reductions would be taken, if necessary.

He stated that the only other full-time employee, Missy Taki, was put on half-time status and half-benefits, last summer, but that due to considerable accumulated vacation time, AELE did not get the full benefit of those cuts until January, 2010.

The Board then discussed the hourly rate which faculty members are paid. The consensus was that the organization should reduce the hourly rate paid to faculty members, and the flat-fee paid to the course director, by 25%. The reduced rates should continue until the organization becomes profitable. Mr. Schmidt said he would implement that request before the Fall 2010 seminars.

Alternative Revenue Sources

Various Board members suggested possible revenue sources, including:

- 1. Seeking donations from persons who use our free online law library*

Mr. Schmidt explained that AELE formerly had a membership base, but the organization had abandoned the solicitation of new members after most states adopted comprehensive fundraising laws, and simultaneously lowered the amount to trigger reporting requirements. Typically, nonprofits must file an annual state report, provide financial information certified by a CPA, and qualify to do business as a foreign nonprofit organization.

2. Charging for access to the online law library

Mr. Schmidt reminded everyone that AELE did have a password-protected law library until 2006. The organization abandoned subscriptions because the number of paid subscribers had fallen to unacceptable levels. See Minutes of the March, 2006 meeting, pp. [477-478](#).

He stated that more importantly, AELE would be cutting off access to many thousands of lower-ranking officers, reserve officers, criminal justice students and researchers. See [website statistics](#).

3. Seeking federal grant assistance for seminar tuition

Mr. Schmidt said he was open minded on that prospect, but wary of the reporting and auditing requirements, citing difficulties experienced by the IACP and NDAA.

4. Fundraising from foundations or corporations

Mr. Schmidt recounted the reasons that AELE received grants and corporate donations in the 1970s. He explained that today's non-charitable foundations work like a "wolf pack" with similar political agendas that advance either liberal or conservative causes. AELE has always promoted itself as a non-partisan, non-political educational organization.

5. Sponsoring one-day training programs in local police stations

Mr. Daigle and Chief Gruber spoke of their successes in offering single-day programs, co-hosted in the training room of a police station. Attendants could pay a modest registration fee; costs would be minimal, other than speaker travel expenses. Mr. Daigle offered to teach such programs with an AELE sponsorship.

Mr. Schmidt endorsed that proposal, and said that the current financial arrangement Mr. Daigle has with the *Institute For the Prevention of In-Custody Deaths, Inc.* was fair to the sponsor and presenter. That involves 30% of net revenue for the sponsor and 70% for the presenter or presentation team.

6. *Splitting the jail seminar into two modules*

Mr. Schmidt commented that the January 2010 seminar on jail legal issues was attended by more people than the March use of force seminar. The force seminar was much more popular before the recent recession. He said that he and Judge Plitt have split the jail seminar into two distinct modules, to be offered in January and March of 2011.

Module One will cover *Operational and Administrative Legal Issues*. Module Two will address *Security and Incident Liability*.

Building Sale

Mr. Schmidt reported that there was no progress to report on the proposed development plans. Meanwhile, AELE challenged the assessed value of the building, which has resulted in a large decrease in annual property taxes.

Amicus Briefs

Mr. Schmidt talked about our participation in a possible amicus brief in [Kentucky v. King](#), No. 09-1272. There was a brief discussion of the legal issues in dispute. Any decision to file will be made by the Amicus Committee.

Miranda Debate on Terrorism Detainees

The Board briefly discussed the issues, and there was a general agreement that AELE should opt out of that debate. See [CRS Report](#), Terrorism, Miranda, and Related Matters (2010).

Affiliation with Jailcast.com

The concept of exclusively affiliating with the new online correctional program was discussed, but the consensus was that AELE should not partner with Jailcast at this time.

Next Board Meeting

It was agreed that the Board would convene in Orlando, Florida, in conjunction with the annual IACP meeting (October 23-27, 2010). The meeting adjourned at 12:10 p.m.

Wayne W. Schmidt

Wayne W. Schmidt
Secretary

June 25, 2010