LELD 2018 ANNUAL REPORT

This annual report of activities of the Law Enforcement Legal Defense Fund (LELD), is intended to inform our board of directors, donors, and other interested parties about the significant programmatic, administrative, and financial accomplishments of the organization.

The LELD has a history of 25 years of support to individual law enforcement officers who suffer from misguided, politically-driven charges against them for actions while engaged in the performance of their duties. We inform about and advocate for the men and women of law enforcement, those who don the uniform and wonder whether they’ll return to their loved ones at the end of their shift.

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The LELDF is an IRS-recognized 501 (c)(3) non-profit based in Alexandria, Virginia. The organization focuses its activities in three principal programmatic areas:

- conducting public education and raising awareness on the issues, challenges and sacrifices facing professional law enforcement officers in America;
- providing financial support for wrongly accused and/or politically-charged law enforcement to assist in their defense in court; and
- engaging with professional associations that support the law enforcement profession as well as those organizations which recognize the dedication and sacrifice of those who wear the uniform of America’s law enforcement.

To support our principal programs, we engage in nationwide fundraising efforts and employ professional, experienced fundraising counsel to guide us in engaging the general public, foundations and grant-making organizations, corporate America, and private citizens.

Public Education and Awareness

We publicize and bring attention to the many challenges and dangers faced by our nation’s law enforcement officers by engaging with the media, through our website, social media, direct mail campaigns, educational engagements, and by other means.

Because of our position in the defense of individual law enforcement officers and in defense of the profession, the LELDF is often called upon for our views on specific police/citizen encounters, on specific cases, and on the broader “conversation” on policing in America.

LELD personnel spent considerable time and effort in engagement with the media in an effort to discuss the rule of law, the due process rights that law enforcement officers ought to have benefit of as would any citizen, and the presumption of innocence and right to have a thorough, impartial investigation before we come to negative conclusions about an officer’s actions.

Officer/Case Defense

Central to the building and success of the LELDF for 25 years has been the careful review and selection of individual cases where a law enforcement officer stands accused for our support. When a law enforcement officer has been charged with a crime and seeks the financial support of the LELDF, they must submit to a thorough vetting process. At the conclusion of the review, LELDF staff prepares a briefing and recommendation for the Board of Directors, which may then elect to extend financial support to the officer.

In 2018, the LELDF provided legal defense support to four officers:

Joshua Hopkins: Multiple Ashe County, North Carolina sheriff’s deputies responded to a 911 call about an intoxicated and agitated resident who had been the subject of dozens of prior police contacts.

When the deputies contacted the man, he attempted to retrieve a rifle. When deputies intervened, he placed the truck in gear and attempted to run over the deputies, forcing them to discharge their weapons at him to prevent being killed.
With LELDF support, Deputy Hopkins was acquitted of all charges at trial.

**Hugh Barry:** New York City Police and Emergency Medical Service (EMS) personnel responded to calls for assistance at a Bronx apartment complex where an emotionally disturbed person (EDP) had become disruptive and aggressive with others in the building. The 66 year-old woman, who was the subject of prior emergency responses including at least one where she had barricaded herself inside, was treated as having the potential for violence.

After several minutes of discussion, Sgt. Hugh Barry believed he might be close enough to try to rush and grab the woman. He motioned non-verbally to a nearby officer regarding his intent but when he and other uniformed officers rushed forward, the woman fled back into her bedroom, grabbed a baseball bat from under the bed linens, turned, and assumed an attack position.

Sgt. Barry instructed her to put the bat down, but she lunged at him from her position on the edge of the bed, beginning to swing the bat at his head. With the immediate and potentially deadly threat to himself and other officers who’d rushed into the small bedroom, Sgt. Barry followed his training and fired twice to stop the advancing threat. While he succeeded in stopping her, his shots were, tragically, fatal.


With LELDF support, Sergeant Barry was acquitted of all charges.

**Devon Kraemer:** 26 year old Manuel Burnley, weighing roughly 350 pounds, boarded a county bus, deposited two dollars and asked for a transfer that the system had discontinued. Despite the bus driver’s attempts to help him, Burnley spewed a stream of profanity, and the driver wanted him off the bus and sought police nearby for their protection.

Burnley later attacked responding officers, including Officer Kraemer, resulting in a life and struggle. Significantly smaller in stature, Officer Kraemer became physically exhausted and feared losing control of her firearm. She made the decision to end the struggle by using deadly force; thereby saving her own life and the other officer.

Officer Kraemer was charged with Aggravated Battery, Use of a Dangerous Weapon—a Class E felony with a maximum sentence of a fine of $50,000 or 15 years in prison or both.

After a full trial, a jury remained deadlocked and did not convict. The District Attorney decided to dismiss all charges against Officer Kraemer.

**Andrew O’Gwin:** Utah State Adult Probation and Parole agent Andrew O’Gwin thought he’d experienced a lot in over a decade working in law enforcement and incarceration. But little could prepare him for what happened during and after a May 2017 encounter with a violent felon.

He was attacked without warning by a violent felon he was supervising. As this suspect stood outside Agent O’Gwin’s vehicle and repeatedly punched the car window, Agent O’Gwin was in fear he would soon be killed by the career criminal and gang member.

In order to save his own life, Agent O’Gwin discharged his weapon at the suspect, resulting in a non-fatal injury.
Almost a year later, in April 2018, the Salt Lake County District Attorney, Sim Gill, charged agent O’Gwin with Aggravated Assault, a 2nd degree felony carrying a maximum 15 year prison sentence.

With assistance of the LELDF, Agent O’Gwin was able to afford legal counsel to properly investigate the facts. The District Attorney later decided to drop all charges against Agent O’Gwin.

**Associations**

The LELDF holds memberships and associates with a wide array of pro-law enforcement groups and organizations. We occasionally make use of our funds to support the work of others, including, but not limited to, the National Law Enforcement Memorial Fund (NLEOMF), Concerns of Police Survivors (COPS), and the Federalist Society, whose interests and beneficiaries and ours are often in common.

**Governance**

We are governed by an eight-person board of directors, which includes one compensated employee – the president. Five of the eight directors were “independent” in 2018.

All LELDF policies are circulated to the board for review and approval. Proposed officer defense cases are closely scrutinized and measured against guiding case law and circulated to the entire board for review and comment. Our policies, procedures, media, and cases are made public on our website, www.leldf.org.

Board meetings are held 3-4 times per year with notes taken, minutes recorded and filed. During each meeting, the principal functions of the Fund are discussed, finances reviewed, progress against goals and objectives assessed.

**Financial/Audit**

The LELDF received a “clean” audit for calendar year 2018. Per 2018 audited financial reports, total LELDF expenses were $1,849,993. We expended $1,502,354 on Program Services, including $1,113,867 for Public Education and Media Relations (74%); $269,708 for Case Defense (18%); and $118,779 for Associations/Collaboration (8%). Program services expenses comprised 81% of total organizational expenses.

Supporting services expenses were $347,639, including $163,061 (47%) for General/Administrative costs and $184,578 (53%) for Fundraising.

Our traditional and primary fundraising vector continues to be the use of direct mail. This technique has been incredibly valuable in building the organization and helping us spend millions of dollars, over more than two decades, in raising awareness of the sacrifice of law enforcement officers and defending individual police officers. The LELDF also expanded our work into online activities while we reach out to corporations and foundations for funding support of our mission.
2018 Financial Summary

Financial summary for the fiscal years ended:

12/31/2018

Revenues and support:

Contributions ........................................... $1,136,658
Interest and dividends, net of fees ........... 216,063
Realized gain on investments ................. 211,610
Unrealized investment gain/loss ............... (331,373)
List rental income ................................. 23,802
Other income ........................................... 311
Total .................................................. $1,919,817

Expenses:

Program services:

Public education/media relations ............. $1,113,867
Case defense ........................................ 269,708
Associations/collaborations .................... 118,779
Education and assistance ........................
Grassroots advocacy* ..............................

Supporting services:

General and administrative .................... 163,061
Fundraising .......................................... 184,578
Total .................................................. $1,849,993

Revenue vs. expenses ............................... $ 69,824
Beginning net assets ............................... 4,868,043
Ending net assets .................................... 4,303,308

*Law Enforcement Legal Defense Fund and associated 501(c)(4) Law Enforcement Action Network