

# **LEGAL PITFALLS: HOW TO AVOID COMMON MISTAKES**

**Judge Richard W. Carter (Ret.)**

**Director of Legal Services  
Crime Stoppers of the United States of  
America, Inc.**

# Presenter

## Judge Richard W. Carter (Ret.)



# Speaker's Biography

- Licensed attorney in Texas since 1973, also admitted to practice before all federal district courts in Texas, 5<sup>th</sup> & 11<sup>th</sup> U.S. Courts of Appeal, and U.S. Supreme Court.
- Former Chair of Legal Officers Section of *International Association of Chiefs of Police* (IACP); Life Member of National Sheriff's Association.
- Former Hunt County Attorney, former Arlington Municipal Court Judge; former Chair, Municipal Judges Section SBOT.
- Former Asst. General Counsel & Staff Attorney for *Combined Law Enforcement Associations of Texas* (C.L.E.A.T.).
- Currently Director of Legal Services for Crime Stoppers of the United States of America, Inc. (CSUSA).
- President & Co-Founder: *International Court Security Assn.*
- Author of *Court Security in the New Millennium: A Time for Change* (Amazon books).

# DISCLAIMER

Statements made during this session are for discussion and informational purposes only and should not be considered as “legal advice” to a client.

Nothing in this session is intended to interfere with any existing attorney-client relationship or to supersede advice from an attorney licensed to practice in your jurisdiction.

# Who Is In The Room?

- Board Members
- Law Enforcement
- News Media
- Large Programs
- Small Programs
- From Other Nations
- Interested in Starting A Program

IN NO CERTAIN ORDER:

*COMMON MISTAKES TO AVOID*

# Separation from Government

Be structured, operated, and controlled as a true non-governmental entity.

Voting members of the board should not be law enforcement officers or public officials.

See Carter's article "Desperate Measures"

# Large Rewards

Be aware of federal banking laws applicable to nongovernmental rewards in excess of \$10,000.00. (No anonymity/felony violation)

Avoid participation in any supplemental reward that requires a “conviction”

See Carter’s article: Nightmare of Large Rewards



# Failure to *Sanitize* Tips

Tips should have any words removed which might lead to the identification of the tipster.

All tip handlers should be taught this protocol.

The tip is owned by Crime Stoppers upon receipt and the sanitization is not tampering with a governmental record.

Attend training sessions by Lisa Haber of Navigate360/P3.

# Troublemakers on the Board

Boards become dysfunctional when dysfunctional persons are directors.

Law enforcement administrators grow tired of Crime Stoppers board embarrassing antics.

Use care in vetting during the recruiting process; keep decorum during meetings; and have Bylaws which allow for removal of Directors with or without cause.

# Inappropriate Expenditures

Revenue created by legislation must be spend in accordance with the statutory requirements.

Charitable donations should be expended in accordance with “donor intent”.

Crime Stoppers dollars should be spent on paying rewards and expenses necessary to operate the program.

Crime Stoppers is not a grant agency that funds other worthy causes. Stick to the mission.

# ISOLATIONISM

Crime Stoppers from its inception had a family type of relationship among programs.

There was unity and a willingness to assist in the creation and successful operation of other Crime Stoppers programs.

Crime Stoppers USA (now *Crime Stoppers of the United States of America, Inc.*) was created to achieve that goal.

Far too many programs fail to support the parent organization, thinking selfishly only of themselves, and letting others carry the financial load for CSUSA which fights to protect the Crime Stoppers programs in our nation.

# End of Presentation

- Are there any questions?
- Additional questions or requests for information can be emailed to:

*CrimeStoppersLaw@aol.com*