

Brief Biography

David J. Beyer

David J. Beyer graduated with honors in Police Administration from the University of Louisville in 1977 and received his Juris Doctor degree from the University of Louisville in 1981. From 1981 to 1985, Mr. Beyer was an Associate in the Louisville Law Firm of Nold, Mosley, Clare, Hubbard and Townes. In 1985, he joined the Federal Bureau of Investigation. After 4 months of training at the FBI Academy in Quantico, Virginia, he was transferred to the Oklahoma City Office of the FBI where he was assigned to a Criminal Squad. In this assignment, he handled complex white collar crime investigations as well as bank robberies and drug investigations.

In 1989, he was promoted to Supervisor-Assistant General Counsel and transferred to FBI Headquarters in Washington, D.C. where he served in the Office of General Counsel for two years. There he was responsible for providing legal advice to FBI Headquarters (HQ) executives and field office personnel on criminal law, criminal procedure, electronic surveillance, undercover operations and employment law matters. This assignment included the review for legal sufficiency of all documents submitted by the field requesting authority to conduct wiretaps (electronic surveillance pursuant to Title III). He also served as counsel to the Criminal Undercover Review Committee which is composed of high-level FBIHQ and Department of Justice personnel. This Committee reviews all sensitive FBI undercover operations proposals submitted by offices throughout the country. He was later transferred to the Undercover and Sensitive Operations Unit at FBI HQ where he supervised and provided legal advice on nationwide undercover operations.

In 1993, Mr. Beyer was selected as the Chief Division Counsel for the Kentucky Office of the FBI. As Chief Division Counsel, Mr. Beyer was responsible for providing legal advice to the Agents and management of the Kentucky FBI on both civil and criminal law matters including employment law. He also served as the spokesperson for the Louisville FBI. In 2009, he was selected to be co-case agent on a high-profile case involving a prominent person who had been the victim of an extortion attempt. The subject was convicted and served seven years in prison.

In addition, Mr. Beyer has been a speaker at the FBI Academy on the topics of Undercover Operations and Electronic Surveillance. He has also been a guest instructor at the International Law Enforcement Academy in Budapest, Hungary as well as an instructor at international training initiatives sponsored by the U.S. State Department in Kristinau, Moldova and Bucharest, Romania. Mr. Beyer has

been an instructor at numerous law enforcement conferences and Continuing Legal Education seminars throughout Kentucky on a variety of legal matters including criminal law and procedure, Search and Seizure law, the U.S. Patriot Act, Electronic Surveillance Law, among many other topics.

Mr. Beyer retired from the FBI in November of 2011 and became General Counsel of the Kentucky Board of Dentistry (KBD) where he oversaw investigations of complaints filed against dentists and dental hygienist in Kentucky. He was later promoted to Executive Director of the KBD where he oversaw and was responsible for investigations, developing budgets, and supervising personnel along with liaison with state government officials.

In 2016, Mr. Beyer was selected as the Assistant Chief of Police for the St. Matthews, Kentucky Police Department where he was responsible for police patrol services, investigations, and administrative matters. He served as Acting Chief upon the retirement of the prior chief.

Mr. Beyer currently serves as Of Counsel for the Louisville Law Firm of Pence and Whetzel where he is involved in both criminal and civil litigation including employment law matters. In addition, he is an Adjunct Professor at the University of Louisville where he teaches Civil Liability and Employment Issues for Police Administrators.

DAVID J. BEYER

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EDUCATION

University of Louisville
Bachelor of Science, Police Administration with Honors **1977**

University of Louisville
Juris Doctor **1981**
Honors: Law Journal; Top 10% of Class

TEACHING EXPERIENCE

University of Louisville
Adjunct Professor – Criminal Law and Evidence **2015**
Adjunct Professor – Civil Liability/Employment Law **2019 - present**
Developed syllabus and overall course structure, and administered all grades.

MEMBERSHIPS

Kentucky Bar Association **1981 - present**
Louisville Bar Association **2018 - present**

EMPLOYMENT

Pence & Whetzel, PLLC
Louisville, Kentucky
Of Counsel – Civil, Criminal and Employment Law Litigation **2018 - present**

St. Matthews Police Department
St. Matthews, Kentucky
Acting Chief/Assistant Chief/Legal Advisor **2016 – 2018**
Responsible for overall administration, operations, public and media relations.

Pence & Ogburn, PLLC
Louisville, Kentucky
Of Counsel – Civil Litigation – Police Legal Advisor **2011 – 2016**

Kentucky Board of Dentistry
Louisville, Kentucky
Executive Director
Responsible for overall administration, budget, personnel, enforcement of the Kentucky Dental Practice Act, investigations, and disciplinary matters. **2012 – 2016**

Kentucky Board of Dentistry

Louisville, Kentucky

General Counsel

2011 – 2012

Provided legal advice to the Kentucky Board of Dentistry and its Executive Director, supervised investigations into violations of the Kentucky Practice Act, managed the disciplinary hearings and prepared legal documents related to disciplinary matters; drafted regulations for submission to Kentucky Legislature; and acted as liaison with the Governor's Office and Attorney General's Office.

Federal Bureau of Investigation

Louisville, Kentucky

Chief Division Counsel – Supervisory Special Agent

1993 - 2011

Responsible for all legal and ethics matters including resolution of complex legal issues arising from investigations, sensitive personnel issues, and oversight of civil litigation. Management and supervision of undercover, informant, victim witness and forfeiture programs and personnel; ongoing legal instruction to FBI Agents and use of force briefings. Spokesperson and media liaison.

- Review, approve, and assist in drafting contracts, memorandum of understanding, arrest and search warrants, wiretap requests, forfeiture, and other legal documents.
- Review all search warrant affidavits for legal sufficiency to include whether probable cause existed and whether confidential informants' qualifications and basis of information was adequately stated.
- Recognized by FBI Headquarters Inspection Staff for exceptional management of informant program.
- Liaison with U.S. Attorney's offices and federal judiciary as well as other government agencies.
- Extensive media and community relations experience.
- 2011 - Speaker – International Chiefs of Police Annual Conference- Chicago, Illinois – Use of Force and Deadly Force.
- 2011 - Charlotte, North Carolina – Symposium on Civil Liability and the Use of Deadly Force.
- 2003 – Instructor - FBI Joint Terrorism Task Force on topic of the Foreign Intelligence Surveillance Act and Information Sharing.
- 2002 - Kentucky Bar Association; Kentucky Prosecutors Annual Conference; Kentucky Appellate Court Judges Conference; Kentucky Librarians Convention - USA Patriot Act; Search & Seizure Law.
- 1999 – Speaker - Kentuckiana Law Enforcement Trainers Association on topic of Civil Liability, Use of Force, and Appropriate Policies and Procedures.
- 1999 - Awarded U.S. Attorney Award for Public Service for development of Victim/Witness/Juror Intimidation Plan for the Western District of Kentucky.

- 1996 - On-scene legal advisor at critical incident involving "Freeman Standoff" in Jordan, Montana.
- 1996 – Recognized by U.S. Attorney for Western District of Kentucky for Asset Forfeiture Training provided in Madisonville, Kentucky, to the Law Enforcement Coordinating Committee Western District of Kentucky.
- 1993 – Guest Instructor at the FBI Academy for the Annual Domestic Terrorism In-Service on the topic of Undercover Operations in Domestic Terrorism Investigations.
- 1993 – Acting Unit Chief, Undercover and Sensitive Operations Unit, FBI Headquarters.
- 1986 – Received advanced training at the FBI Academy on the Development and Handling of Informants.
- Guest Instructor - International Law Enforcement Academy, Budapest, Hungary; Bucharest, Romania; and Kristinau, Moldova on topics of legal issues in Undercover Operations and Search & Seizure Law.
- Kentucky Librarians Association Annual Conference – The USA Patriot Act
- Instructor - Kentucky State Police Executive Management - Computer Crimes, Forfeiture and Homeland Security Matters.

Federal Bureau of Investigation

FBI Headquarters

Undercover and Sensitive Operations Unit

Washington, D.C.

Supervisory Special Agent

1991 - 1993

Review, oversight, and ensure legal compliance of undercover operations nationwide. Legal training and assessment of undercover agent personnel. Routinely collaborated with senior members of the Department of Justice (DOJ) on legal matters of national significance. Responsible for development of and liaison with private sector entities and international law enforcement officials to further nationwide FBI sensitive investigations.

- Instructor - FBI Academy, Quantico, Virginia – Legal Aspects of Undercover and Sensitive Operations.
- Development of and supervision of program to ensure integrity of undercover operations.
- Award for development of nationwide undercover proposal process.

Federal Bureau of Investigation

FBI Headquarters

Office of General Counsel

Washington, D.C.

Assistant General Counsel – Supervisory Special Agent

1989 - 1991

Ensure legal compliance of sensitive and complex investigations involving all criminal investigative programs. Counsel to senior FBI officials on legal matters involving sensitive operations. Responsible for approval of all legal documents requesting authority to conduct court ordered electronic surveillance (wiretaps) and nationwide undercover operations.

- Review affidavits submitted by FBI Field Offices in support of applications to conduct court authorized electronic surveillance to ensure probable cause standard met to include appropriate vetting of informants and sufficient statement of an informant's qualifications and knowledge of facts set forth in the affidavits.
- Instructor - FBI Academy, Quantico, Virginia - Electronic Surveillance Law and Undercover Operations.
- Asian Organized Crime Conferences, Toronto, Canada and St. Louis, MO - Electronic Surveillance and Undercover Legal Issues.
- Served with FBI executives and senior DOJ personnel on FBI Headquarters Undercover Review Committee - Review of, legal advice concerning, and guidance on nationwide undercover operations.

Federal Bureau of Investigation

Oklahoma City Field Office

Oklahoma City, Oklahoma

Special Agent/Legal Advisor

1986 – 1989

Served as legal advisor responsible for resolution of sensitive legal issues, drafting search warrants and affidavits in support of applications for electronic surveillance; and providing legal instruction to federal and state law enforcement agencies. Investigated violations of federal law including bank robberies, civil rights violations, kidnappings, drug investigations, interstate fraud schemes, public corruption and other complex white collar crime matters. Member Special Weapons and Tactics Team (SWAT) responsible for handling high risk arrests and hostage/barricaded subject crisis incidents.

- Developed and operated confidential informants; completed necessary paperwork and vetting of informants to ensure information they provided was accurate and truthful.
- 1988 – Directed and managed Major Case entitled "Patchwork" which concerned fraud and corruption in the oil industry with focus in Western Oklahoma.
- 1988 – Outstanding working relationship with U.S. Attorney's office; recognized for having the most convictions in one year; convictions on all matters that progressed to trial.
- Instructor - Oklahoma State Law Enforcement Academy; Oklahoma County Sheriff's Academy; and Oklahoma State Police Academy - Civil Liability, Civil Rights and Deadly Force Issues; recognized by class as "Best Instructor."
- SWAT - Deployed on high risk arrests involving Mexican drug cartels and other potentially dangerous arrest situations including barricaded subjects following bank robberies; and surveillance/prevention of violent bank robberies.

Nold, Mosley, Clare, Hubbard and Townes

Louisville, Kentucky

Associate/Partner

1981 – 1985

Litigation experience including domestic relations, workers compensation, immigration, contract disputes and use of force matters. Preparation of corporate legal documents. Promoted to partner in 1985.

- Speaker at Kentucky Bar Association CLE seminar - Immigration Law.
- Assisted with representation of Jefferson County Police Department on use of force issues (Section 1983 civil rights actions) as well as representation of numerous Jefferson County volunteer fire departments; assisted with representation of Jefferson County Corrections Department.
- Oral arguments before Sixth Circuit Court of Appeals and Kentucky Court of Appeals.

COMMUNITY SERVICE

Anchorage Fire Protection District

Anchorage, Kentucky

Chief

1983 - 1985

Overall responsibility for fire suppression, rescue operations, supervision of personnel, equipment, budget and public relations.

Middletown Fire Protection District

Middletown, Kentucky

Firefighter/Captain

1973 - 1983

Joined department as firefighter and was quickly promoted to Captain in charge of a station. Extensive experience at various types of emergency situations. Driving and operations instructor on all fire apparatus including aerial ladder truck as well as rappel operations.

ADDITIONAL SKILLS, CERTIFICATIONS AND INVESTIGATIONS

Federal Law Enforcement Officers Safety Act – Concealed Carry Permit

2011 – present

Orientation Training for New Chiefs of Police

2017

Training provided by the Kentucky Department of Criminal Justice Training
Richmond, Kentucky

Federal Air Marshal Trained and Certified Armed Security Officer

2011 – 2015

Provide armed security on corporate jets flying to Washington National Airport to ensure integrity of flights and prevent any terrorist event involving the aircraft.

Contracted to Review, Investigate and Assess Allegations Of Inappropriate Behavior by Police Officers Suburban City in Metro Louisville	2015
Administrative Hearings Before State Boards and Commissions Training provided by the Office of Kentucky Attorney General Frankfort, Kentucky	2014
Workplace Violence Training Conference Provided workplace violence prevention and response training to a large physicians group in Louisville along with personal protection training.	2014
Armed Executive Protection Contracted to conduct site survey, advance assessment, coordination with venue security personnel and armed executive protection to MSNBC television host and commentator.	2013

REFERENCES:

Mayor John Evans
City of Prospect, Kentucky

Chief Rick Sanders
Jeffersontown, Kentucky Police Department