

# MICHAEL LEVINE

## CURRICULUM VITAE

### **Michael Levine, Consultant & Investigator**

NY PI License: 11000084000

PO Box 533

Stone Ridge, New York, 12484

Tel: 845-687-9642 Fax: 845-687-4916 Cell: 845-430-3930

[Expert53@aol.com](mailto:Expert53@aol.com)

[www.policetrialexpert.com](http://www.policetrialexpert.com)

### PROFESSIONAL SUMMARY

I am a US Law Enforcement Procedure Expert with over 50 years of courtroom experience (civil & criminal) as a Trial consultant and Expert Witness, including 25 years of service with DEA, Customs, BATF, and the IRS Criminal Investigations Division. Since 2003, I have served as a consultant and reviewer of Police-Involved Shootings (homicides) as well as related areas pertaining to arrest and investigative procedures for both the Atlanta and the Dekalb County Georgia District Attorneys Offices. I regularly take part in the investigation of questionable police-involved shootings and related arrest and investigative procedures as well as provide expert testimony for criminal grand juries in those districts. Since my retirement from Department of Justice, I have been retained in more than 500 criminal and civil matters, both domestically and internationally, resulting in more than 90% out-of-court resolutions in favor of my clients

My peer review journal articles on police procedures and the Manual on Undercover Tactics and Informant Handling (and related Arrest & Security Procedures) have been published by Academia.edu and are currently in the top .01% of global downloads by police departments and researchers.

I am also currently working on a contractual basis as a police instructor primarily lecturing on Undercover Tactics and Informant Handling, which includes an intense focus on use-of-force and related arrest and security issues.

### LANGUAGES

English (fluent), Spanish (bilingual), Italian (conversant)

### EXPERIENCE

*Expert Witness – Trial Consultant*

1990-Present

Since 1990, as a civilian, I have been retained as a trial consultant and/or testifying expert in more than 500 criminal and civil matters relating to the below topics with 90% of cases resulting in out-of-court resolution. Areas of expertise:

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1. Domestic and International Narcotic trafficking Investigative procedures, including transportation, possession with intent, RICO/Conspiracy investigations, Money Laundering, practices and morays of international drug traffickers of every level and other related matters
2. "Blind Mule Defense," (unwitting participation in drug trafficking and other crimes)
3. Police Procedures, training and standards all areas; adherence to search-for-truth principals
4. Police standards of Interrogation and Interviews/ false confessions
5. Use of Force (including deadly force)and reasonability of action in all related arrest and confinement procedures
6. Use of canines, military and police, all areas
7. Arrest and control procedures involving mentally ill subject
8. Review of Police Management and oversight practices, all areas, including but not limited to hiring, review, security and training practices
9. Documentation of elements of proof indicative of the "avoidance of bad evidence," during the overall investigative process. "Bad evidence," meaning the avoidance of any investigative process that will result in the revelation of information or evidence (Brady materials) that contradict police and/or prosecution theories of guilt AND/OR evidence that would, in anyway, result in the exposure of police corruption and/or abuse of official powers.
10. Plant and security planning and review
11. Opioid production and distribution; security related thereto
12. Police Involved Shooting Investigative Procedures
13. Reenactment of Use-of-force and arrest and other related scenarios
14. Raid Planning & Execution
15. Human Intelligence (Informants) recruitment, corroboration, management and control
16. Organized Crime (all areas)
17. Law Enforcement Procedures, i.e. Crime scene investigations, evidence handling, interviews and interrogations, adherence to standards of conduct, identification of elements of probable cause indicative of police corruption, etc. (local and federal)
18. Due Diligence in Obtaining Probable Cause and security precautions
19. Undercover & Surveillance Tactics
20. Entrapment
21. Police Community anti-drug Tactics
22. Civil Rico
23. Physical and Plant Security
24. Official Corruption and abuse of official powers
25. Reasonability of law enforcement action during all arrest and related detainment procedures

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*Law Enforcement Instructor / Lecturer*

1973-Present

I am currently retained on a contractual basis by law enforcement agencies across the US and Canada as an instructor lecturer in police procedures related to undercover operations, informant handling, Interrogations & Interviews and plainclothes arrest tactics.

Between 2010-2013 I was retained by the US State Department as an instructor/lecturer for the Brazilian Federal Police. I have also have served as a certified Police Instructor for the State of New York, working on assignments emanating from the New York State Division of Criminal Justice Services.

In January of 2008, I authored the NY State Law Enforcement Instructional Manual "Undercover Survival Tactics and Informant Handling," which included training in Use of Force related to Undercover Work and informant handling operational and security procedures. This manual was translated to Brazilian Portuguese in November, 2010 and is currently being used by police agencies worldwide via Academia.edu.

Since my retirement from the Drug Enforcement Administration in 1990, to date, I have also lectured on a contractual basis for many local enforcement agencies on Human Intelligence, Undercover/Covert Operations, Narcotics Investigations (from street level to international), International Operations and more (details on request) across the United States, Canada and Australia. I served as a regular instructor of Undercover Tactics (and all related arrest procedures), Narcotic and Money Laundering Investigations and Informant Handling for Ontario Provincial Police Academy for 7 years.

*Law Enforcement Instructor, Department of Justice*

1973-1990

I was assigned co-duty as a Police Instructor in the Department of Justice, Drug Enforcement Administration, Training Division, two-week narcotic investigations school offered for law enforcement agencies nationwide. The subjects of my lectures included:

- Undercover Tactics (including use of force and arrest procedures)
- Informant Handling
- Raids
- Narcotic Investigative Procedures (standards of interrogation and interviews)
- Surveillance
- Unarmed Self-Defense

The following are some of the highlights during this portion of my career:

- Became a New York State Certified Police Instructor.
- Employed as a regular DEA Instructor at the New York State Police Academy.
- Developed a course of self-defense and security precautions for plainclothes operations.
- Received DEA Commendation for training activities.

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- Specially invited lecturer to FBI Academy, Quantico, VA, to lecture on Advanced Undercover Seminar.

### Special Positions and Recognition as Instructor / Lecturer

*Member of the Mayoral and City Council ATM Task Force, NYC* 1993-1994

Membership as requested by NYC Mayor David Dinkins. The work of this task force resulted in new laws increasing security at the 25,000 automated teller machines in the City of New York.

*Canadian College Speaker of the Year* 1993

Received commendations for lecturing on the subject of Undercover Survival Tactics, Informant Handling procedures, Narcotics Investigative Procedures and related subjects including all arrest procedures.

*Drug Bureau Chief, Barnstable County, MA* 1992-1993

Received commendations from the Barnstable County Sheriff's Department for the implementation of my fight back neighborhood- based anti-drug program.

*Undercover Agent, Drug Enforcement Administration* 1973-1990

During this period, I was considered one of DEA's top Undercover/Deep Cover and international narcotic trafficking specialists, with over 5,000 arrests and in excess of 3,000 "hands on" arrests. These cases involved armed suspects who had committed major felonies including but not limited to narcotics trafficking, homicide and mass murder, felony assault,<sup>1</sup> witness threats and intimidation, vehicular homicide, bank robbery, weapons and bomb possession and trafficking, armed robbery, hijacking, conspiracy to murder, bootlegging, interstate transportation of stolen vehicles, RICO, interstate flight to avoid prosecution, income tax evasion, federal gambling and loan sharking and numerous related crimes involving threats, and/or, acts of violence, most emanating from informant, and/or, complainant generated information. Additionally, I was responsible for the design and orchestration of some of the government's most significant national and international Deep Cover and conspiracy investigations in drug war history. As case agent, I had direct responsibility for the use-of-force employed, the security assessment, the planning and execution of each operation. Some of my international RICO and Conspiracy investigations were recently featured on the History Channel's "Twentieth Century."

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<sup>1</sup> This includes the initial investigation involving domestic violence of agents, officers and confidential informants assigned to the Drug Enforcement Administration and its various task force operations.

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### DEA Positions held:

- Country Attaché, Argentina and Uruguay. 1979 - 1982 I was the senior US law enforcement officer in the Southern Cone
- Special Operations Officer, Worldwide
- Inspector of DEA field Operations, worldwide, Office of Professional Responsibility
- Desk Officer, Cocaine Desk, Heroin Desk, DEA Headquarters, Washington, DC
- Miami Airport Supervisor, Vice President's South Florida Task Force
- Instructor/Lecturer, Public Affairs and Training Office: As part of my duties I lectured federal and local law enforcement agencies on Human Intelligence (Informant Handling), Undercover & Deep Cover Survival Tactics, Use-of-Force in plainclothes operations, Narcotic Investigations, Conspiracy and more
- Group Supervisor, New York City Field Division (co-duties: Internal Affairs & Training)
- Group Supervisor, New York City Joint Federal State Task Force supervising New York City and State Police officers as well as federal agents
- Acting Group Supervisor, International Group, New York City Field Division
- Assistant Group Supervisor FBI/DEA Task Force
- Acting ASAC (Division Leader), New York Field Division
- Liaison Officer with government of Israel

*Assistant Group Supervisor, US Customs*

1970-1973

During this period, I was an Assistant GS for the Hard Narcotics Smuggling Division, US Customs. I also held positions of Special Agent and Special Agent/Sky Marshal. Highlights include: Deep Cover investigation in South East Asia during Vietnam conflict resulting in Special Act US Treasury Award, for taking down one of the most significant international heroin smuggling organizations of the time.

Expert Witness: During my career as a Customs officer, I qualified as an Expert Witness testifying as to Narcotic trafficking, Informant Handling, Controlled Delivery Operations, Organized Crime, Conspiracy and other procedural matters directly and/or peripherally related to violations of US Customs laws, informant handling and other enforcement investigative procedures on more than 25 occasions.

*Special Agent, Bureau of Alcohol, Tobacco & Firearms*

1966-1970

Expert Witness: During my career as a BATF agent, I qualified as an Expert Witness testifying as to all matters related to weapons, narcotics trafficking, Organized Crime, Conspiracy and other matters directly and/or peripherally related to violations of laws enforced by BATF on more than 35 occasions, including but not limited to Use-of-force and informant handling.

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*Special Agent, IRS Intelligence Division, Organized Crime* 1965-1966

*Air Police Officer, Sentry Dog Handler, US Air Force* 1958-1961

### EDUCATION

BAA Degree in Accounting, Minor Economics, Hofstra University June 1965

### LAW ENFORCEMENT TRAINING

#### US Air Force

- Military Police School
- Sentry Dog Handling School (K-9)

#### IRS Intelligence Schools

- Special Agent School (Tax Fraud Investigations)
- Tax Law School

#### US Treasure Schools

- Treasury Law Enforcement Academy

#### BATF Schools

- ATF Investigator School
- Bomb Investigation and Weapon Schools
- Interrogations and Homicides
- Executive Protection School
- Seminars on Crime Scene Investigation, Gun Crimes, Gun Control Procedure
- Seminars on Security Assessments
- Pursuit and Surveillance Driving
- Dealing with the public in volatile arrest and/or crime situations

#### US Customs Schools

- Customs Special Agent Academy(Enforcement of all US Custom laws).
- Conspiracy Investigations Seminar
- Sky Marshal Training Course
- Seminars and training Security Assessments
- Dealing with the public (reasonability of action) in all volatile situations.

#### DEA Schools

- Senior and Mid Level Management Schools
- Police Instructor School, with seminars given by US Attorneys offices

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- Two seminars on money laundering investigations
- Pursuit and surveillance driving
- Numerous seminars on Title III investigations given by US Attorneys offices
- Drug Related Death Seminar by Dr. Michael Baden
- Methamphetamine investigations seminars
- Seminars on Crime Scene investigations given by NYPD
- Intelligence Gathering Principles given by CIA
- Internal Security Inspectors Training
- Executive Protection given by Secret Service
- OPR (Office of Professional Responsibility) Inspector Training
- Foreign Service Institute (foreign Diplomacy and diplomatic Spanish)

## MARTIAL ARTS INSTRUCTOR AND PRACTITIONER

- Martial arts (Karate) practitioner and instructor since 1963
- Black Belt in 1973
- I was involved in international and international competitions, including the 1976 Police Olympics and the 1973 South American Caribbean Championships

## PUBLICATIONS

*Deep Cover*, nonfiction, *New York Times* bestseller, (Delacorte Publishers, March 1990, since republished by special arrangement between the Author's Guild and numerous foreign translations).

*Fight Back , How to Take Your own neighborhood Back From the Drug Dealers* (Dell Publications). Recommend reading by the Clinton Administration Drug Policy Office for communities with drug problems.

*The Big White Lie*, (Thunder's Mouth Press), nonfiction, co-written by my wife, LAURA KAVANAU was published October, 1993 (Numerous foreign translations)

*The Triangle of Death*, also co-written with Laura Kavanau, published August, 1996 (Delacorte).

*After Prohibition* (April 2000) Contributing writer in the Cato Institute Book.

*Into The Buzzsaw*, (Prometheus, March, 2002). Contributed a chapter.

*Manual for Undercover Tactics & Informant Handling*, Written for use in the DEA's training program for local and state police agencies; this was later adapted for the State of New York, Criminal Justice Services Division (December 2007); subsequently adapted by the US State Department and drug enforcement administration for training the Brazilian national police (2011-2013; I designed and took part in the presentation of the course in Brazil).

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### ARTICLES

The following is a list of publications and articles from 1993 to present:

“King Rat” by Michael Levine, article on Informant Entrapment, based on documented cases taken from the author’s experience. Published by *Utne Reader*, and many other venues.

“Going Bad” by Michael Levine, article on law enforcement corruption, based on cases taken from the author’s experience, *Spin* magazine and republished in numerous other venues.

“A Time Warner Executive Executes Cops” opinion piece published in *New York Newsday*, *The NARC Officer*, and other venues, concerning violence against law enforcement officers inspired by certain rap music pieces irresponsibly released by music company executives.

“The Expert Witness” published by *Texas Lawyer Magazine*.

“That Nightmare Moment” (police use of deadly force), published by the *Los Angeles Times*.

“Blind Mules-Fact or Fiction”-unwitting and/or duped participation in crime, published in *Law Enforcement Executive Forum* a publication of the Illinois Law Enforcement Training and Standards Board, the University of Western Illinois.

“The Weakest Link” – Management responsibility for snafos involving covert operations and informant handling, based on a presentation given to the Defense Intelligence College Southern Command, December 2008); published in *Law Enforcement Executive Forum* a publication of the Illinois Law Enforcement Training and Standards Board, the University of Western Illinois.

“American Hustle,” (2015) a peer review journal article published in *Law Enforcement Executive Forum* a publication of the Illinois Law Enforcement Training and Standards Board, the University of Western Illinois. A critique of undercover sting operations and the management failures related thereto.

All the above articles have been republished in 2014, via Academia.edu. The student manual on undercover tactics and informant handling, whose primary intention is the avoidance of police-involved shooting situations by proper planning and execution is now among the top.01% of global downloads by police agencies and researchers.

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### MEDIA CONSULTANT & GUEST/EXPERT APPEARANCES:

I have appeared as a guest/expert on the following nationally televised shows, included but not limited to the following:

- *Mike Wallace's 20th Century Special "Losing the Drug War"* (History Channel)
- *The Big Idea* - interrogations and confessions expert (CNBC)
- *Rivera Live*
- *60 Minutes*
- *Donahue*
- *Geraldo Rivera* (both Daytime show and *Rivera Live*)
- *Inside Edition Good Morning America* (3 times)
- *NBC Morning Show*
- *CBS Morning Show*
- *MacNeil Lehrer News Hour* (interviewed by Charlene Hunter Gault)
- *Dick Cavett* (2 times)
- *9 Broadcast Plaza*
- *Bill Moyers* (2 times)
- *Like It Is* (Gil Noble, 2 times)
- *Dan Rather News* (several times)
- *20/20* (ABC)
- *Eye On America* (CBS)
- *Night Watch*
- *Crier Report* (Fox News Net)
- *Crossfire* (HBO documentary on undercover work)
- *Undercover* (Arts and Entertainment Movie)

I have also been retained by Spelling, NBC Productions and Sony Pictures as technical consultant in television shows in the areas of Informant Handling, Arrest and Undercover Procedures and Use-of-Force.

I have also appeared as an expert on various law enforcement related topics on numerous local television shows around the country including Miami, New York, Connecticut, Westchester County, Dallas, San Diego, San Francisco, Chicago, Detroit, Tampa, Houston, Seattle, Los Angeles, New Orleans, Boston, Cape Cod, Portland, Washington, DC, Baltimore, Maryland, Atlanta and more. I have also made guest appearances on hundreds of local and national radio shows around the country.

### ASSOCIATIONS

- COPS (Concerns of Police Survivors), an organization of families of police officers killed in the line of duty
- Survivors of the Shield, an organization of families of New York City police officers killed in the line of duty

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- New York State Shields (Lifetime membership)
- National Organization of Police Concerns
- American Society of Law Enforcement Trainers
- The New York State Shields Inc., a police fraternal organization
- Association of Former Intelligence Officers
- Association of Former Federal Narcotic Agents
- ASLET: Association of Law Enforcement Trainers
- Force Science Research Center
- AELE Law Enforcement Legal Center

## AWARDS

I was considered one of the most decorated agents in the Drug Enforcement Administration. My awards include the Octavio Gonzalez Award, given by the International Narcotic Enforcement Officer's, for the undercover penetration of the Roberto Suarez, Bolivian cocaine cartel; the, then, biggest case in drug war history, along with more than twenty other Justice and Treasury Department awards, and awards from foreign police agencies.

9/26/67	2 Letters of Commendation from IRS Intelligence and BATF.	Investigative action and surveillance leading to successful Organized Crime prosecutions. (Gambino Crime Family operations).
4/9/68	3 Awards as follows: 1 NYPD citation; 1 letter of commendation BATF; and 1 US Treasury Special Act Award. (Plaque & Money Award)	Capture of ax wielding fugitive, fleeing from the scene of a robbery, without resorting to use of firearms.
1/28/70	2 Awards as follows: 1 Citation from NYPD and 1 from Treasury Department.	Capture and conviction of fleeing vehicular homicide suspect. (convicted).
6/11/70	3 Awards as follows: 1 Commendation from US Treasury; 1 letter commendation from US Attorneys office; 1 US Treasury Special Act Award.	UC infiltration of biker gangs, resulting in largest bomb seizure on record at that time, as well as numerous drug and weapons convictions. US v Frakowiak, et. al..
8/19/70	3 Awards as follows: 2 Citations from FBI, New York	Undercover work in US v Archie Dent, resulting in the detection,

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	Office, 1 citation from US Attorney Edward Neaher's Office EDNY and Treasury Department Special Act Award.	capture and confession (recorded) of a Bank Robber. US v Charles C. Haynes.
8/20/70	Letter of Commendation from Chief Special Inv. BATF, NY Regional Office, Philip Kopstein.	For record of UC gun and drug cases "equaled by only one other officer in the New York Branch office."
9/26/70	2 Awards as follows: 1 Citation from NYPD and 1 Letter of Commendation, US Treasury Department.	Undercover and investigative work leading to breakup of significant illegal numbers, guns-for-crime rental and robbery operation.
4/11/73	1 Letter of Commendation for Expert Witness Testimony from Robert Morse, United States Attorney, Eastern Judicial District of New York.	For Expert Testimony in US v Maria Dora Naranjo, and "3 prior cases" involving Blind Mule ("dupe") cocaine smuggling from South America, all resulting in convictions.
7/11/73	U.S. Treasury Special Act Award. (Plaque & Money Award)	Arrest heroin courier in NYC, financier in Fla. Undercover into major source, Thailand and Cambodia. US v Liang Sae Tiew et al.
11/23/73	Letters of commendation from United States Attorney Robert Morse and SAC John Fallon.	Innovative investigative techniques and expert witness testimony, US v Stanton Freeman, et al.
12/3/74	2 Awards as follows: 1 Letter of commendation from David Trager, United States Attorney, EDNY 1 Letter of Commendation John Fallon, SAC, DEA NY Division.	For trial preparation and testimony at trial including expert testimony. US v Manny Gonzalez.
5/9/75	DEA "Excellence of Performance Award." (Plaque & Money Award)	For excellence of performance as a DEA supervisor, DEA police instructor, case agent, expert

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		testimony and undercover agent. Numerous cases, during rating period 1974-75.
7/18/75	Letter of Commendation, New York Divisional Office, DEA.	For excellence of performance, leadership, expert testimony JULIO QUINONES
5/24/76	DEA "Excellence of Performance Award" (Plaque & Money Award)	As a DEA supervisor, DEA police instructor, case agent, expert testimony and undercover agent.
11/19/76	DEA "Outstanding Contributions to Federal Service" Award. (Plaque & Money Award).	Undercover work on numerous cases, on loan to different divisions and agencies.
3/21/78	2 Awards as follows: 2 letters of commendation, FBI/DEA Task Force supervisor (Francis White) and DEA SAC of New York Divisional office (Robert Stutman).	For "outstanding and innovative investigative technique" in RICO case, resulting in worldwide arrests, drug, weapons and money seizures, including \$500,000 counterfeit – Israel & Italian Mafia drug smuggling cartel. US v Sam Nagar et. al..
4/24/78	3 awards as follows: 1 Letter of commendation from US Attorney Richard Blumenthal (Connecticut) 1 Letter of Commendation from M. Benjiman, DEA Inspector-in-Charge, Internal Affairs, 1 Letter of Commendation DEA Administrator Peter Bensinger. A DEA "Excellence of Performance" Award. (Plaque and Money Award).	For undercover, Investigative work and informant handling in first case of "theft of computer information" on record. Involves UC purchase of restricted computer information from serving and retired DEA agents. Award was also in consideration of "outstanding performance on the witness stand" which included Expert Testimony. US v Lambert and Girard.
7/11/80	DEA "Special Achievement Award." (Plaque and Money Award).	For significant accomplishments including numerous, international narcotics cases, during the years 1979-

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		82 while serving as DEA Country Attaché, Argentina.
3/1/80	International Narcotics Enforcement Officers Association “Octavio Gonzalez Award” (INOEA’s top award at that time).	For the first undercover penetration of the Bolivian cocaine Mafia and the largest cocaine seizure on record (at that time). US v Roberto Suarez, et al.
3/8/82	Argentine Federal Police “Golden Eagle” Award.	For record number of undercover drug cases in Argentina, along with largest cocaine seizure on record in Argentina.
6/83	Commendation & Plaque, Vice President’s South Florida TF.	For service as supervisor and UC agent. Numerous significant cases.
6/24/86	Sustained Superior Performance Award (Plaque & Money Award) Covering a 3 year period of supervisory performance.	Leadership, undercover activities, and expert testimony as relates to numerous significant narcotic investigations during years-83-86.
3/87	DEA “Special Achievement Award” (Plaque & Money Award)	Numerous, significant undercover RICO and Title III cases as both UC and supervisory officer, while at the same time serving as a police instructor.
10/88	DEA “Outstanding Performance as a Supervisor and Manager in Federal Service.” (Plaque & Money Award)	For numerous significant Title III and undercover sting cases, including Operation Hun, indictment of Luis Arce Gomez, Minister of Interior of Bolivia, all accomplished while serving as a Group Supervisor. Award also took into consideration an “outstanding” rating received for duties as Inspector-of-Operations-in Place.
12/8/89	Letter of Commendation from William Braniff, U.S. Attorney, San Diego	For “outstanding contributions to law enforcement” during 25 year career, particularly singling out services in

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US v Mendez Dueñas, et al, during which Levine performed as key undercover operative as well as providing Expert Testimony during trial. (Subject case of book Deep Cover).

1975-  
1990

Numerous Commendations and certificates for Training.

For services performed as a DEA lecturer and Police Instructor, US & foreign.