



LVPPA VEGAS BEAT

Representing Las Vegas Metro Police Department Officers and Deputy City and Municipal Court Marshals

VOLUME 2 | ISSUE 2

July/August 2007



NATIONAL LAW ENFORCEMENT MEMORIAL

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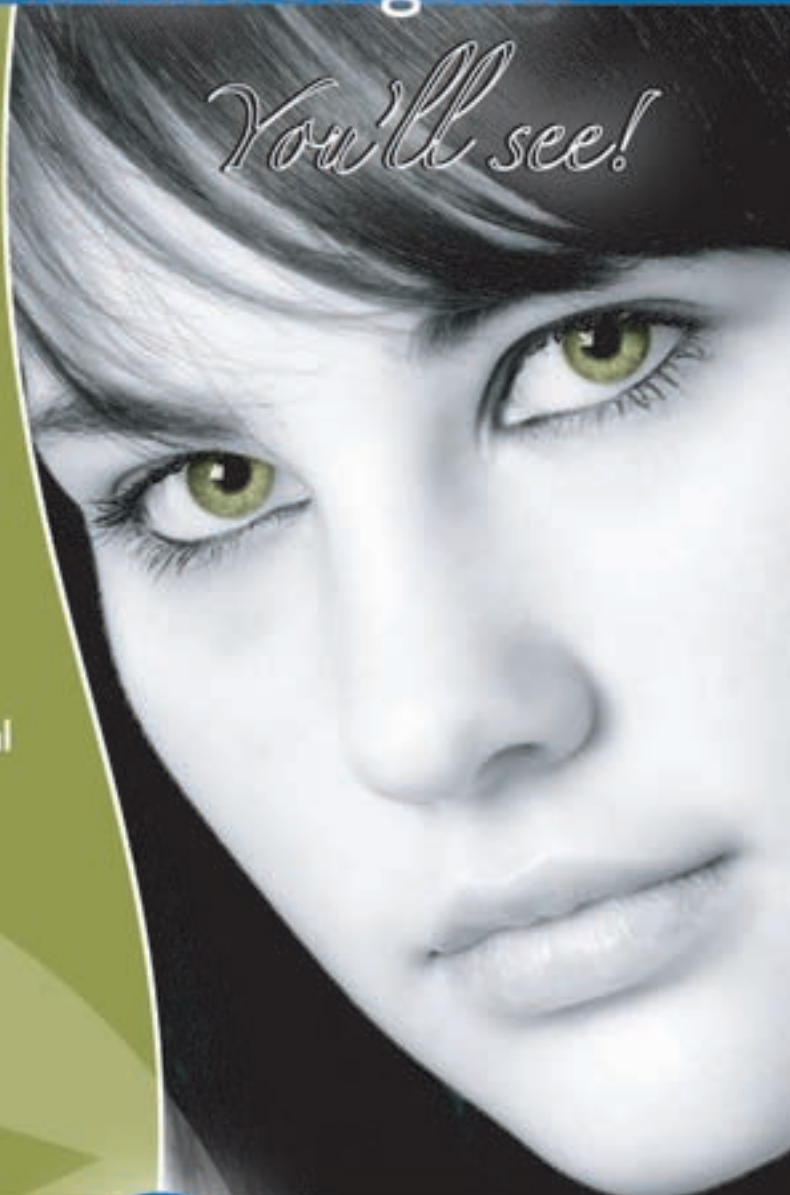
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The Las Vegas Police Protective Association is affiliated with the following organizations at the state and national level:

NAPO – National Association of Police Organizations, representing nearly 220,000 police officer members in 4,000 police associations nationwide.

IUPA – International Union of Police Associations, an AFL-CIO organization representing over 100,000 police officer members in Puerto Rico, Virgin Islands, Alaska and the continental United States in 580 locals.

AFL-CIO – The American Federation of Labor-Congress of Industrial Organizations is the voluntary federation of America's unions, representing more than 9 million working women and men nationwide.

"BIG 50" – An informal association of the 50 largest law enforcement associations in the United States.

SNCOPS – Southern Nevada Conference of Police and Sheriffs



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Executive Director's Message

DETECTIVE CHRIS COLLINS, EXECUTIVE DIRECTOR

Once again, I had the privilege of traveling to Washington, D.C. on behalf of the men and women the Police Protective Association represents. However, this year was a little different. As you know, the Metro family was adding the name of Sergeant Henry Prendes to the Memorial wall. Sergeant Prendes was the first Metro officer to have his name added to the wall in eight years. For this reason, the Board of Directors approved the expenditure of funds for nine people total to travel to Washington, D.C. for the events. I went so I could attend the quarterly National Association of Police Organizations (NAPO) meeting and to be present for other Police Week functions.

Michelle Jotz and Thomas Reid were selected to go because they had represented the LVPPA on that tragic day in February of 2006. The other six people who traveled to Washington, D.C. were selected by a blind draw. Those six people were Darryl Clodt, Harry Demetres, Robert Johnson, Kenneth Lochner, Hector Navarro and Doug Perns. I list these names so that you can ask them for yourself if they believe it was important for the PPA to be represented during Police Week. I do not intend to speak for them, but I will say that each of them has told me it was an unbelievable experience and an event that every officer should attend. Because of this feedback, the Board of Directors hopes to be

able to send two or three members of the Association every year.

During this trip, the officers who attended spent most their time going from function to function representing the PPA and Metro. Having attended Police Week in the past, I knew the officers selected to go would need to be in either a suit and tie or a uniform for these functions and the Association made this attire mandatory. I was extremely honored to be a part of this group. There was not one complaint about the dress code, and while in Washington, D.C., they represented not only the PPA, but all of the hard working men and women here at Metro with dignity and pride.

To give you an idea of what the schedule was like, here are some of the events we attended. On Saturday, May 12, we attended the arrival of the Police Unity Tour. We also attended the Top Cops Awards® ceremony and reception. This Top Cops Awards ceremony was a very important event for our group, because the heroes who were involved in the tragic event where Sergeant Prendes lost his life received an Honorable Mention award. Also on Saturday, May 12, we attended the Chairman's Dinner hosted by the National Law Enforcement Museum. At this function, we presented our third check in the amount of \$20,000 to the Museum. We now have met \$60,000 of our \$100,000 pledge to the Museum. Because of our pledge, we are one of only 17 law enforcement associations to be a Founding Partner of the Museum. On Sunday, May 14, we attended the Candlelight Vigil VIP reception and then the Candlelight Vigil itself.

One of the most important things that happened during Police Week was the introduction of the Sergeant Henry Prendes Memorial Act of 2007 by Nevada Congressman Jon Porter. This legislation increases penalties for cop killers. Specifically, the Sergeant Henry Prendes Memorial Act of 2007 states that, "whoever kills, or attempts to or conspires to kill, a federally funded public safety officer while that officer is engaged in official duties ... shall be punished by a fine under this title and imprisonment for any term of years not less than 30, or for life, or, if death results and the offender is prosecuted as a principal, may be sentenced to death." The term *public safety officer* means an individual serving a public agency in an official capacity, as a judicial officer, law enforcement officer, firefighter, chaplain or as a member of a rescue squad or ambulance crew.

Hopefully, legislation like this will have an impact on the criminal element, and the number of law enforcement officers killed in the line of duty will decrease. Let me close this article with a few facts about the number of law enforcement officers killed. Including this year's officers, the number of names engraved on the Memorial's walls now total 17,917. In 2007, 382 names were added to the wall. The names include 145 law enforcement officers who were killed in the line of duty in 2006, plus 237 officer deaths from previous years. The 145 officers killed in the line of duty during 2006 is the lowest annual total since 1999, when 143 heroes were lost. In 2006, for the ninth year in a row, traffic-related incidents claimed the lives of more law enforcement officers (73) than shootings (52) or any other cause of death.

While the number of officers killed in the line of duty has generally declined in recent years, the fact that one officer is killed every two and one-half days in our country is a sober reminder that protecting our communities and safeguarding our democracy comes at a high price.

With all of this in mind, fight the good fight but be safe always. **VB**

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Overkill?

DETECTIVE MICHELLE JOTZ
Assistant Executive Director

Police Week occurs in May of every year. Timing-wise, that puts articles relating to the event a little behind the times. As I started compiling all of the articles submitted by the Representatives who attend the event as PPA Representatives, I began to wonder if it might be overkill. I looked at articles from Ken Lochner, Harry Demetres, Chris Collins, Hector Navarro and Robert Johnson; I looked at an article from Craig Floyd from the NLEOMF; and I looked at pictures from the events. My concern about overkill was nullified when I truly reflected on the Candlelight Vigil.

You see, I have attended Police Week functions as a member of the LVMPD Honor Guard and as a PPA Representative. I have had the opportunity to participate in the week's events and I have also had the opportunity to attend the events as a spectator. After attending the event as a member of the Honor Guard, I told everyone who would listen that "you can't truly appreciate the week's events until you have been there in person and, once you do go, you won't ever want to miss another one." Although I was only lucky enough to participate in the events for one year, my view of the week hasn't changed. Standing in the sea of officers, uniformed and otherwise, there is this overwhelming sense of brotherhood. A lot of professions have that unity, but it's not too often it is felt in law enforcement.

Regardless of agency; whether called an officer, deputy or agent; whether the uniform is blue, tan or green; whether you drive a patrol car or a cruiser; everyone present at that memorial was connected. That includes the family members of officers who were there. The Candlelight Vigil is a somber event, but it provides such a sense of respect. You feel as if you have truly given the officers the proper respect for making that ultimate sacrifice. Seeing the names of the officers from the LVMPD inscribed on those walls also drives the reality home. Among thousands of names are the names of people who wore the same badge we do. They walked the same beats we do, drove the same streets we do or walked the same halls we do. They are a part of us.

We may not have personally known all, some or even any of those officers, but we still have a connection to them. It is this sense of connection that convinced me that honoring these fallen could not ever possibly be overkill. I only knew Henry Prendes in passing. We worked together at Southeast Area Command on swingshift during my second phase of Field Training and briefly thereafter. I needn't know him more to still feel overwhelmed by etching his name on the Memorial wall. As I sit at my desk looking at that etching, along with Henry's photo and Memorial video print, I am honored to be a police officer and to have been able to visit the Memorial and personally etch his name so anyone who enters my office can see. I hope everyone who is given the opportunity to go, does so. You can't appreciate it until you see it in person. **VB**



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The Big 50

CORRECTIONS OFFICER TOM REID

Assistant Executive Director

Over the past five years, several of the PPA Executive Board members have participated in a Police Union Leadership Seminar called “The Big 50 Conference.” This conference brings together the 50 largest law enforcement unions and associations to exchange ideas and obtain information on union issues from some of the leading experts in their field. Most of them are active in the police labor movement as labor union presidents, lawyers, economists and Harvard University faculty members. What gives this conference its prestige and credibility is that it is held at the Harvard Law School in Cambridge, Massachusetts.

This year’s topics included past and current issues/events. A brief synopsis of each lecture is listed below.

The State of Unions in the United States and What it Means

In 2006, only 12 percent of United States employed wage and salary workers were union members, down from 12.5 percent a year earlier. The nation’s union membership rate has steadily declined from its peak of 35 percent in the 1950s. While public employee unions continued to grow after the 1950s, private sector

unionization slid into a continuous decline. Today, only 7.4 percent of private sector workers are union members. Almost half of the union members in the United States are public employees — with local government, including public safety and education, as the most densely organized sectors.

Fudging Numbers is Still a Crime

Jim Ponzi of the Denver Police Department has done extensive research into one of the negative outcomes of the CompStat Program — the tendency to falsify crime statistics. In his lecture, Jim focused on several cities where statistics have been manipulated by command staff to make the crime situation look better than it is. We learned ways to discover if this problem is going on in our agency, how the police union can take the lead and stop these practices and how to protect officers who are targeted by staff because they won’t participate in the fraud.

Lieutenant Ponzi’s research, gathered from officers across the United States, reveals that falsifying crime statistics is not only happening in law enforcement agencies, but in schools and hospitals as well. His discussion focused on the fact that “fudging numbers” is a serious problem that diminishes law enforcement’s credibility with the public, provides a false sense of security to citizens and keeps people in positions of authority who should not be there.

Police Patrolmen on Both Sides of the Line: Chicago’s Haymarket Bombing and Riot in 1886 and Boston’s Police Strike in 1919

Professor James Green, University of Massachusetts, gave a presentation on two traumatic episodes in the history of American urban policing. The first concerned the famous events that took place in Chicago during a general strike for the “eight-hour day” in the spring of 1886, when a confrontation between police and strikers resulted in the death of two workers. The city’s anarchists called a rally on May 4 to protest this action in the Haymarket. The rally was peaceful, until the end when the police marched to disperse the meeting and some unknown person threw a bomb into the police ranks. When it exploded, gunfire erupted in the square. As a result of the bombing and the shooting, seven Chicago police officers and at least three civilians died.

Professor Green unraveled the complex thread of events that led to this tragedy in Chicago, and then turned the clock ahead to 1919, when the Boston police found themselves on the other side of the line: on strike in a job action the press said was Communist-inspired.

The Great Divide: The Battle of the Haves and Have-Nots

Saul Alinsky’s book, “Rules for Radicals,” concerned the epic battles of the 1930s between capitalists and the working poor as they sought to organize into labor unions. His quote, “Change comes from power, and power comes from organization,” is as relevant today as it was then. Alinsky’s use of the terms *haves* and *have-nots* has an entirely different meaning today. Another epic battle is brewing, but the *haves* are now unionized law enforcement officers and the *have-nots* are 91 percent of the private sector workers in the United States. The Great Divide between the wages, benefits, health insurance and pensions of officers and the general public is widening at supersonic speed.

When AFL President Samuel Gompers was asked in the early 20th century what unions wanted, he said, “More.” In the 21st century, the demand for more by members has union leaders being squeezed between economic realities and the unreal expectations of members. When does the demand for more become

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Three New Laws

DETECTIVE DAVID F. KALLAS
Director of Governmental Affairs

By the time you read this, the 2007 Session of the Nevada Legislature will have been completed. (If not, there are going to be a lot of very unhappy people, including me.)

My previous articles dealt with the proposals we had interest in, including reinstating jury exemptions for officers, increasing the witness mileage fee for those of us who attend court on our RDOs, protecting our home addresses from release by our agency, introducing a cost-neutral deferred savings plan (commonly known as a DROP) and requiring that no law enforcement agency may place an officer on Leave Without Pay status based on an internal investigation.

I am pleased to tell you that as of June 1, 2007, three of the proposals are now law. The first is the reinstatement of "Jury" exemption for officers contained in Assembly Bill 49. The new language reads as follows:

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 6.020 is hereby amended to read as follows:

6.020 1. Except as otherwise provided in subsections 2 and 3 and NRS 67.050, upon satisfactory proof, made by affidavit or otherwise, the following-named persons, and no others, are exempt from service as grand or trial jurors:

(a) While the Legislature is in session, any member of the Legislature or any employee of the Legislature or the Legislative Counsel Bureau; [and]

(b) Any person who has a fictitious address pursuant to NRS 217.462 to 217.471, inclusive [.] ; and

(c) Any police officer as defined in NRS 617.135.

2. All persons of the age of 70 years or over are exempt from serving as grand or trial jurors. Whenever it appears to the satisfaction of the court, by affidavit or otherwise, that a juror is over the age of 70 years, the court shall order the juror excused from all service as a grand or trial juror, if the juror so desires.

3. A person who is the age of 65 years or over who lives 65 miles or more from the court is exempt from serving as a grand or trial juror. Whenever it appears to the satisfaction of the court, by affidavit or otherwise, that a juror is the age of 65 years or over and lives 65 miles or more from the court, the court shall order the juror excused from all service as a grand or trial juror, if the juror so desires.

Sec. 2. NRS 6.030 is hereby amended to read as follows:

6.030 1. The court may at any time temporarily excuse any juror on account of:

- (a) Sickness or physical disability.
- (b) Serious illness or death of a member of his immediate family.
- (c) Undue hardship or extreme inconvenience.
- (d) Public necessity.

2. In addition to the reasons set forth in subsection 1, the court may at any time temporarily excuse a person who provides proof that he is the primary caregiver of another person who has a documented medical condition which requires the assistance of another person at all times.

3. A person temporarily excused shall appear for jury service as the court may direct.

4. The court shall permanently excuse any person from service as a juror if he is incapable, by reason of a permanent physical or mental disability, of rendering satisfactory service as a juror. The court may require the prospective

juror to submit a physician's certificate concerning the nature and extent of the disability and the certifying physician may be required to testify concerning the disability when the court so directs.

Sec. 3. 1. This act becomes effective upon passage and approval.

2. The amendatory provisions of section 1 of this act expire by limitation on July 1, 2011.

The second proposal increased witness mileage fees from the current level, 19 cents, to the Federal Level, 48 cents. The new language reads as follows:

This bill has a delayed effective date of July 1, 2008. The purpose for the delay is to allow local governments to budget for the increase.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 50.225 is hereby amended to read as follows:

50.225 1. For attending the courts of this State in any criminal case, or civil suit or proceeding before a court of record, master, commissioner, justice of the peace, or before the grand jury, in obedience to a subpoena, each witness is entitled:

(a) To be paid a fee of \$25 for each day's attendance, including Sundays and holidays.

(b) Except as otherwise provided in this paragraph, to be paid for attending a court of the county in which he resides at the standard mileage reimbursement rate [of 19 cents a mile] for which a deduction is allowed for the purposes of federal income tax for each mile necessarily and actually traveled from and returning to the place of residence by the shortest and most practical route. A board of county commissioners may provide that, for each mile so traveled to attend a court of the county in which he resides, each witness is entitled to be paid an amount equal to the allowance for travel by private conveyance provided for state officers and employees generally pursuant to subsection 3 of NRS 281.160. If the board so provides, each witness at any other hearing or proceeding held in that county who is entitled to receive the payment for mileage specified in this paragraph must be paid mileage in an amount equal to the allowance for travel by private conveyance provided for state officers and employees generally pursuant to subsection 3 of NRS 281.160.

2. In addition to the fee and payment for mileage specified in subsection 1, a board of county commissioners may provide that, for each day of attendance in a court of the county in which he resides, each witness is entitled to be paid a per diem allowance in an amount equal to the per diem allowance provided for state officers and employees generally while away from the office and within this State pursuant to subsection 1 of NRS 281.160. If the board so provides, each witness at any other hearing or proceeding held in that county who is a resident of that county and who is entitled to receive the fee specified in paragraph (a) of subsection 1 [.] must be paid, in addition to that fee, a per diem allowance in an amount equal to the per diem allowance provided in this subsection.

3. If a witness is from without the county [.] or, being a resident of another state, voluntarily appears as a witness at the request of the Attorney General or the district attorney and the board of county commissioners of the county in which the court is held, he is entitled to reimbursement for the actual and necessary expenses for going to and returning from the place where the court is held. He is also entitled to receive the same allowances for subsistence and lodging as are provided for state officers and employees generally.

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Membership Has Its Privileges

OFFICER MARK CHAPARIAN
Secretary

Is your membership with the Police Protective Association important? YES — in more ways than you may think. Your membership provides you with twenty-four hour protection from evils that you might not be aware of. The list of services available to you is long and well worthwhile to utilize when the need should arise. Some of the services your Association provides include, but are not limited to:

- All Internal Affairs interviews
- All Division level interviews
- Assistance in writing and filing grievances related to discipline
- Representation at grievance meetings and hearings related to discipline
- Assistance in filing of grievances related to contract violations
- Representation at grievance hearings related to contract violations
- Assistance in filing of grievances related to workers compensation issues
- Representation at hearings related to workers' compensation issues
- Pre-termination hearings

- Non-confirmation hearings
- Civil Service Board hearings
- N.R.S. 289 application and interpretation (bill of rights)
- Officer-involved shootings and in-custody deaths: (automatic call-out via P.B.X.)
 - A representative and an Attorney respond to all Officer-involved shootings and in-custody deaths.
 - A representative and/or an Attorney participate in all follow-up interviews, including:

- Homicide
- Use of Force Board
- Coroners Inquest
- Accident Review Board representation
- Legislative Representation (making laws better for us)
- Life Insurance and AD&D policy
- Limited in-service training funds available
- Limited sponsorship of youth activity groups

As you can see, the list is quite extensive and thorough. Thankfully, most members never or rarely need the use of these services. Beware! Your Association coverage is much like your insurance policy on your home, car or health. Don't leave home without it. We are there for you when you need assistance. You would not want to drive your car without insurance. You would never leave your home uninsured. You certainly would not want to walk around without any health insurance. The same common sense should apply when considering your career and the Association's role as your protector.

Some people have said in the past that they "never get into trouble," or just don't understand what impact the Association has upon them or their career. Nobody plans to get into trouble or turmoil at work. Let's face it — things happen whether we like it or not. Our jobs have become very dynamic and complex. We are expected to do more with less. We oftentimes work in pairs or teams. This is where additional danger comes into play. When someone else crosses the line or is accused of doing something wrong or inappropriate and we are associated with them, we are also questioned and put under the microscope. It can, and most likely will, happen to you sooner or later if it hasn't already occurred. Why not be prepared and ready when it does? Frequently, all it takes to spark a Statement of Complaint is one person's thoughts or expression of what they think you did, did not do or both.

Your Association has experienced and dedicated employees to assist you night or day with one phone call. Our intent is to make whatever experience you are having a fair one, a quick one and (by all means) a legal one. N.R.S. 289 provides you with many rights and privileges. Don't think for one minute that any individual or agency is going to look out for you or your rights before they look out for themselves. Your PPA is there to ensure your rights are protected to the extent the law and our labor agreement provide.

Your Association has fought hard on your behalf in regard to our labor agreement. The PPA, along with Metro, drafted our contract with painstaking effort to attempt to provide every police officer with a fair salary, benefit

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Police Unions Back Shield for Transit-Suspect Tipsters

DETECTIVE FRED GALEY

LVPPA Treasurer, Trust Representative for the LVMPDEH&WT

Police unions are offering lobbying muscle to push for language in a bill that would protect rail and airline passengers who report suspicious activities from being sued. The support is concurrent with similar legislation introduced in the New York State Assembly last week to ban such lawsuits in state courts. "When it comes to suspicious, potentially terrorist activity, New Yorkers are encouraged, 'If you see something, say something,' but before they do so, they have a right to know that they will not be sued for their efforts," said Assemblyman Rory I. Lancman, Queens Democrat.

Police unions say their officers cannot be everywhere to see everything and stop every crime. They offered their support in letters to Representative Steve Pearce, New Mexico Republican and author of language added to a rail-and transportation-safety bill to protect airline passengers from lawsuits. A pending lawsuit filed by a group of Muslim imams targets passengers named as "John Does," who reported that the men acted suspiciously, which resulted in their removal from a U.S. Airways flight. "Now that our nation is engaged in a global war on terror, it is even more important for citizens to feel that they can report suspicious activity to law enforcement and have that information be used appropriately and in good faith by law enforcement or security personnel," said Chuck Canterbury, National President of the Grand Lodge of the Fraternal Order of Police.

"Such lawsuits are clearly being used to intimidate witnesses, and it is altogether appropriate that Congress protect them from these frivolous suits," Mr. Canterbury said. "Doing the right thing should not get you hauled into court." The federal bill, stalled in a conference committee, provides immunity from civil liability for airline passengers who report suspicious behavior in good faith. "This legislation, tragically, is rooted in the realities of current events," said Dennis Slocumb, vice president of the International Union of Police Associations AFL-CIO.

"Being fearful of civil penalties discourages such reporting and hampers the efforts of those charged with protecting the public," Mr. Slocumb wrote. The Freedom to Report Terrorism Act in New York protects "good-faith disclosures of suspicious, potentially terrorist activity, and requires those who file lawsuits alleging bad-faith disclosures to detail the alleged bad faith with particularity at the outset of the lawsuit, thereby establishing a very high procedural hurdle to commencing a lawsuit."

"Unfortunately, this is exactly what is happening to airplane passengers in Minnesota, who alerted airline personnel to what they perceived to be suspicious activity on the part of six other passengers," Mr. Lancman said. "Such lawsuits dissuade honest citizens from reporting suspicious, potentially terrorist activity."

From *The Washington Times* (May 29, 2007, Audrey Hudson) **VB**

End of Watch

(Note: Absent direct notification to the LVPPA, we do not otherwise know of a member's death.)

- Name:** Robert "Robbie" Robertson, P# 120
 - Rank:** Police Officer
 - Hired:** 1961
 - Retired:** January 1993
 - Died:** May 6, 2007
-
- Name:** Donald A. Dinsmore, P# 575
 - Rank:** Corrections Sergeant
 - Assigned To:** Clark County Detention Center
 - Hired:** April 6, 1970
 - Retired:** February 10, 1996
 - Died:** April 24, 2007
-
- Name:** Gary Skelton, P# 566
 - Rank:** Police Officer
 - Assigned To:** Air Support
 - Retired:** 1987
 - Died:** April 26, 2007
-
- Name:** Dave Mesinar, P# 842
 - Rank:** Detective
 - Assigned To:** Homicide
 - Hired:** October 30, 1972
 - Retired:** December 2003
 - Died:** May 27, 2007



Critical Incident Procedure

JOHN DEAN HARPER
Chief General Counsel

When an officer is involved in a critical incident, I believe that day — whether for better or worse — becomes a defining moment in that officer's life. There appears to be no black line definition for what constitutes a "critical incident." For certain, an officer-involved shooting (involving a human being) and an in-custody death will cause the forces to mobilize; however, other incidents are responded to on a case-by-case basis. The main factor in the response to other incidents is *notice*, as we rely upon the City and/or Metro's dispatch and our own officers or marshals.

It is the Association's policy to have an Executive Board member on call to receive the notice. That Executive Board member will assess the situation by ascertaining the number of officers or marshals from our bargaining unit involved. From that point, the Executive Board member will call either myself or General Counsel Kathy Werner Collins (and usually wake us up from some well-deserved sleep) and, depending upon the number of officers or marshals involved, call out other Executive Board or Board members to assist.

The Scene

Once on the scene, the Association attempts to provide a number of services. Because the situation is generally fluid, the services are not performed in any given order. Our primary role is to provide representation for those involved officers or marshals. Generally, by the time the Association arrives on the scene, the involved officers have already been removed from the immediate scene and put into the most comfortable situation available to ensure that they are not inadvertently questioned without representation.

Critical incidents are the one situation where the Association will always represent all members of the bargaining unit whether they are a member of the Association or not. The Association believes that the traumatic nature of this event warrants it, in addition to the fact that most non-members will not have access to legal representation in the middle of the night.

The Association pulls the involved officer or marshal aside and obtains a brief idea of what happened. This is the most crucial time for the legal staff, as we have to ascertain whether or not the involved officer(s) or marshal(s) should cooperate with the investigation at that time. We have to consider whether the involved officer or marshal had been up all night, what the facts and circumstances of the incident are and what the officer or marshal's emotional and/or physical condition is.

Once we determine that the officer or marshal is able to cooperate, we briefly explain the process that they will be going through. We explain that Metro's Homicide Section will be conducting the interview and that the officer or marshal's participation is voluntary. In most cases, Homicide will conduct a "walk through," in which the participating officers or marshals identify where they stood or interacted in the scene. The purpose of this is for the Homicide detectives to ensure that they have gathered all physical evidence.

The next step, in the case of an officer-involved shooting, is the countdown. The LVMPD Criminalistics Bureau brings its Fred Flintstone-era RV on the scene and all involved officers or marshals take their turn in the RV to have their firearm(s) "counted down" and be photographed as they were at the time of the incident. Special care is taken to ensure any marks, tears or blood on the uniform are photographed.

The last step that takes place at the time of the original incident is the interviews. Generally, the interviews take place at the Homicide Bureau's office. One

team of Homicide detectives acts as the lead investigators, and they conduct the interviews of all involved officers or marshals. If there are a number of officer or marshal witnesses, another team of detectives may assist.

In the case of a shooting, I like for the attorney on scene to sit in on the shooter(s) interview. In any event, the involved officers will be represented by an Executive Board member, Board of Director's member, or an attorney.

The Aftermath

If the suspect dies, the Clark County Coroner has the option of convening an inquest. The inquest is a non-adversarial, fact-finding quasi-judicial hearing, designed to ascertain: 1) the name of the decedent, 2) the person causing their death, 3) the place of death and 4) whether the homicide (the taking of a human life) was: a) justified, b) excusable or c) criminal.

The Clark County District Attorney's Office puts on the evidence and a jury of seven (7) make the above delineated findings. A local attorney, acting as the hearing officer, oversees the inquest. The involved officers or marshals voluntarily testify as to their actions at the time of the incident. Percipient witnesses and the Deputy Coroner, who conducted the autopsy, also testify. Prior to the inquest beginning, anyone in the court who believes that they have relevant information is invited to participate.

Families of the decedent and the officers or marshals involved are entitled to have limited legal representation at the inquest. At the inquest, an Executive Board member and the attorney from the Association who was on scene represent the officers or marshals involved. As your attorney, we are allowed to write questions that are presented to the hearing officer. The hearing officer has the discretion to ask the witness the question we present. With the questions, we hope to clear up an ambiguity, elicit information we deem material, and/or impeach the credibility of an untruthful witness.

If force is utilized, the LVMPD will hold a Use of Force Board. This board is made up of officers from the Department, and citizens of Clark County. The Homicide Detectives who conducted the investigation put on a presentation of the evidence. Involved officers may be asked questions by the Board. The Board will make a finding on the justification of the force utilized and, on rare occasions, may dole out discipline. An Executive Board member will represent you in this forum.

The Intangibles

Those LVMPD officers materially involved will be put on administrative leave with pay until the outcome of the Coroner's Inquest and clearance by the Department's psychologist. Other involved officers may be put on administrative leave until cleared by the Department's psychologist.

Although the Police Employees Assistance Program (PEAP) representatives are on scene (for a LVMPD critical incident) to assist with any emotional and/or psychological issues, we find ourselves sometimes combining this type of assistance with the legal representation. Every officer reacts differently to the situation.

The Association does its best to ensure that the involved officers or marshals have all needs met and keep a watchful eye to make sure that they are indeed OK, and are able to resume their functions. Over the years, we have seen those involved react in a variety of ways, from those officers that act as if it is another day at the office, to those that carry it with them the rest of their life.

By utilizing this procedure, the Association believes it is giving you the best representation possible in what certainly can be the most stressful and danger-fraught time of your career. **VB**

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KATHY WERNER COLLINS
General Counsel

Judicial Selection in Nevada

The outcome of so much of what you do as law enforcement officers is ultimately determined in a court of law. As such, you should all be concerned with who is sitting on the bench in the courts in which you appear. Along these same lines, you should be concerned with how the individuals presiding in those courts are selected.

As you are certainly aware, here in Nevada we elect our judges. But have you ever stopped to consider the implications of having such a process? Anyone who appears in court on a regular basis should. If a state makes the choice to select its judges by contested popular elections in the first place, as we have done, then that state must accept all the consequences of that decision.

One noteworthy consequence is that judges in Nevada must campaign for election, which implies either allowing judges to fundraise, leaving them beholden to those who choose to contribute, or prohibiting fundraising, thereby limiting access to this office to the “haves” to the exclusion of the “have-nots.” In Nevada, we have chosen to allow judges to fundraise. As a result and over the years, judges have come under attack and have been accused of reaching a decision not based on the established rule of law, but rather, because they owe a debt to some campaign contributor. Similarly, it places pressure on those appearing before them to contribute to the campaign under fear that they, and therefore indirectly their client, will face retribution in the form of a judgment or decision against them for not contributing to the campaign. The other significant consequence of selecting our judges by popular election is that judges may make rulings that are politically motivated. In other words, some believe that certain decisions by elected members of our judiciary have been geared toward pleasing the most voters possible, even if the decision does not necessarily follow the rule of law.

Senate Joint Resolution 2, currently pending in Carson City, would drastically alter the way in which we select our District Court judges and Supreme Court justices. It is a proposed constitutional amendment which would have to be approved by the Legislature twice, in this session and in 2009, before voters could weigh in on the issue in the 2010 general election. If approved as an amendment to the constitution by voters, the new appointment process would take effect beginning in 2012. Known as the “Missouri Plan,” it is being sponsored by Senate Majority Leader Bill Raggio, an attorney who has reportedly expressed concern about the judicial election process as it exists in our state.

The Missouri Plan is essentially a merit selection plan for judges. Originally developed in Missouri in the mid-20th century, it was created in an effort to address the perception of corrupt judicial elections. The Missouri Plan, or some form of the Missouri Plan, has been adopted by approximately thirty states. The defining aspect of that plan is that, rather than a governor making a judicial appointment from his or her inner circle of confidants, a list proposed by campaign supporters or as an award for campaign contributions, the choice for judicial vacancies is limited to candidates chosen by a nominating committee or commission. Specifically, in Missouri, a nominating committee selects three candidates from among a group of applicants. The governor then appoints one of those three candidates. The judge who is appointed in this fashion serves for an initial term of one year before participating in a retention election. If retained, the judge then serves for a set term before facing another retention election. Under the terms of the state constitutional amendment which created the Missouri Plan, judges on the state’s supreme and intermediate appellate courts, plus the circuit and associate circuit judges sitting in St. Louis and Jackson County, where Kansas City is located, are appointed. There are separate nominating commissions for the appellate and circuit courts. In general, the commissions include a judge, non-lawyers appointed by the governor, and attorneys appointed by the state bar.

Here in Nevada, we do have some sort of a merit selection plan in place. We use it to fill vacancies when an elected judge leaves the bench before the expiration of his or her term. Following the general idea of the Missouri Plan, a commission on judicial selection selects three candidates from applicants for the position. The governor must then choose from those candidates. The judge who is selected through this process serves until the next general election; the judge elected in that election serves until the expiration of the time remaining in the replaced judge’s term. The specific details of this process are set forth in Nevada statute. (See NRS 3.080.)

Proposals to change our popular election process to a merit selection process for more than just temporary judicial replacements have been discussed in the press and considered in previous legislative sessions. You will certainly recall the *Los Angeles Times* stories that ran last summer that implied that justice was for sale in Nevada, due in large part to our judicial election system and the permissible solicitation of contributions for those campaigns. The most recent proposal being considered now in Carson City to address these concerns is Senate Joint Resolution 2, noted above. The suggestions and discussion over this pending bill clearly indicate a desire to

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LEGAL CORNER

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retain the public accountability offered by the election process. But the proposal also includes some checks aimed at creating a layer of performance/peer review.

Pursuant to the new process set forth in Senate Joint Resolution 2, currently sitting District Court judges and Supreme Court justices would go on a ballot to allow voters to determine only whether they should be retained or not. A judge or justice would have to receive a 60 percent approval rating, as expressed by the vote, to continue to serve. In the event a vacancy in a judicial office occurs as a result of a judge retiring as a result of the vote (i.e. a sitting judge or justice failing to get 60 percent of the vote) or as a result of the creation of a new seat, a judicial panel would recommend three candidates to the governor for potential appointment. Whoever is appointed by the governor would then stand for retention or rejection by voters. What supposedly makes this plan better than prior merit system proposals that have failed is that under this proposal judges running for retention would be reviewed by a panel that would rate their performance and report their findings to the public along with a recommendation as to whether to retain or not.

Members of the legal community have testified in Carson City in support of this ballot measure that would change the judicial selection process from competitive elections to an appointment and retention election system. However, some non-lawyers have complained that the appointment process would favor the mainstream legal community and not allow judicial appointees with different points of view. They also argue that the appointment process would not eliminate the need for campaign funds, and therefore fundraising, as judges would still have to

run for retention. Finally, these critics feel as though the voters of this state have a pretty good track record. Most noteworthy, they point out that while many voters were upset with a 2003 Supreme Court decision invalidating a two-thirds requirement for the Legislature to raise taxes, the ruling has since been repudiated, the chief justice involved in the decision did not run for re-election and another justice who supported the decision was defeated in her campaign for re-election.

What is best for our state? Well, the arguments in favor of the election of judges are well known. Judicial elections avoid problems associated with what some call the “good-old boys network.” The general thought is that courts comprised of like-minded individuals who rule in lock-step, consistent with the ideology of the individual who appointed them, do not contribute to the expansion of legal understanding. There are many fine, well-qualified judges who sit on Nevada courts who might not have had the “juice” to be appointed. Judicial elections also offer public accountability for judicial decisions, preventing well-connected judicial appointees from imposing their personal political or social views on the public.

Conversely, merit selection avoids the concerns associated with campaign contributions. Just as the source of political campaigns can lead to accusations down the road that a politician has made a decision out of duty and in order to return a favor, contributions to judges can raise suspicions, regardless of whether such suspicion is actually fair or warranted. Certainly, at the very least, the acceptance by judicial candidates of monetary donations for their campaigns from attorneys who will be appearing before them has the appearance of impropriety. Undoubtedly, campaign contributions by generous attorneys who thereafter appear in the elected judge’s courtroom raise suspicions as

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Sheriff's Message

SHERIFF DOUGLAS C. GILLESPIE

In May of this year, I had the honor of participating in National Police Week in Washington, D.C., as Sergeant Henry Prendes' name was added to the Memorial Wall. It was a privilege to escort Dawn during the ceremony and be part of such a moving and humbling experience.

We all talk about the risks of policing and about being safe out there. Seeing all of those names on the wall was a chilling reminder of the real risks that we face each day. Our agency has been fortunate, as our losses have been few and far between; however, even one loss is too many.

I believe our training, procedures and policies are the factors that have allowed us to be so fortunate and have so few losses. The professionalism and dedication of our members to staying ever vigilant is a source of pride for this agency. As I meet with other agency heads at Major City Chiefs and the National

Sheriffs Association, I am always proud of the reputation of excellence that Metro has gained in the law enforcement community.

Our continued commitment to constantly improve our training, procedures and policies has kept us at the forefront of professional policing. You may have already seen our Back to Basics training segments, *Metro Seven*, and updated UMLV training modules. This is part of our effort to ensure we remain true to our mission of basic police services, while expanding and enhancing our capabilities.

As you participate in this training, remember it is more than just one more requirement. It is designed with your safety in mind. Although it was an honor to escort Dawn at the National Police Memorial this year, it is an honor I hope I will never experience again. **VB**

THE BIG 50

(continued from page 6)

just greed, entitlement and a fantasy? The discussion focused on understanding what unions can and cannot do when faced with these demands, educating the membership about the real world, being the voice for change in a rapidly changing world, dealing with generational expectations and understanding the consequences for continuing to ignore reality.

Political Weight and What it Takes

Detective David Kallas spoke about how the Las Vegas Police Protective Association took on an incumbent County Commissioner who was not friendly to law enforcement and was proven to be living outside the district which she represented. The County Commissioner was a Republican who had a \$1.4 million "war chest" for her upcoming reelection campaign, compared to the union's candidate, who had only \$450,000. Working with another local union, the Culinary Union, the Las Vegas Police Protective Association mounted an aggressive campaign to turn her out of office. The result ... the incumbent went from a 56 percent-26 percent lead at the end of September to a 54 percent-24 percent deficit with a 66 percent negative rating in the polls by the end of October. The segment explored the tactics and strategies employed in this effort, focusing on what worked and what didn't, and how radio, television advertisements and targeted mailers can be a force multiplier in getting your position across to voters.

Does the Certainty of Arrest Reduce Domestic Violence? Evidence from Mandatory and Recommended Arrest Laws

Domestic violence remains a major public policy concern despite two decades of policy intervention. To eliminate police inaction in response to domestic violence, many states have passed mandatory arrest laws, which require the police to arrest abusers when a domestic violence incident is reported. These laws were justified by a randomized experiment in Minnesota, which found that arrests reduced future violence. This experiment was conducted during a time period when arrest was optional. Using FBI Supplementary Homicide Reports, Doctor Iyengar found that mandatory arrest laws actually increased intimate partner homicides. She hypothesizes that this increase in homicides is due to decreased reporting. She investigated the validity of this reporting hypothesis by examining the effect of mandatory arrest laws on family homicides where the victim is less often responsible for reporting. For family homicides, mandatory arrest laws appear to reduce the number of homicides. This study provides evidence that these laws may have perverse effects on intimate partner violence, harming the very people they seek to help.

Recruiting New Officers: Crisis or Gold Mine?

Law enforcement agencies in every part of the country are having a difficult time finding recruits. To get applicants, many agencies are running expensive ad campaigns, paying huge signing bonuses and, in some cases, even helping with a down payment on a house. While the situation is dire, the increased competition for a dwindling pool of applicants could prove to be advantageous for police unions. This "roundtable" discussion focused on how the police union can use the recruitment crisis to encourage employers to hike compensation and benefits without having to argue the point at the bargaining table.

Financial Disclosure Rules Jeopardize Officers' Privacy Rights

Despite negotiating in good faith for five years, the LAPD will unilaterally implement financial disclosure requirements for all officers who "routinely handle valuable contraband or cash," including gang and narcotics enforcement, in an attempt to thwart corruption. The Los Angeles Police Protective League (LAPD police union) is currently exploring a legal challenge. It is their position that the collective bargaining agreements previously reached, as well as the California Constitution, expressly guarantee a police officer's right of privacy. The discussion focused on an overview of the problem and what

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Police Training Services Company (owned by retired LAPD Lieutenant Art Ruditsky) will be presenting a series of six **TERRORISM SEMINARS** in September. The seminars will be hosted by the Indio Police Department. Retired Israeli Police Commander Daniel Sharon, an international trainer, will present the series from September 10-14 and 17-21, 2007, at the Fantasy Springs Resort in Indio, California.

LEGAL CORNER

(continued from page 13)

to the judge's true motivation in reaching a certain decision. Moreover, without the need to gain votes, judges can devote themselves to their position without concern about how a particular decision he or she makes may affect their likelihood of reelection in the future. Furthermore, many individuals simply do not like politics, and the campaign process itself dissuades many qualified individuals from seeking judicial office. Finally, a merit selection process offers an opportunity to examine the qualifications of the candidates that the elective process cannot.

The elective process for judges cannot easily be amended to avoid all the problems associated with it. For example, even if direct contribution requests were prohibited, as some have proposed, reality dictates that judges who must campaign to achieve their position will require funding, as well as time, to do so. Similarly, when a judge must be a politician, the reality is that they will not ignore popular sentiment in favor of the rule of law. Finally, while the campaign process does allow some examination of qualifications, the level of scrutiny afforded to decision makers in an application process cannot be matched by an election.

The merit selection process, however, can be set up to address some of the concerns posed by those who favor elections. The "good-old boys network" associated with an appointive process can be avoided by careful

setup of the nominating process. Furthermore, public accountability can be attained with thorough, publicly-funded evaluations and retention elections. From my perspective, the proposal set forth in Senate Joint Resolution 2 seems to incorporate the benefits of both processes while addressing the corresponding concerns of each. With any luck, our legislators will see it the same way.

Note: As of the writing of this article, the Legislative session is still ongoing. Senate Joint Resolution 2 had passed in the Senate. However, the Assembly Judiciary Committee killed it in one of the final weeks of the session. In a somewhat unusual move, the dead proposal was revived by Senate Majority Leader Bill Raggio, who as mentioned before sponsored the proposal, and Assembly Speaker Barbara Buckley. As leaders of their houses, they have the power to issue waivers to revive legislation that died in a committee. Both are reportedly in support of the plan. There are about two weeks remaining in this session (assuming no special session is needed). It is my hope that in that time, those supporting this proposed constitutional amendment will be able to garner the support needed in both houses so that we will see this proposal again in the 2009 session.

Keep your eye on this very important potential reform. I hope you all find this information informative. As always, don't hesitate to contact me if you have any questions. **VB**

THE BIG 50

(continued from page 14)

steps the police union is taking to make sure that the privacy of the members is protected.

Town Hall Meeting

Recruiting and training a peace officer is costly for cities. Gaining the expertise necessary to be an effective peace officer requires years of intense training, education and experience. On the other hand, selecting unqualified people to be a police/corrections officer is even more costly, because they can abuse their power and authority. In order to recruit and retain the best officers, cities must compensate tenured officers and treat them appropriately, or face losing expertise and experience. Since the law enforcement profession is very hard on an individual's physical well-being, family life and emotional health, the compensation package must be sufficient in order to retain officers. Compensation includes salary, benefits and pensions; appropriate treatment includes peace officer rights and:

Pensions: The retirement systems of several of the nation's largest cities were reviewed along with political attacks on public pensions and alternative individual retirement systems.

Medical Benefits: Health insurance is among the most important of all

benefits for a peace officer, particularly those who have a family. In recent years, costs have been constantly increasing while coverage has been declining. Options to reduce costs and increase benefits were explored.

Officers' Rights: Some states have codified the rights of peace officers, while in other states peace officers are subject to the whims of arbitrary and capricious command staff and managers. The Big 50 participants discussed the most important rights extended to officers in some states. **VB**

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MEMBERSHIP HAS ITS PRIVILEGES

(continued from page 16)

package and an administrative process which is unbiased.

Together we are strong. When we fight for one officer on any given issue, we are fighting on behalf of everyone that comes after him or her. When an officer's issue is resolved, we were able to resolve that same issue for all that come after him or her. Our Association is what binds us together, keeps us in focus and sets the pace and direction that you — the membership — decide. Promote our Association, become involved and help make us better and stronger. Remember, when it comes to our PPA, membership has its privileges!

Representation Statistics

Since I have been recently appointed to the Executive Board as the Association Secretary, I am now responsible for the representation statistics. These statistics do not include any briefings attended, Police and Corrections Academy Class presentations, Political Action Committee interviews, etc. Our Executive Secretary, Laura Pavlowski, has compiled the following numbers which are for the last rolling 12-month period and are current as of June 18, 2007. **VB**

MAY/JUNE 2007 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
3/23/07	Disobedience	16 hour Suspension	Pending hearing 7/12/07
3/23/07	Consorting w/Persons of Ill Repute	32 hour Suspension	Pending hearing 7/12/07

NON-CONFIRMATION HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
11/4/06	Use of Force / Truthfulness	Non-Confirmation	Upheld

PRETERMINATION HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A

ARBITRATIONS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A

CITIZEN REVIEW BOARD COMPLAINTS

Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
1	0	0	5

OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS

Date	Use of Force Board Decision	Inquest Decision
2/9/2007	Justified	Determined to be suicide
2/27/2007	Justified	Justified

INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS

Declined/Cancelled	Represented	Total
34	90	124

ACCIDENT REVIEW BOARD

Excusable	Non-Negligent	Negligent	Rescheduled
5	1	43	2

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Discount Theme Park Tickets

THEME PARK	TICKET	REGULAR PRICE	LVPPA PRICE
Knott's Berry Farm	One Day Ticket-Adult	\$41.95	\$24.00
	One Day Ticket-Child (3-11)	\$16.95	\$17.00
Soak City-(Knott's)	CLOSED UNTIL MEMORIAL DAY		
Legoland	One Day Ticket-Adult	\$57.00	\$39.00
	One Day Ticket-Child (3-12)	\$44.00	\$39.00
(Legoland tickets may be upgraded to a Two Day Ticket at Guest Services for an additional \$1.00)			
San Diego Zoo	One Day Ticket-Adult	\$33.00	\$29.00
	One Day Ticket-Child (3-11)	\$22.00	\$19.00
Sea World	Two Day Ticket-Adult	\$57.00	\$44.50
	Two Day Ticket-Child (3-9)	\$47.00	\$38.00
Universal Studios	Three Day Ticket-Adult	\$61.00*	\$49.00
	Three Day Ticket-Under 48"	\$61.00*	\$49.00
Wild Animal Park	One Day Ticket-Adult	\$28.50	\$25.00
	One Day Ticket-Child (3-11)	\$17.50	\$16.00

The listed "Gate Price" reflects one day admission only.

Tickets may be purchased in person at the LVPPA office located at 201 S. Las Vegas Blvd., Suite #200, during normal business hours. Acceptable methods of payment are cash or check.

For questions and information, please contact the LVPPA at (702) 384-8692.

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SARIN AT ROOT OF GULF WAR SYNDROME

KELLY KENNEDY
IUPA Staff Writer

As benefits administrators, officials and politicians argue the worthiness of studies on Gulf War syndrome, researchers say they have no doubts that they've found the root of the problem — sarin gas. And they have advice for as many as 300,000 troops exposed to small doses of sarin in 1991: Don't use bug spray, don't smoke and don't drink alcohol. "Don't do anything that would aggravate a normal, healthy body," said Mohamed Abou-Donia, a neurobiology scientist at Duke University who conducted two studies for the Army. Research released in early May showed that 13 soldiers exposed to small amounts of sarin gas in the 1991 Gulf War had five percent less white brain matter — connective tissue — than soldiers who had not been exposed. A complementary report showed that 140 soldiers who were exposed had the fine motor skills of someone 20 years older — what researchers called a "direct correlation" to exposure.

The data was the work of Roberta White, chairwoman of the Department of Environmental Health at Boston University School of Public Health. Her study was noteworthy because it was funded by the Veterans Affairs and Defense Departments, and used Pentagon data to triangulate the locations of troops who were in the path of a huge sarin plume unleashed when U.S. forces destroyed an Iraqi chemical weapons dump in Khamisiyah in March 1991. The study also used new technology to look at troops' brains.

Of the 700,000 service members who served in Desert Storm, 100,000 have reported mysterious symptoms. Until recently, each study commissioned by the VA and Pentagon concluded that the problems were caused by stress and had no physical cause. "We've been asking for this for so long," said Denise Nichols, a Gulf War veteran who spends much of her time fighting for more information. "It's not surprising to me. It's what I would expect."

Nichols, like the other veterans, has heart palpitations, a cough, nose bleeds,

joint aches, spine pain, twitching in her legs and leg pain. She also reacts to strong chemical smells with coughing so heavy she can't breathe, she said. The issue recently surged to the forefront in a Senate hearing as Senator Patty Murray (D-Washington) asked if the VA would send out letters to veterans who may have been affected, as they did to 100,000 troops at higher risk of brain cancer because of sarin exposure.

Murray called the study a "great example" of how recent research can provide guidelines for care. It seems easy enough: If a soldier complains of Gulf War syndrome, why not check him out with an MRI? She called the study's findings "overwhelming," but noted that the VA's response, once again, was merely: "We're going to study this. They were told, 'It's all in your head, you're making it up.' Now there is a study that provides a direct link. They deserve to know the answer," Murray said. Senator Bernie Sanders (I-Vermont), called the research "profound." "We started out by denying there was any problem," he said. "It shows that many soldiers may have suffered brain damage."

Dr. Gerald Cross, acting principal deputy undersecretary for health at the Veterans Health Administration, agreed with Murray that troops deserve answers. But Cross said Sanders' description of the findings "is different from how I read it." Cross called the findings of White's research a "slight anatomical variation." The debate over this issue goes back 16 years to when U.S. forces blew up the chemical munitions dump in Khamisiyah and released a plume of sarin gas to which thousands of U.S. troops were exposed — something the Pentagon denied until 1997.

As more research was done, and as veterans systematically sought details through the Freedom of Information Act, scientists showed Desert Storm vets exposed to sarin were at higher risk for brain cancer. And the veterans eventually showed the Pentagon knew that as many as 300,000 service members had breathed in small doses of the gas. **VB**



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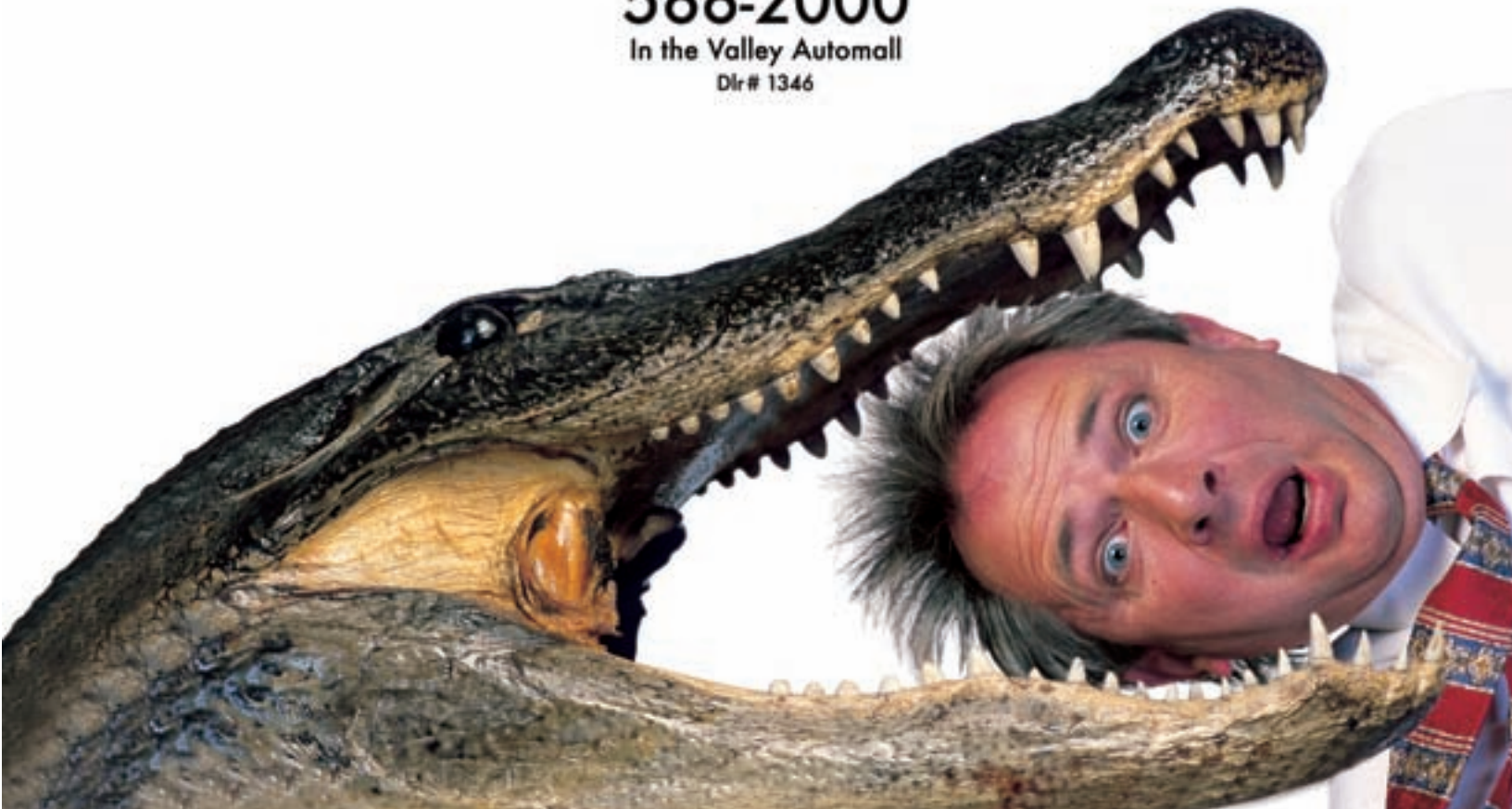
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WILL YOUR HEALTH CARE BENEFITS BE THERE AFTER YOU RETIRE?

AARON NISENSEN

General Counsel, International Union of Police Associations (I.U.P.A.)

Retiree health care for law enforcement officers is endangered as never before. Three forces have joined to create a perfect storm that threatens to drown retiree health care: rising health care costs; a political movement to deprive officers of pension and health care benefits; and the implementation of new accounting standards, which will put the spotlight on retiree health care costs. Local unions will have to fight this trend on many fronts: legal, political and in the court of public opinion. From a legal standpoint, one of the primary issues is determining what rights employees and retirees have to health care, and what local unions can do to impact any proposed changes.

Whether officers are entitled to health care after they retire depends in part on whether their right to health care has “vested.” Many officers are familiar with the concept of vesting as it applies to their pensions. Once a pension is “vested,” the pension cannot be taken away. In many states, the rules are similar for retiree health care and, once an employee’s right to retiree health care vests, the health care cannot be taken away. Unfortunately, some states view health care as different from retirement, and do not apply the same vesting rules. Therefore, officers should not assume that just because their pension has vested, their health care benefits will get the same treatment.

Another complication is that, while employers are generally clear about the pension benefits for retirees, they are often unclear about the health care benefits for retirees; however, the government may still be bound by commitments it makes, even those made informally. For example, the Government Accounting Standards Board states that when calculating future health care payments for retirees, governments must consider not only any written health care plan, but also any “other communications” or even “an established pattern or practice with regard to the sharing of benefits or costs.” Thus, even oral statements or unwritten practices may establish health care rights for retirees. However, this does not mean that retirees would be guaranteed these benefits, and state courts are all over the map on what exactly is needed to create a binding commitment to provide retiree health care.

The Unions’ right to bargain over health care benefits, and its right to enforce any agreement, is also complicated. Since there are well over one hundred different local collective bargaining laws, and few national standards, the ability to bargain over health care varies greatly. Some localities allow broad bargaining over health care benefits, some allow very little (and for those in the old south with no collective bargaining, as the Latin saying goes, *fugitaboudit*). Similarly, there is a wide range of law governing whether localities are required to provide health care benefits that have been included in collective bargaining agreements. Thus, contract language that seems clear and binding may be enforceable in one locality and not in another. On the other hand, even where there is no contract language addressing the issue, some unions may have the ability to prevent changes in retiree health care, for example, by asserting a right to bargain over a change in a condition of employment.

Given the varied landscape, a summary of all the issues involved in bargaining over retiree health care would fill a phone book. However, two important and often overlooked issues bear attention. First, in some localities, the government must continue to provide to retirees the health care benefits based on the contract in place at the time they retired. Therefore, even very old contracts can be vital when determining benefits. Second, even if a union can’t directly bargain over health care benefits, it can often bargain over the “effects or implementation” of a change in benefits. This can impact important areas, such as the timing and method of co-payment, and can give the union significant leverage over health care changes.

Finally, even after it has been determined that retiree health care benefits have vested, the ultimate question remains: what exactly do I get, and will I

get to keep it? Unfortunately, even vested health care benefits may be changed within certain limits. For example, one Court ruled that while retirees had a vested right to “free health care,” the employer could switch to an HMO because the basic benefit was still intact (it is probably safe to say that the judges did not use an HMO). For many officers, the debate about what exact level of health care was promised, and how much this health care can be changed, will be the key battleground.

Local unions can play an important role in combating the threat to employee and retiree health care, whether or not they have collective bargaining rights. To be most effective, locals should be pro-active and enter the battle fully informed on the legal and political landscape.

What Unions Can Do

- Learn the law in your jurisdiction. The I.U.P.A. has published a guide entitled *Retiree Health Care – A Police Union Perspective Introduction to the New GASB Standards for Retiree Benefits*, and we have extensive information on retiree health care and on the GASB requirements.
- Learn the political and financial lay of the land. Unions will have the most influence if they act before the government has formulated any plan to change benefits. Therefore, keep attuned to any rumblings regarding changing health care benefits.
- Gather all information possible. This includes all information that the government has put out on retiree health care benefits, and all possible collective bargaining agreements. Having access to a person with inside knowledge of the health care system (such as a former personnel or administrative employee) is extremely valuable.
- Request bargaining or, if not available, political consultation on health care issues that are important to the union as soon as any changes are foreseen. **VB**

Reprinted from The Police Union News, Spring 2007 edition. Published by the International Union of Police Associations, AFL-CIO

GREAT BENEFITS FOR RETIREES

DENISE M. BEST

Account Manager for Fiserv Health

Planning for your future is important, and knowing that you may be entitled to a great benefit after retirement can help you plan for your health-care expenses after retirement. As a commissioned officer, you are required to make a monthly contribution of \$75, which is automatically deducted from your paycheck on a bi-weekly basis in payments of \$37.50. The money is placed into the Las Vegas Metropolitan Employee Benefit Trust Fund and accumulates toward your future benefit of \$350 per month, which can be used to pay for or offset your monthly retiree healthcare premiums and other covered healthcare expenses.

There are certain eligibility requirements you must meet before you are entitled to receive the benefit. For example, there is a requirement that you serve a minimum number of years as a commissioned officer in conjunction with certain age requirements as well as a minimum of five years of contributions into the Fund. Soon, you will receive a revised Summary Plan Description outlining all of the eligibility and benefit rules. If you have any questions regarding your participation in this Plan, please contact your plan administrator, Fiserv Health, at (702) 413-1701. **VB**

THREE NEW LAWS

(continued from page 7)

4. Any person in attendance at a trial who is sworn as a witness is entitled to the fees, the per diem allowance, if any, travel expenses and any other reimbursement set forth in this section, irrespective of the service of a subpoena.

5. Witness fees, per diem allowances, travel expenses and other reimbursement in civil cases must be taxed as disbursement costs against the defeated party upon proof by affidavit that they have been actually incurred. Costs must not be allowed for more than two witnesses to the same fact or series of facts, and a party plaintiff or defendant must not be allowed any fees, per diem allowance, travel expenses or other reimbursement for attendance as a witness in his own behalf.

6. A person is not obligated to appear in a civil action or proceeding unless he has been paid an amount equal to 1 day's fees, the per diem allowance provided by the board pursuant to subsection 2, if any, and the travel expenses reimbursable pursuant to this section.

Sec. 2. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 3. This act becomes effective on July 1, 2008.

The third proposal ensures that officers will not be placed on "Administrative Leave without Pay" during the course of an internal investigation. This new law protects officers financially and helps to ensure the law enforcement agencies don't drag out investigations. The new language reads as follows:

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 289.057 is hereby amended to read as follows:

289.057 1. An investigation of a peace officer may be conducted in response to a complaint or allegation that the peace officer has engaged in activities which could result in punitive action.

2. A law enforcement agency shall not suspend a peace officer without pay during or pursuant to an investigation conducted pursuant to this section until all investigations relating to the matter have concluded.

3. After the conclusion of the investigation:

(a) If the investigation causes a law enforcement agency to impose punitive action against the peace officer who was the subject of the investigation and the peace officer has received notice of the imposition of the punitive action, the peace officer or a representative authorized by the peace officer may, except as otherwise prohibited by federal or state law, review any administrative or investigative file maintained by the law enforcement agency relating to the investigation, including any recordings, notes, transcripts of interviews and documents.

(b) If, pursuant to a policy of a law enforcement agency or a labor agreement, the record of the investigation or the imposition of punitive action is subject to being removed from any administrative file relating to the peace officer maintained by the law enforcement agency, the law enforcement agency shall not, except as otherwise required by federal or state law, keep or make a record of the investigation or the imposition of punitive action after the record is required to be removed from the administrative file.

Sec. 2. The amendatory provisions of this act do not apply to the investigation of a peace officer which is pending on July 1, 2007.

Sec. 3. This act becomes effective on July 1, 2007.

With four days to go in the 120-day session, we are still hopeful of getting our other two main proposals enacted into law. Those two are the implementation of a Deferred Savings Option for PERS and elimination of the law enforcement agency's authority to release officers' home addresses.

As with any legislative session, there are many proposals that we support and many that we oppose. The most significant proposal that we opposed was Senate Bill 438, which would have allowed Clark County, with approval of the Sheriff, to contract for operation of a private detention facility.

If you or anyone you know has any questions about a specific proposal or questions about the legislative process itself and the Association's role, please contact me at dkallas@lvppa.com.

As always, stay safe!! **VB**

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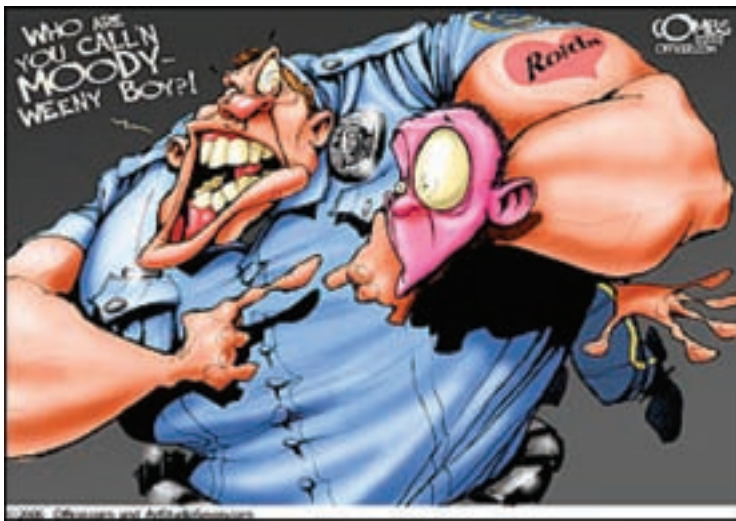
ARE YOU JUICED? BIG, STRONG, AND STUPID

JOHN WILLS

Training Contributor, **Officer.com**

Have you ever seen one of your colleagues, or an officer from another department, who was larger than life? I am not speaking in figurative terms about how he influences his environment. I am referring literally to his physical size. The guy whose biceps are bulging out of his shirt sleeves, with “Popeye” size forearms, veins as big as snakes crisscrossing his skin, seemingly alive. I have seen them; these guys are an awesome sight to behold, almost a caricature of what police officers look like. But it is axiomatic that you can’t always judge a book by its cover.

In the 1990s, I took part in the FBI’s first ever undercover steroid operation



Editorial Cartoon by Paul Combs, ArtStudioSeven.Com

entitled, “Operation Equine.” I was assigned to the Detroit FBI office at the time. An agent in our Ann Arbor, Michigan resident agency was asked by then-University of Michigan football coach, Bo Schembechler, to take a “close look” at some of his athletes. Bo feared that there was a potential problem brewing with steroids and he wanted it stopped. That was the genesis for a two and a half year journey involving myself and another FBI agent working undercover to ferret out those that used and sold “roids.” We got the DEA involved along with the FDA, and the case eventually netted over 70 convictions from small time dealers to those that dealt in huge volumes. In the process, individuals lost money, jewelry, cars and in a few cases, their gyms. For its maiden voyage into the underground world of juice, “Equine” proved to be an overwhelming success.

Last year, my undercover FBI colleague testified in front of Congress regarding Major League Baseball (MLB) and steroids. He told them of our discovery that MLB players were involved in using the drugs to enhance their performance. One name that surfaced numerous times was that of self-professed steroid user Jose Canseco. In an interview with CBS, Canseco implicated Mark McGuire as well. Canseco, sometimes called the “Bad Boy of Baseball,” wrote a book entitled *Juiced*. In it, he talks about his use of anabolic steroids and human growth hormones. Most recently, the on-going Balco investigation involving MLB steroid abuse continues to heat up. The latest twist in the case was in April 2007, and involves a former New York Mets employee pleading guilty in federal court to selling steroids to dozens of players. I am certain this case will ensnare more players before it comes to a conclusion.

During the undercover assignment, my fellow undercover agents and I

discovered a subculture consisting of gym owners, bodybuilders and weightlifters that had no compunction about using steroids and other drugs. What we also discovered was that there were some police officers firmly entrenched in this lifestyle as well. As part of our cover we worked out daily, sometimes twice daily, in popular gyms like PowerHouse, Gold’s, and the World Gym. Our networking took us all over the United States. During our travels, we tried to make as many “friends” as possible, hoping that they would lead us to the dealers. In the process, we learned that the culture attracted cops for a variety of reasons. Some were competing as bodybuilders, weightlifters and in other sports as well. Those who were truly obsessed about their endeavors bought into the notion that steroids would give them that shortcut, that “leg up” as it were, to get them to the top. Indeed, a few were successful, winning amateur events and some even turning pro where the payoff came in money and fame, not just a trophy for the mantle.

Other cops just wanted to “get big.” The illusion was that the bigger and stronger they appeared to everyone, the easier it would be to make people comply. The problem is that these guys, and yes, some gals, did not do their homework regarding steroids. While the initial attraction to being on juice is the quick results, the downside is the side effects, some of which are irreversible. One huge, negative impact that these rogue cops didn’t count on was the phenomenon referred to as “Roid Rage.” Those that were using had a propensity to become easily aggravated and upset. Sometimes these flare-ups occurred in the gyms; other times they happened on duty. Regardless of where they happened, a cop in the throes of roid rage is like a locomotive coming down the track at full throttle. He is almost impossible to stop. Naturally, when these incidents occurred, a brutality beef always ensued. Oftentimes the officer’s defense was that he was himself the victim of roid rage. This then was the catalyst for additional drug charges and eventual criminal or administrative sanctions.

Just like their bodybuilding cohorts, the officers succumbed to what I refer to as companion drugs: cocaine, amphetamines, barbiturates, anti-depressants and marijuana or alcohol. As their prolonged steroid usage continued, they discovered that they tired easily and needed “coke” to energize them. When they became reliant on the coke and couldn’t control the proper dosage, they needed something to slow them down. When they had mood swings, they needed “ludes.” Unfortunately, these downers also caused dull thinking, reduced judgment, memory loss and slowed down reaction time. None of these do anything to enhance an officer’s chances of survival on the street.

As I alluded to earlier about not judging a book by its cover, we now have the strangest paradox of all ... a fit looking, almost superhuman-appearing officer, that if the truth be known, is more unhealthy than most of his colleagues. One of the anomalies involved with getting that magazine look is that the officer’s fitness level actually decreases — especially on the aerobic side of the house. Since their goal is to get big, and in order to achieve and maintain the size they want, they must all but eliminate cardio from their routine. One guy I befriended in one of the gyms used to tell me that he would not even get up from his chair to turn the TV set on or off — it would burn too many calories. Another user told me his motto was, “bury me big!” They were all obsessed with size.

The irony of course is that while they are trying to increase their size, some very important pieces of their bodies are shrinking. When a steroid user stays on the juice too long, the testicles begin to shrink — hardly the sign of a virile man. And while the initial stage of steroid usage increases the sex drive, the latter stages almost eliminate entirely the urge to engage in sex. More important than the testicles shrinking, although I am sure that many of my colleagues would argue that there is nothing more important, is the fact that the body’s internal organs are being damaged. High blood pressure, heart disease, liver damage, cancers, strokes and blood clots are all possible destinations at the end of the steroid interstate. Can you say “Arnold Schwarzenegger?”

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ARE YOU JUICED?

(continued from page 24)

I do not want to paint a bleak picture here. The cops that juice are the exception rather than the rule. In my 46 years of working out at gyms all over the United States, I have encountered a ton of guys and gals that are there for the right reasons. They are role models for the rest of us, as well as the people that they serve with honor each day. Those few bad ones, unfortunately, taint all the good ones that make exercise part of their daily routine, and go about it in the conventional manner. The juicers turn out to be big, strong and stupid. The rest of us turn out to be fit, strong and brilliant, for we have figured out the magical equation to balance our lives. Say your prayers, love your family, eat right and train. Stay safe, my friends!

John Wills spent two years in the U.S. Army before serving 12 years with the Chicago Police Department (CPD). He left the CPD to become an FBI Special Agent, working organized crime, violent crime, and drugs. John served as the Principal Firearms Instructor, Training Coordinator, and sniper team leader in the Detroit Division for ten years. Before retiring from the FBI, he spent seven years teaching at the FBI Academy at Quantico, VA. He has taught Street Survival domestically and internationally. John is presently a field manager with Advanced Interactive Systems. He also owns his own business — LivSafe, teaching safety awareness classes, and he maintains a blog, Red State Papa. John serves as a judge for Law Enforcement Technology magazine's Innovations Awards, helping to evaluate new products. He can be reached at john@officer.com or (540) 226-9478. **VB**




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INSIGHT

It is not always by plugging away at a difficulty and sticking at it that one overcomes it; but rather, often by working on the one next to it. Certain people and certain things require they be approached on an angle.

-André Gide

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NAPO UPDATE

House and Senate Set Recommended Budget Levels

Earlier this spring, the House and the Senate both passed concurrent resolutions on the budgetary levels and amounts to be appropriated for fiscal year 2008. These budget plans are non-binding resolutions that will be used to guide the Congressional appropriations process.

If the House and Senate budget resolutions are a sign of what is to come, law enforcement will fare well in the fiscal 2008 appropriations process. While the House plan was not specific as to where the funding should be allocated, it does provide \$46.940 billion for the Administration of Justice function, which is nearly \$1.5 billion more than was provided for the function in fiscal year 2007. The Administration of Justice budget function consists of federal law enforcement programs, litigation and judicial activities, correctional operations, and state and local justice assistance programs.

House Budget Committee Chairman John Spratt (D-South Carolina) added an additional \$1 billion to the total funding level for the Administration of Justice function. He inserted this additional funding with the specific purpose of off-setting the drastic and ill-advised cuts proposed in the President's fiscal 2008 budget to programs such as the Byrne Justice Assistance Grant (JAG) and the Community-Oriented Policing Services (COPS) Program.

The Senate budget plan provides \$48.796 billion for the Administration of Justice function for fiscal year 2008. Additionally, during floor consideration, the Senate adopted several amendments to increase funding for law enforcement programs. Among the amendments approved by the Senate was one offered by Senator Joseph Biden (D-Delaware), which increases funding for the COPS Program to \$1.15 billion for fiscal year 2008. This funding level will provide state and local law enforcement agencies with the critical resources necessary to hire community policing and school resource officers; and to purchase new technologies to aid law enforcement in preventing and responding to violent

crime and acts of terrorism.

The Senate also adopted an amendment by Senator Dianne Feinstein (D-California), which provides an additional \$543 million for the State Criminal Alien Assistance Program (SCAAP). The SCAAP grants give funding to states and localities for the reimbursement of costs incurred as a result of state and local agencies housing undocumented criminal aliens.

With the passage of these budget resolutions, the House and Senate are on record as supporting additional funding of vital state and local law enforcement assistance programs. NAPO worked hard to obtain these funding levels in the House and Senate Budget Resolutions (H.Con.Res 99 and S.Con.Res. 21). We will continue to lobby Congress to ensure that the appropriations committees follow the lead of these budget plans and that the needs of local law enforcement are met in the final fiscal 2008 appropriations bills.

Legislative Update on Bills of Interest to Law Enforcement Prisoner Reentry Legislation Approved by House Committee

The House Judiciary Committee amended and approved the "Second Chance Act of 2007," H.R. 1593, on March 28, 2007. This legislation would reauthorize the grant program to provide funding for rehabilitative programming and real-world training for offenders reentering communities in an effort to help them adjust to a crime-free lifestyle. H.R. 1593 would provide \$192 million per year in federal competitive grants to promote initiatives that combine intensive parole supervision with job training, substance abuse treatment, mental health assistance and other support services to assist high-risk offenders reintegrate into society.

(continued on page 25)



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NAPO UPDATE

(continued from page 26)

The House is expected to take action on H.R. 1593 before Memorial Day. On March 30, 2007, Senator Joseph Biden (D-Delaware) introduced the Senate companion bill, S. 1060. No action has been taken on the Senate bill.

House Judiciary Committee Looks to Broaden Hate Crimes Law

On April 15, 2007, the House Judiciary Committee approved legislation that would expand the list of hate crimes punishable by time in prison. The "Local Law Enforcement Hate Crimes Prevention Act of 2007," H.R. 1592, would expand the hate crimes law to provide for separate charges for hate crimes motivated by sexual orientation, gender and disability. Those convicted of such crimes could be sentenced up to life in prison if the incident resulted in death or involved kidnapping, sexual assault or attempted murder.

In addition to imposing longer sentences for hate crimes, H.R. 1592 would authorize \$5 million for fiscal years 2008 and 2009 for grants to state and local law enforcement agencies to help cover the expenses associated with the investigation and prosecution of hate crimes. In any one-year period, each agency would be eligible to receive no more than \$100,000. The bill would also award grants to support state and local initiatives designed to fight hate crimes committed by juveniles, including programs to train local law enforcement officers in identifying, investigating, prosecuting and preventing hate crimes.

In the Senate, Edward Kennedy (D-Massachusetts) and Gordon Smith (R-Oregon) have introduced S. 1105, a bipartisan companion bill to H.R. 1592. No action has been taken on the Senate bill.

Bill Improving 911 Internet Phone Service Moves in Senate

The Senate Commerce, Science and Transportation Committee approved legislation on April 25, 2007, which would require Internet phone services to offer "enhanced" 911 services to all subscribers. Many customers of Voice-over-Internet-Protocol (VoIP) services such as Vonage or Lingo can dial 911 in case of emergency; however, not all VoIP users have access to enhanced 911 services that transmit a caller's physical location and other important information to law enforcement.

The bill, S. 428, would require the Federal Communications Commission to issue regulations granting VoIP companies access to the nation's traditional 911 infrastructure, which is handled by the Bell telephone companies. Land-line calls and wireless calls are already connected to this infrastructure, which makes it relatively easy for 911 operators to trace calls or route the calls to the nearest public safety personnel. S. 428 amends the Wireless Communications and Public Safety Act of 1999 to give this same access to VoIP services.

The bill would also give state and local entities the authority to impose and collect 911-related fees from VoIP providers.

Cops Improvements Bill Moves Forward in House

On May 2, 2007, the House followed the Senate in taking a step forward in giving local law enforcement the critical funding it needs most when the House Judiciary Committee approved the "COPS Improvements Act of 2007," H.R. 1700. Congressman Anthony Weiner (D-New York) introduced the legislation, the companion measure to Senator Biden's S. 368, on March 26. The bill would enhance the Community-Oriented Policing Services (COPS) grant program and authorize it at \$1.15 billion annually for five years, beginning in fiscal year 2008. This funding level includes no less than \$600 million annually to hire more community-oriented law enforcement, including officers to perform counterterrorism duties and to serve as school resource officers.

On March 15, the Senate Judiciary Committee approved S. 368, and on March 23, the Senate adopted the \$1.15 billion funding level to its fiscal 2008 budget resolution. This legislation is particularly important in the face of the sharp decline in federal funding local law enforcement agencies have experienced over the past several years to assist them in hiring and retaining officers. As officers undertake more duties and training in response to increased crime and terrorist threats, departments across the nation are finding it difficult to recruit new officers or even pay their current officers with adequate compensation packages for the additional responsibilities they have assumed. Ensuring that local law enforcement agencies are given the funding they need is a top legislative priority for NAPO and we are actively fighting for full federal support of critical grant programs such as COPS.

Federal Resources to Assist State and Local Law Enforcement DOJ Introduces New National Security Resource Website for Law Enforcement

The Department of Justice Office of Justice Programs just announced a new website, www.nationalsecurityresources.gov, for the purpose of sharing within the justice community critical counterterrorism, intelligence and related policy and training resources with federal, state and local law enforcement, corrections, courts and other justice professionals.

The website links users to sites such as the Counterterrorism-Terrorist Screening Center, the Security Clearance Process for State and Local Law Enforcement, the FBI's Most Wanted Terrorists, the ATF's Most Wanted, the Specially Designated Nationals List (SDN) and Terrorist Designation Lists. Furthermore, the site contains a specific Law Enforcement page which offers educational materials, funding information and technical tools to assist law enforcement, investigators, intelligence analysts, police executives and trainers in preventing and responding to terrorist activity at all stages of deployment.

ICE Law Enforcement Support Center

The Department of Homeland Security asked NAPO to reach out to its members to advise them that the Immigration and Customs Enforcement (ICE) Law Enforcement Support Center is at their disposal as a tool to be used 365 days a year, 24 hours a day. Established in 1994, the Law Enforcement Support Center is located in Williston, Vermont, and its mission is to provide timely and accurate information to law enforcement officers on the immigration status and identities of individuals who have been arrested or are under investigation for criminal activity. The primary users of the Support Center are state and local law enforcement officers in the field who need information about foreign nationals they encounter in the course of their daily duties.

Technicians at the Support Center have ready access to a wide range of databases and intelligence resources, including: ICE Immigration databases; the National Crime Information Center (NCIC); the Interstate Identification Index (III); the Student and Exchange Visitor Information System (SEVIS); the U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) system; and the National Security Entry-Exit Registration System (NSEERS). Additionally, the Center analyzes and disseminates information received from the public about suspicious or criminal activity.

More information on the Law Enforcement Support Center can be found at <http://www.ice.gov/partners/lesc/index.htm>. **VB**



A LETTER TO MY WIFE

Editor's Note: The following was written by a veteran police officer to his future wife to help her better understand the pitfalls of a police marriage.

How can I explain my job to you? I am a police officer, but I have no idea what I really do — what my professional demands of me and what my profession will demand of you. When I chose this career, I also accepted the lifestyle that goes along with it. You will have to accept it also if our marriage is to work.

Let me be honest with you. Police officers have an 85 percent divorce rate. Eighty-five percent! Did you realize that? Our suicides occur twice as frequently as any other profession. You can expect me, as a policeman, to have a greater chance of getting heart disease, ulcers, hypertension or some other stress-related ailment. Only coal miners have greater job-related stress than we do. Coal miners live with the fear of entombment, of being crushed to death or asphyxiated. We hunt, and are killed by, other men.

My dear, you intend to marry me because you love me, but you will be in competition with my job. I see things and do things that most other men find too distasteful or too dangerous to do themselves. But, I feel an exhilaration that I can't describe in words and that I wouldn't admit in public.

How can I describe what I feel when I am about to kick in the door of a dope dealer's house, knowing that he is armed? How can I make you understand the feeling I had when I chased a taxi cab at 100 miles per hour, while a robber held a knife to the driver's throat? Do the risks I take, which I tell myself are required by the job, make me irresponsible?

When I was shot at, I had been looking for dope. I thought, "I want to go home. I want to see you again." But when it was all over — you slipped from my mind. I got back to the job without a second thought. I went back to the same skid row hotel looking for narcotic addicts selling tiny balloons filled with heroin, and spoke with the people who shove dirty needles into their arms to inject the drug. I know many by their first names. We share the same neighborhood.

I tell myself that being in those skid row hotels, with the smell of urine and sweat in every stairwell, is part of my job. But, it's a lie. I do it because I love it.

At times, the job gives me a high that makes me forget about you. Yet, I don't think I would want our son or daughter to go through what I've gone through. I don't think I would want their wife or husband to go through what I am going to put you through.

I've watched people die. I looked at a man reaching out to me in terror, wanting me to keep him from dying. He was shot through the lungs and I watched him reaching out to me, suffocating in his own blood, dying. I held his hands and yelled at him. The last words he heard were from me, when I shouted, "You're dying! Who shot you? Give me a name. I need a name..."

He couldn't breathe, much less speak. When he became unconscious and the ambulance arrived, I knew he was dead. I felt nothing. I was numb. He was dead and I still had work to do. I thought about how to best proceed in the investigation: what the homicide investigators would need to find the murderer. But, I didn't think about him. His family was there crying, angry, hysterical — because they had watched him die too. And onlookers stopped to see what was going on — and I held them back — and I listened to the screams and wails of the family — and I made sure my preliminary investigation proceeded correctly. And I didn't allow myself to feel anything.

I looked at his family — crying, angry, and I knew that worse than feeling sadness or anger is to feel nothing at all.

You may ask me how my day went and I will tell you, "the same," and you will wonder why I'm not more talkative. I can't tell you why. You will wonder why I didn't take your questions more seriously or why I lie awake at night, unable to sleep. I will tell you that it is too much coffee, or that it's nothing. How can I explain to you what I have trained myself not to show? I can only tell you about it in this letter, when I'm not hearing your voice or looking into your eyes.

You say that you love me and you care for me, but you may grow to hate what I do.

You may grow to hate the department I work for; the courts, which draw me away from you on those days off we planned together; the lawyers, who question my truthfulness and the way I did my job.

When you can't stand it any longer; when your questions about what is bothering me go unanswered; when my silence makes you feel powerless to help, you may grow to hate me.

-Author Unknown

L.V.P.P.A. BOARD OF DIRECTORS

Currently there are two (2) vacant positions on the Las Vegas Police Protective Association's Board of Directors. The positions are:

- **Northwest Area Command Representative**
- **Retiree Representative**

Please contact the PPA office at (702) 384-8692 if you are interested in being a representative on the Las Vegas Police Protective Association's Board of Directors.

INSIGHT

The charismatic leader is one in whom, by virtue of unusual personal qualities, the promise or hope of salvation — deliverance from distress — appears to be embodied. He is a leader who convincingly offers himself to a group of people in distress as one peculiarly qualified to lead them out of their predicament. He is in essence a savior, or one who is so perceived by his followers. Charismatic leadership is specifically salvationist or messianic in nature.

-Robert C. Tucker



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LVPPA MEMBERS:

This truly unique program was designed to allow individual members of your organization to purchase or lease their personal vehicle in the same way as large corporate buyers do, in volume directly from the Fleet Manager. Upon arriving for their appointment and selecting the vehicle to be purchased, the low Fleet price is given immediately with no distasteful negotiations.

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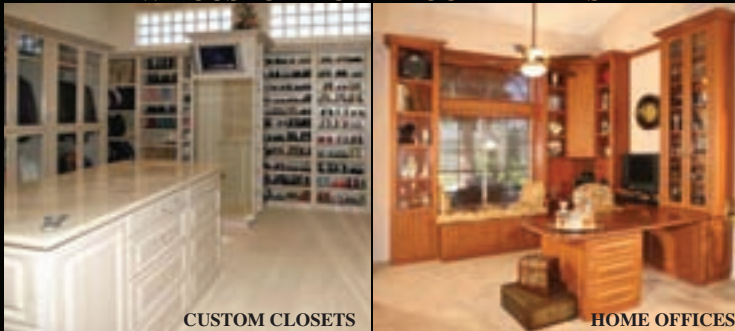
Third, the dealership eventually benefits if the volume is built up by members actually taking advantage of the program and following the procedure of calling for an appointment, then purchasing a vehicle exclusively from Mr. Giatropoulos.

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NATIONAL FIRST RESPONDER APPRECIATION DAY

IN THE SENATE OF THE UNITED STATES

May 24, 2007

Mr. Allard (for himself, Mr. McCain, Mr. Casey, Mr. Cochran, Mr. Enzi, Mr. Stevens, Mr. Graham, Mr. Chambliss, Mr. Craig, and Mr. Inhofe) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Designating September 25, 2007, as "National First Responder Appreciation Day".

Whereas millions of Americans have benefited from the courageous service of first responders across the Nation;

Whereas the police, fire, emergency medical service, and public health personnel (commonly known as "first responders") work devotedly and selflessly on behalf of the people of this Nation, regardless of the peril or hazard to themselves;

Whereas in emergency situations, first responders carry out the critical role of protecting and ensuring public safety;

Whereas the men and women who bravely serve as first responders have found themselves on the front lines of homeland defense in the war against terrorism;

Whereas first responders are called upon in the event of a natural disaster, such as the tornadoes in Florida and the blizzard in Colorado in December 2006, the wildfires in the West in 2007, and the flooding in the Northeast in April 2007;

Whereas the critical role of first responders was witnessed in the aftermath of the mass shooting at the Virginia Polytechnic Institute and State University, when the collaborative effort of police officers, firefighters, and emergency medical technicians to secure the campus, rescue students from danger, treat the injured, and transport victims to local hospitals undoubtedly saved the lives of many students and faculty;

Whereas 670,000 police officers, 1,100,000 firefighters, and 891,000 emergency medical technicians risk their lives every day to make our communities safe;

Whereas these 670,000 sworn police officers from Federal, State, tribal, city, and county law enforcement agencies protect lives and property, detect and prevent crimes, uphold the law, and ensure justice;

Whereas these 1,100,000 firefighters, both volunteer and career, provide fire suppression, emergency medical services, search and rescue, hazardous materials response, response to terrorism, and critical fire prevention and safety education;

Whereas the 891,000 emergency medical professionals in the United States respond to and treat a variety of life-threatening emergencies, from cardiac and respiratory arrest to traumatic injuries;

Whereas these 2,661,000 "first responders" make personal sacrifices to protect our communities, as was witnessed on September 11, 2001, and in the aftermath of Hurricane Katrina, and as is witnessed every day in cities and towns across America;

Whereas according to the National Law Enforcement Officers Memorial Fund, a total of 1,649 law enforcement officers died in the line of duty during the past 10 years, an average of 1 death every 53 hours or 165 per year, and 145 law enforcement officers were killed in 2006;

Whereas, according to the United States Fire Administration, from 1996 through 2005 over 1500 firefighters were killed in the line of duty, and tens of thousands were injured;

Whereas 4 in 5 medics are injured on the job, more than 1 in 2 (52 percent) have been assaulted by a patient and 1 in 2 (50 percent) have been exposed to an infectious disease, and emergency medical service personnel in the United States have an estimated fatality rate of 12.7 per 100,000 workers, more than twice the national average;

Whereas most emergency medical service personnel deaths in the line of duty occur in ambulance accidents;

Whereas thousands of first responders have made the ultimate sacrifice;

Whereas, in the aftermath of the terrorist attacks of September 11, 2001, America's firefighters, law enforcement officers, and emergency medical workers were universally recognized for the sacrifices they made on that tragic day, and should be honored each year as these tragic events are remembered;

Whereas there currently exists no national day to honor the brave men and women of the first responder community, who give so much of themselves for the sake of others; and

Whereas these men and women by their patriotic service and their dedicated efforts have earned the gratitude of Congress: Now, therefore, be it Resolved, That the Senate designates September 25, 2007, as "National First Responder Appreciation Day" to honor and celebrate the contributions and sacrifices made by all first responders in the United States.

The Las Vegas Police Protective Association:

Celebrating 60 years protecting those who protect others.

NATIONAL POLICE MEMORIAL WEEK



WE ALL BLEED BLUE

OFFICER HECTOR NAVARRO

Southcentral Area Command

Having never experienced National Police Week in Washington, D.C. before, I was blessed with the chance of representing our PPA this year along with other colleagues. Unfortunately, we were also there to pay respects to our fallen friend, Henry Prendes, whose name was placed on the Police Memorial along with 145 others. The experience was amazing and humbling, to say the least.

Officers from around the world were there to pay their respects to our fallen heroes. From as far away as Australia and Great Britain to as near as California and Arizona, officers dressed in their Class A uniforms gathered in our nation's capital to pay homage to our fallen brothers and sisters.

As I stood within the hallowed grounds of the memorial listening to the sounds of bagpipes playing and watching officers marching and saluting, I realized that no matter what part of the world we

call home, we all bleed blue. Our uniforms may be different colors, some may wear a star or a shield and we all live in different parts of the planet, but we all have the same goal — protecting those who can't protect themselves and watching each other's back. This bond that we share with one another has no boundaries and could be felt among us as we all stood shoulder to shoulder, holding our candles honoring those that had made the ultimate sacrifice and their survivors.

Words cannot describe the pride I felt representing the LVMPD and LVPPA this week and I will never forget the people I met and the stories they shared. I can honestly say that, if you have never been to the Law Enforcement Memorial, you should make the effort to see it. Stay safe...

Hector Navarro is a police officer assigned to the Southcentral Area Command where he works graveyard. Hector has been employed by LVMPD for 16 years and has been the area Representative for SCAC for approximately a year and a half. **VB**



NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL, WASHINGTON, D.C.

CRAIG FLOYD

On May 13, at our annual candlelight vigil, we added the names of 382 law enforcement professionals to the National Law Enforcement Officers Memorial. One hundred and forty-five of those officers made the supreme sacrifice last year.

All of their names will be officially added to the National Law Enforcement Officers Memorial in Washington, D.C., at a candlelight vigil on May 13. When those names are added, along with 237 newly discovered line-of-duty deaths from earlier years, there will be 17,917 names on the Memorial walls.

For the ninth straight year, traffic-related incidents claimed the lives of more officers (71) than any other cause of death. Forty-five of those officers died in automobile crashes, 11 died in motorcycle crashes and 15 were struck and killed by vehicles.



Among the other causes of death, 52 officers were shot and killed, 14 died of job-related illnesses, three were killed in aircraft crashes, two died when a vehicle crashed into two officers on bicycles, one was beaten to death, one was stabbed to death and one was killed in a terrorist attack in Iraq.

On average, the officers who sacrificed their lives were 38 years old and had served for eleven years. The youngest of the officers to die last year was 18-year-old Erin S. Frasier of the U.S. Air Force Security Police — one of six female officers killed in 2006. On March 13, Officer Frasier lost her life in an automobile crash while patrolling Edwards Air Force Base in California. In addition to Officer Frasier, there were six other federal and military law enforcement officers killed in the performance of duty in 2006.

Craig W. Floyd is chairman of the National Law Enforcement Officers Memorial Fund. Visit www.nleomf.com for more information about law enforcement officers killed in the line of duty.

Reprinted (in part) with permission of the author and American Police Beat. **VB**



ROOKIE MISTAKES

OFFICER ROBERT D. JOHNSON

K-9 Unit

On March 15, I attended my first meeting of the LVPPA general membership in over eight years. It would prove to be far too long of an absence. I simply hadn't been motivated before now. It was different this time. After all, I was on the agenda.

Officer Gary Sumption, of Metro's Search & Rescue Unit, had elected to resign as the PPA Representative for Special Units, which includes SWAT, S&R, Air Support, K-9, the Mounted Unit and part of the Resident Section. Gary had worked in that capacity for several years. To be honest, I had little or no understanding of what the role of a Representative is. During that March 15 meeting, the Board voted on my appointment to replace Gary. As I was the only officer who had expressed interest in the job, so I won by a landslide!

OK, now what? After I was elected, I sat quietly in the corner trying to take in the activity of the thirty or so members of the PPA Board. Every few minutes someone would point out this or that ... I was lost. I quickly realized that I have much to learn ... I was a rookie.

As some of you may know, each PPA Representative has a binder with their name on it. It is here where we keep any notes that we choose to take during the meetings. I found Gary Sumption's binder and started reading through it. Gary had maintained detailed notes of each meeting he attended and they have provided me with invaluable insight. If you happen to run into Gary, be sure to stop and thank him for his service.

One of the first issues that came during my brief tenure was a

vote regarding whether or not the PPA would support a former employee as he pursued arbitration in an effort to have his termination overturned. I was reluctant to involve myself in the ensuing debate; after all, I was the rookie and this was not a decision to be taken lightly. I can tell you that I cast my vote with conviction. In the weeks ahead, I will try to attend your briefings. In the interim, if you have an issue that you would like brought up with the PPA, please feel to contact me at any time.

I traveled to Washington, D.C. on May 11 as a part of the LVPPA contingent for the National Law Enforcement Officers Memorial. On the 13th, we attended the Annual Candlelight Vigil in tribute to our fallen comrades. One hundred forty-five names were added to the wall of officers killed the United States in the line of duty in 2006. In addition, the Memorial's research team had uncovered another 237 names from years past, the oldest of which was from May of 1827. These were added to the wall as well. Needless to say, the weekend would prove to be an emotional rollercoaster. This was amplified when about 2,000 officers gathered in the middle of a block and suddenly started singing *I'm Proud to Be an American*, with nary a dry eye among them. It was a vivid reminder that there are few groups that share our loyalty, courage or patriotism. The events surrounding Police Week are about us, our dead and their survivors. It is a stark reminder of the trials our nation continues to face and the tremendous responsibility we have to keep it safe. And, the cost of doing so...

Someone once said, "*Whenever an honorable man is taken from our midst, we are all diminished.*" I thought of this as I located Henry Prendes' name on the wall and it really hit me. He was an honorable man. True to the quote, the loss of Henry Prendes had





taken a small part of each of us. I have been very critical of Henry's actions on that fateful day. I was even angry with him. I guess I felt justified in doing so, as I had known him. I was wrong.

At one time or another, each of us has been faced with a set of circumstances when enough was enough. Our patience runs out and we stop thinking, "someone should do something," and we shift into, "I'm going to do something." That's when you go into action. Enough is enough. As I stood at the wall staring at Henry's name, I was reminded of the third OIS I was involved in some years ago. The following afternoon, a patrol lieutenant was briefing swing shift on the details of the event. Having listened to the story, two new officers in solo-beat status were talking and one was overheard asking the other new officer if he knew me. This new officer went on to say, "What's this guy Johnson's problem? He's been in three shootings and still hasn't figured out how to kill someone." They were just two rookies with no clue, second guessing another officer when they hadn't even been there. Now I had made the same rookie mistake by second guessing Henry's actions.

If you ever get the opportunity to visit the Memorial or attend the Vigil, take it. If you don't get an opportunity ... make one. I would estimate that 30,000 people attended and nearly every one of them was

in uniform. But not me. I had chosen not to take my uniform or duty belt. I didn't want the hassle of the added security checks at the airport. I stood in the crowd of officers feeling as though I'd made another rookie mistake. My suit and tie just didn't cut it. I could have attended the event as a uniformed representative of my Department, showing proper respect for my fellow officers, and those lost; instead, I was a guy in a tie, standing on the lawn. That won't happen again.

Now, I'm not going to bore you with home movies of my trip, but I saw officers from Sacramento County S.O., Folsom PD, Newark PD, NYPD, Miami-Dade, Minneapolis PD, Chicago PD, Dallas PD, CHP and a host of others from every state in the union. They came from as far away as Edmonton, Canada; New South Wales, Australia; London, England; Germany, Taiwan ... it goes on.

As the ceremony began, a strange, unspoken protocol occurred: all of the officers from foreign countries moved off of the monument grounds to stand on the sidewalk across the street (granted, the streets were jam-packed with American police officers too), essentially freeing up space on the monument proper for American police officers. I would later have a beer with several police officers from the Toronto area. I had to ask about this phenomenon. The Canadians simply stated that they didn't want to intrude; rather, they wanted to give us our space as we mourned our dead. I was flabbergasted. They had traveled so far, some from the other side of the planet to be here with us, just so they could stand across the street and show their support for fellow officers as they paid their respects to *our* fallen. They were cops, same as us. No more, no less. I was truly humbled. Just the night before, a friend of mine had made the comment that deep down inside, we are all blue. The fact that the Canadian officers or the officers from any other department around the world would do this for us only epitomized that statement. If we don't look out for and support one another, then who will?

I'll sum this up by saying the events had a tremendous impact on my efforts at becoming a better person and a better officer. As a PPA Representative, I will try to serve your interests as well as the interests of our police department. Most of all, I'll try to make a few less rookie mistakes...

Robert Johnson has been an officer with the Las Vegas Metropolitan Police Department since 1992. He has been assigned to K-9 for eight years. VB



NATIONAL POLICE MEMORIAL WEEK



POLICE WEEK

KENNETH LOCHNER

Corrections Officer, Clark County Detention Center

When I first found out I was selected to go on the trip to D.C., I thought that this was something I did not want to miss out on. I felt a sense of pride to be able to go and represent LVMPD and the LVPPA at such a prestigious event. The group of fellow officers that I went with was both a pleasure and an honor, because they too felt the same way about the event, especially after arriving and seeing the police memorial and all the events surrounding Police Week.

The Unity Tour Ride, seeing the 1200-plus officers come riding in on bikes and seeing their faces when they saw the crowd of thousands of officers, just sends chills up your body and tears to your eyes. To look out and see your own LVMPD group come riding in gives you even more to cheer for. When the Top Cops Awards® were held, hearing what each officer went through and then seeing and hearing them speak was awesome. On Sunday night, when they had the Candlelight Vigil and the reading of the names, looking all around you and seeing officers everywhere covering the street and the Memorial grounds ... the numbers were uncountable, all holding candles. Having the police memorial in Washington, D.C. is fitting, especially with all the war memorials to the fallen soldiers.

This is one trip I told my wife I did not want to miss again, and that I wanted her to go as well. I would recommend that every officer who has the chance to take this trip to the NLEOM in D.C. actually does take the opportunity to do so because it is very moving. I would also want to thank the LVPPA and the membership for the opportunity I was given to represent them at the NLEOM.

Corrections Officer Kenneth Lochner has been employed by the LVMPD for approximately 7½ years and has been a Corrections Officer for approximately 6½ years. He is currently a Representative for the Clark County Detention Center. VB





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May 21, 2007

To All LVMPD Officers,

On May 19, 2007, at the end of Police Memorial week, Battle Born Tactical and Survival Gear held a 5K race with the proceeds going to the IPOF. We were fortunate to have law enforcement officers, not just from Nevada but from many different agencies across the nation, come out in the early morning to participate in the race. I would like to take the time to mention a few who volunteered their time and with their participation made this event successful.

First, Officers Marizela Razo and Officer William Huddler from the LVMPD Recruitment Detail and Officers John Jenkins and Officer Frank Sorrentino from K-9 detail, Officer Bryan Woolard from NWAC, Sergeant Peter Ferranti from BAC, and civilian employee Carol Ferranti from CAYF. These officers and their family members were nothing but models for the Department Values ICARE. They had the opportunity to interact with the community during this event and painted a picture not just in faceless literature, but through courteous and profession interaction with people from all across the United States. In my opinion, this is what it means to partners with the community.

Again, we were lucky to have people from all over the United States and as far away as Long Island. A total of 270 people participated in the race and over a 150 more that came to support the cause. We received many





compliments on the LVMPD recruiting and K-9 officers throughout the day. There were many children at this event and Officers Jenkins and Office Sorrentino took the time to show their dogs Apollo and West and take photos with the children.

Last but not least, members of our SWAT team and SAT team came out and ran as two groups. This was quite an impressive sight as they finished the race as a team and in formation. In all, I believe we had officers from most area commands and details participate.

As a member of the Metro family, I write this with much thanks to this department for allowing these officers to come out as representatives of LVMPD. The feedback from the participants in this event were nothing but positive toward all of the officers. We look forward to hosting the fundraiser for the IPOF again next year. Thank you all for your support.

Sincerely,

Leah Martin





CALENDAR

2007

- July 4** Independence Day
- July 14** 25th Annual SPA/PPA Golf Tournament (Revere Golf Club-Las Vegas)
- August 2** LVPPA General Membership Meeting (LVPPA office)
- September 3** Labor Day
- September 6** LVPPA General Membership Meeting (LVPPA office)
- September 9** Grandparents Day

THANK YOU LETTERS

Dear Detective Jotz,

This will acknowledge receipt of your letter of April 9, wherein you have expressed your endorsement of my candidacy for Municipal Court Judge in Department 6.

I have no doubt that you have given great weight to the making of this decision. I hope and pray that I will meet your expectations, as well as those of the voters and citizens of this community.

My heartfelt appreciation to you and the Board of Directors for the faith you are placing in me and for your expression of confidence in my candidacy.

If there is anything further you wish to ask of me or anything that I am able to do for you, please feel free to call upon me.

Sincerely,
Martin D. Hastings, Esq.

Dear Mr. Chaparian,

Thank you so much for your multiple Career Day presentations at Ernest May Elementary School May 10. As a result of your participation students are better equipped to make the connection between skills learned at school and their application in the world of work.

We look forward to staying in touch with you and hope you will help us again in the future.

I can't thank you enough for your continued support! The teachers tell me you give a "perfect" presentation.

Sincerely,
Joni Warinner
Counselor

Friends at the LVPPA,

Thank you for the beautiful flowers to welcome Kylie. It was very thoughtful of you all. Kylie and family are doing wonderful ... getting used to sleeping in four-hour shifts. Hope to meet you all very soon — my mom just adores you all!

Michelle & Jessie Beaudoin

P.P.A. Board,

Thank you for the flowers and kind words during the recent passing of my mother. Your thoughtfulness was greatly appreciated by the entire family!

LeRoy Kirkegard and family

Thank you so much for the sponsor. The team is very thankful.
Rebecca Kelly

REPRESENTATION STATISTICS

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MARCH/APRIL 2007 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
7/28/2006	Use of Force	8 hour Suspension	Written Reprimand
8/14/2006	Use of Force	16 hour Suspension	Upheld

NON-CONFIRMATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A

PRETERMINATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
8/15/2006	Conduct Unbecoming an Employee	Recommended for Termination	Upheld

ARBITRATIONS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A

CITIZEN REVIEW BOARD COMPLAINTS			
Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
0	0	0	6

OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS		
Date	Use of Force Board Decision	Inquest Decision
2/9/2007	N/A	Pending 05/25/2007
2/27/2007	Pending 05/08/2007	Pending 04/27/2007

INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS		
Declined/Cancelled	Represented	Total
23	60	83

ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
5	2	24	2

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REPRESENTATION STATISTICS

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JANUARY/FEBRUARY 2007 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
7/28/06	Use of Force	8 hours	Pending Hearing 3/8/07
NON-CONFIRMATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
2006	Consorting w/Persons of Ill Repute; Truthfulness Required at all Times; Use of Alcohol; Drug Free Workplace - Use of Controlled Substances; Authorization to Carry Firearms	Recommended for Non-Confirmation	Resigned Prior to Hearing
2006	Truthfulness	Recommended for Non-Confirmation	Unfounded
PRETERMINATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
8/15/06	Conduct Unbecoming an Employee	Recommended for Termination	Pending Hearing 2/15/07
ARBITRATIONS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
02/17/06	Truthfulness Required at all Times; Conduct	Terminated	Reinstated - received 320 hours
CITIZEN REVIEW BOARD COMPLAINTS			
Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
2	0	0	3
OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS			
Date	Use of Force Board Decision	Inquest Decision	
10/19/06	Justified	Excusable	
01/01/07	Pending Scheduling	Pending 2/9/06 Hearing	
INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS			
Declined/Cancelled	Represented	Total	
14	51	65	
ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
1	1	22	0

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REPRESENTATION STATISTICS

(continued from page 40)

NOVEMBER/DECEMBER 2006 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A
NON-CONFIRMATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
10/9/2006	Cheating on Employment/ Promotional Exams	Recommended for Non-Confirmation	Resigned prior to Non-Confirmation Hearing
PRETERMINATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
05/19/06	Truthfulness Required at all Times; Obedience	Recommended for termination	Written Reprimand
ARBITRATIONS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
02/17/06	Truthfulness Required at all Times; Conduct	Terminated	Pending Closing Briefs/ Arbitrator Decision
CITIZEN REVIEW BOARD COMPLAINTS			
Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
2	0	1	2
OFFICER INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS			
Date	Use of Force Board Decision	Inquest Decision	
07/09/06	Justified	Justified	
07/26/06	Justified	N/A - no death	
08/09/06	Justified	N/A - no death	
09/16/06	Justified	N/A - no death	
09/30/06	Justified	Exusable Homicide	
09/30/06	Justified	N/A - no death	
10/19/06	Pending 1/24/07 Hearing	Pending 1/11, 12/07 Hearing	
11/03/06	Ruled an Overdose	Ruled an Overdose	
INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS			
Declined/Cancelled	Represented	Total	
20	77	97	
ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
4	2	43	3

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REPRESENTATION STATISTICS

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SEPTEMBER/OCTOBER 2006 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A
NON-CONFIRMATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
8/11/06	DUI w/Accident	Recommendation for Non-Confirmation	Non-Confirmed
PRETERMINATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
01/29/06	Neglect of Duty; Use of Force; and Truthfulness Required at all Times	Recommended for termination	160 hours suspension
5/19/06	Truthfulness Required at all Times; Obedience	Recommended for termination	Pending Hearing 11/01/06
ARBITRATIONS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
02/17/06	Truthfulness Required at all Times; Conduct	Terminated	Pending Closing Briefs/ Arbitrator Decision
CITIZEN REVIEW BOARD COMPLAINTS			
Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
2	1	0	2
OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS			
Date	Use of Force Board Decision	Inquest Decision	
06/27/06	Justified	N/A - no death	
06/27/06	Justified	N/A - no death	
07/04/06	Justified	Justified	
07/06/06	Justified	N/A - no death	
07/09/06	Justified	Justified	
07/26/06	Justified	N/A - no death	
08/09/06	Pending Scheduling	N/A - no death	
09/16/06	Pending Scheduling	N/A - no death	
9/30/06	Pending Scheduling	Pending Scheduling	
9/30/06	Pending Scheduling	N/A - no death	
10/19/06	Pending Scheduling	Pending Scheduling	
INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS			
Declined/Cancelled	Represented	Total	
30	58	88	
ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
5	4	45	5

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REPRESENTATION STATISTICS

(continued from page 42)

JULY/AUGUST 2006 REPRESENTATION STATISTICS**LABOR MANAGEMENT BOARD HEARINGS**

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
10/21/05	Conduct Unbecoming an Employee/Misconduct	80 hours w/40 hour option	40 hours w/40 hour option

NON-CONFIRMATION HEARINGS

No Non-Confirmation hearings were held during the month of July 2006

PRETERMINATION HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
12/01/05	Truthfulness Required at all Times; Conduct	Recommended for termination	Not terminated; no discipline; AOC Not Sustained
01/29/06	Neglect of Duty; Use of Force; and Truthfulness Required at all Times	Recommended for termination	Pending Hearing 08/17/06

ARBITRATIONS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
02/17/06	Truthfulness Required at all Times; Conduct	Terminated	Pending Arbitration 09/26/06

CITIZEN REVIEW BOARD COMPLAINTS

Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
2	0	0	1

OFFICER-INVOLVED SHOOTINGS

Date	Use of Force Board Decision	Inquest Decision	
04/28/06	Justified	Justified	
05/13/06	Justified	Justified	
06/3/06	Justified	Justified	
06/11/06	Justified	N/A - no death	
06/11/06	Justified	N/A - no death	
06/27/06	Pending Scheduling	N/A - no death	
06/27/06	Pending Hearing 08/16/06	N/A - no death	
07/04/06	Pending Scheduling	Pending CI Hearing 09/08/06	
07/06/06	Pending Scheduling	N/A - no death	
07/09/06	Pending Scheduling	Pending CI Hearing 09/29/06	
07/26/06	Pending Scheduling	N/A - no death	

INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS

Declined/Cancelled	Represented	Total	
34	63	97	

ACCIDENT REVIEW BOARD

Excusable	Non-Negligent	Negligent	Rescheduled
7	9	45	2



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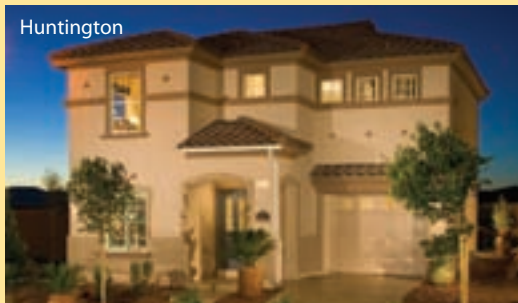
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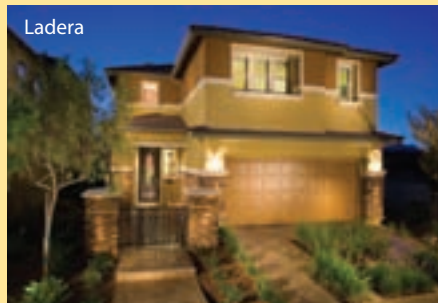
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