



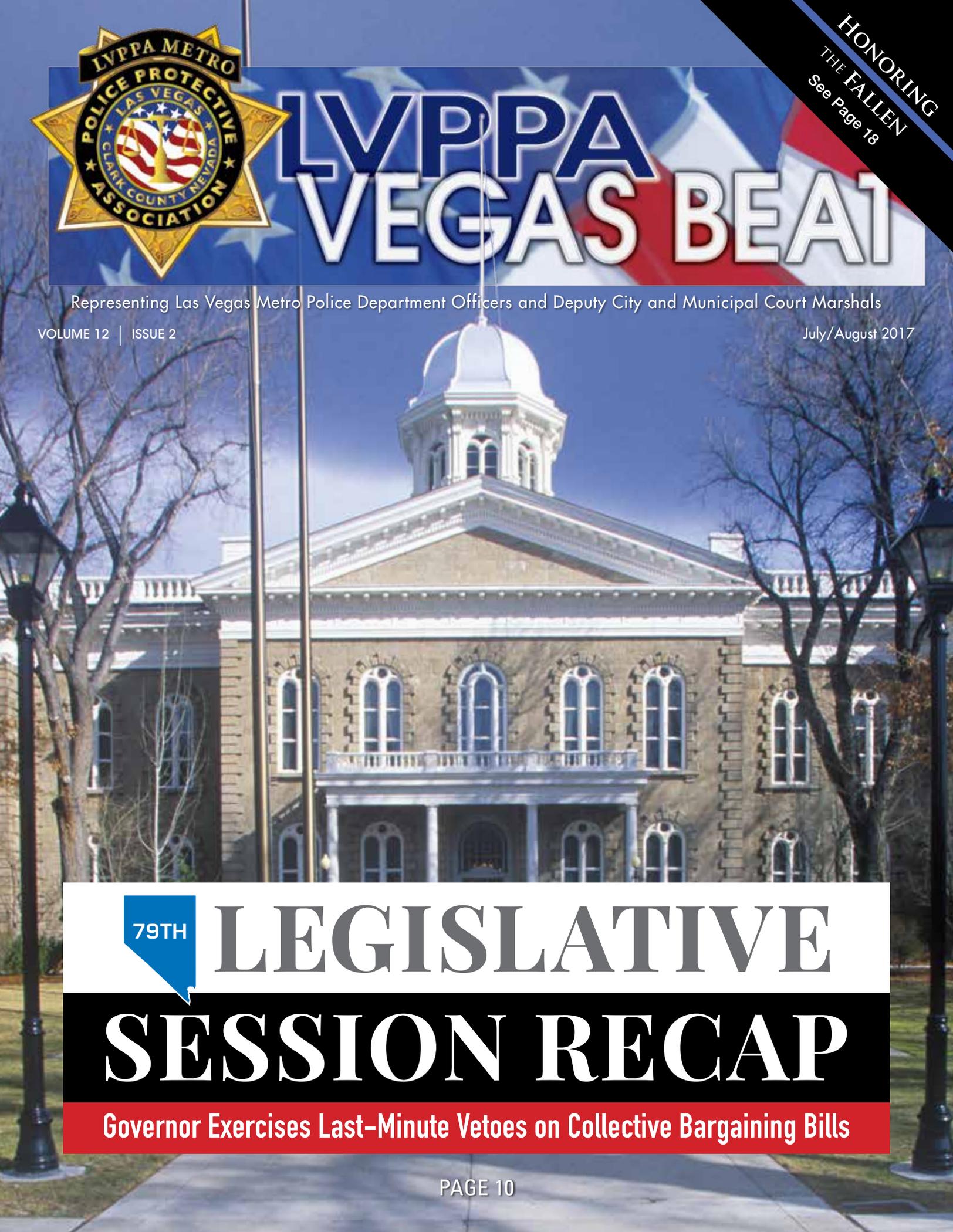
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VOLUME 12 | ISSUE 2

July/August 2017



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NAPO – National Association of Police Organizations, representing over 241,000 law enforcement officer members in more than 1,000 police associations 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





President's Message

DETECTIVE STEVE GRAMMAS, PRESIDENT

Positive Contact Reports

When I hired on the Department in 1998, we had a document called a "commendable." This piece of paper with Department letterhead meant a lot to a lot of people. It said, "Job well done!" and "Thanks for going above and beyond!" While no one on this agency took the position for praise and a pat on the back, it doesn't mean that we don't still appreciate it when a supervisor does it. Deep down in all of us, we enjoy hearing that our hard work has been noticed and appreciated. The current form of documentation is the contact report. The Department says that it can be used for positive and negative conversations about incidents that have taken place. I ask all of our members this question: How many of you have received a positive contact report? I am going to go out on a limb and say that the percentage of positive contact reports is equal to the percentage of officers who think that I look like Brad Pitt.

I am not sure what is taught to new supervisors on our Department, but I hope that they are being taught how a positive working environment with positive recognition fosters a hardworking and productive work force. Something as simple as dropping a contact report in someone's file that outlines the good that officer did goes a long way. It also shows the officer that a supervisor has identified their hard work and commended them for it.

Sadly, all I ever hear about contact reports from our officers is the negative ones that they get. Officers don't contact us at the PPA and talk about the good things their bosses have said about them; rather, they explain to us the negative contact report and ask for assistance in a rebuttal statement. Since I have been at the union, I have heard time and again that "a contact isn't discipline" and "a contact is just a documentation of a conversation." If that were the case, you would not have so many people pissed off over getting them. The perception from our members is that these negative contact reports will lead to progressive and future discipline, which it does. Good supervisors should be combating these negative contact reports with plenty of positive ones. If you want your officers to buy into your being a good boss who doesn't just come down on them for the negative stuff, start utilizing positive contact reports.

At the time of writing this article, we are going through a sergeant testing process. I am speaking to you officers who are going to promote. Please remember the type of boss you absolutely hated to come work for. Remember all of the times that supervisor made you feel like crap or that all you did wasn't enough. Take all of that and mold yourself into being the boss you wished that person would have been. Care about your troops and praise them for their hard work. Acknowledge them in both the public and private setting, and let people know you have their back. Be the sergeant who has their squad fill up first at the bump, because no matter how crappy your shift or RDOs are, troops will follow a good boss. To quote one of my favorite movies, *Braveheart*, when William Wallace is talking to the leader of Scotland: "The people of this country know you. Noble and common, they respect you. And if you would just lead them to freedom, they would follow you. And so would I." Never has a more accurate statement been made. Build yourself a good reputation and the men and women of LVMPD will follow you, and so would I! **VB**

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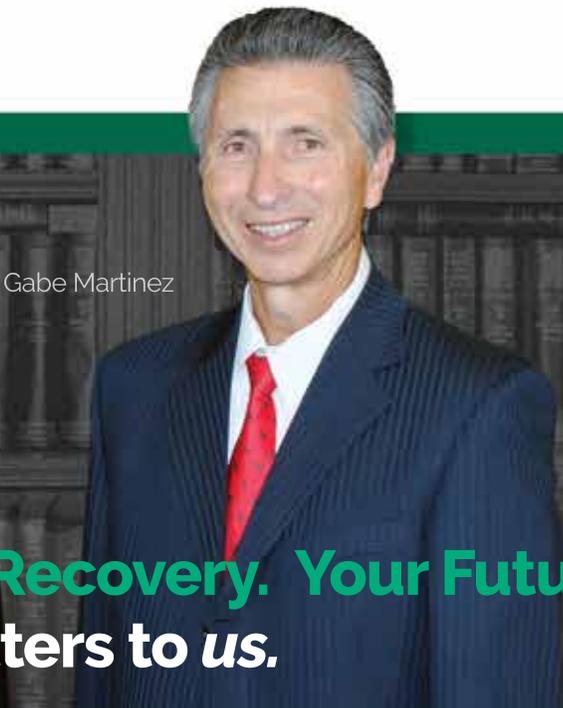
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Gabe Martinez, a partner in the firm for over 30 years, is renowned for his quality representation of police officers and their families. Toby Yurek, a former police officer of 20 years and now an attorney with GGRM, understands the challenges faced by law enforcement workers and their families. **Together, Gabe and Toby protect and serve the rights of individuals that put their lives on the line every day.**



Toby Yurek



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New Metro Employee Benefit

CORRECTIONS OFFICER SCOTT NICHOLAS

Vice President

Great news! Some time ago Sheriff Lombardo and Undersheriff McMahill requested that CFO Rich Hoggan find funding in LVMPD's budget to provide life insurance for all Department members.

Hoggan tasked the Benefit Section and Accounting Section with assembling the pieces of this very lengthy process. Together they brought the following life insurance coverages to Sheriff Lombardo for his final approval. Without hesitation Sheriff Lombardo approved the life insurance for all Metro employees — at no cost to you!

The only thing you have to do is take a few minutes to log in and finalize the coverage. Please take this opportunity to protect your family financially in case of your untimely death.

A lot of hard work went into providing this benefit to all of us, so if you have the chance, please say thank you to the Sheriff and his team that I mentioned above.

LVMPD is providing, at no cost, \$25,000 basic life, \$25,000 AD&D and \$25,000 line-of-duty hazard insurance coverage to all full-time employees. Employees just need to log in to the address provided at right, accept this coverage and designate their beneficiaries.

New hires: You are eligible to purchase additional life and AD&D coverage for yourself, spouse and children once you have been a full-time employee with LVMPD for 60 days. If you apply within 60 days of your eligibility date, you can elect coverage up to the guaranteed issue amount (\$250,000 for employees, \$30,000 for spouses and \$20,000 for children) without submitting medical history. All amounts over the guaranteed issue amount are subject to medical history.

All other employees after open enrollment ends: You may enroll or increase your coverage at any time during the year, but any increases outside change in family status will require you to submit a medical history. If you elect additional life insurance when eligible, you can increase your amount each May by \$10,000, \$20,000 or \$30,000 (not to exceed the guaranteed issue amount) without submitting medical history. See the coverage highlights for more details, including costs, exclusions, limitations and reductions.

If you have any questions, call the LVMPD Benefits Section at (702) 828-3219, 828-3596, 828-3928 or 828-2904, or email insurance@lvmpd.com.

To enroll:

- Open the online portal site at <https://standard.benselect.com/lvmpd>.
- Your user name will be your employee personal ID number. (Example: If your ID number is P1234, your user name would be 1234.)
- Your PIN is the last four numbers of your SSN and the last two numbers of your birth year. (Example: If your SSN is 123-45-6789 and your DOB is November 20, 1985, then your PIN will be 678985.) **VB**



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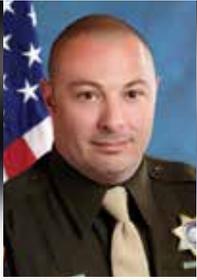
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Body-Worn Cameras

POLICE OFFICER BRYAN YANT

Sergeant-at-Arms

As you are all aware, in the 2016 contract negotiations the LVPPA and LVMPD agreed that all regularly assigned uniformed officers, including SWAT, K-9, traffic and patrol, will wear body cameras while on duty and in uniform. Our Department has been utilizing the Taser Axon Flex system. In June, we will be moving to the Taser Axon Flex 2 camera system. This camera system and docking system are different from the current cameras. The body-camera detail will be installing these new systems one area command at a time. If you like, you can view the specs on Taser's website. During contract negotiations we asked to be involved in the policy discussion, and we continue to be involved in this process.

In our discussions with Assistant Sheriff Fasulo over policy implementation and body-camera use, the Department's main concern and goal was compliance ratings with body-camera activations. I can tell you from speaking to other associations throughout the country that our body-camera policy was light years ahead of and far superior to the policies of other major agencies. Through our talks with our body-worn camera committee and with A/S Fasulo, I believe we have further enhanced our policies. That being

said, there is always room for improvement. When you have suggestions and concerns, please let us know, and we will continue to address them with the Department to improve policy.

Compliance ratings have been a hot-button issue. There were two meetings held with all chiefs and captains regarding body-worn cameras and compliance. A/S Fasulo stressed that the policy requires compliance, and it lays out when and how the cameras will be used. A biweekly report will be produced by the body-camera detail and sent to each officer and their sergeant. A monthly report will be sent to the captain showing compliance ratings. For those officers who either refuse to activate their cameras or simply forget to activate them, their compliance rating will be under a 10% standard. Those officers who fall under the 10% compliance will receive a contact and be reminded of LVMPD policy and what is expected. The officer may be counseled up to two subsequent times on their compliance prior to an SOC being opened.

Since this program has been in place, the Department has stated that the compliance rate is at 75%. A/S Fasulo brought us back in to discuss raising the 10% compliance standard to 25%. We agreed to raise it to 25% and believe the Department is setting a reasonable standard for compliance. The goal is to get officers to turn their cameras on. We will evaluate with the Department if the 25% level needs to increase on a monthly basis. No

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contacts should be written to any officer unless they are below 25% compliance, but this still doesn't prevent supervisors from having conversations around compliance.

We recently placed at each area command laminated cards printed with the Department's policy of when you must activate your camera and when you can deactivate it. Please keep these with you or in your vehicle as a guide and for quick reference. Policy states that once you are assigned to a call, you must activate your camera. We all must be mindful that once the camera is activated, all of our conversations will be recorded. On-scene, and especially at critical events, ensure that the cameras are deactivated once the scene is static. Separate the involved officer, ensure their camera is off, and do not question them about the event. They just experienced a high-stress event; allow them time to regain their composure. **VB**

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That's a Wrap

POLICE OFFICER MIKE RAMIREZ

Director of Governmental Affairs

The 79th session of the Nevada Legislature has come to end, and it sure was loaded with ups and downs from the beginning to the final days! All the way to the end of sine die at midnight, there was plenty of politicking happening. In many ways, this session was better than the 2015 session, primarily because the Democrats had control over both houses — although with a Republican governor in place, it made for an interesting 120 days. No one can dispute that Governor Sandoval had his veto pen in hand, which affected plenty of hot topics, including education reform (ESAs), changes to rideshare companies (Uber and Lyft), the prevailing wage, recreational marijuana and project labor agreements, just to name a few.

There were several bills being considered during this session that were highly relevant to our industry, including collective bargaining, the Peace Officer Bill of Rights, PERS, heart and lung presumptions, etc. The governor vetoed collective bargaining bills AB 271, SB 356 and SB 469. As of June 6, AB 290 (a bill clarifying leave time for union representation) is sitting on the governor's desk with our hope that he will sign it rather than veto it. There were over half a dozen PERS bills that were aimed at pension reform. Only one of these bills, SB 384, was supported by our coalition, but the governor ultimately vetoed it. Our Peace Officer Bill of Rights bill died before it made it out of the second house passage. There were several heart and lung bills, but we supported one in particular, AB 267, and it is currently on the governor's desk waiting for signature.

One challenge we faced while up in Carson City this session was that it was very obvious that Governor Sandoval, Senator Roberson and Senator Settlemeyer refused to meet or even converse with anyone related to law enforcement. It makes it difficult for us to consider supporting any of these candidates in future elections and, in my humble opinion, any elected official who refuses to meet and debate with constituents or who singles out a particular group of constituents should not be in politics. Senator Roberson has been on a mission to destroy collective bargaining since 2011, and he was fairly successful in his efforts to have Governor Sandoval veto our collective bargaining bills.

Below is a breakdown of the particular bills and their status.

SB 356 (collective bargaining, sponsored by Senator Atkinson): *Vetoed by Governor Sandoval on Friday, June 2.* Please remember this when he comes to us in the future and asks us to believe that he supports public employees.

SB 469 (collective bargaining, sponsored by Senator Parks): *Vetoed by Governor Sandoval on Friday, June 2.* This pertains to SB 168 from the 2015 session. It would have reduced the current 25% General Fund requirement for funding compensation/COLA increases to 16.7%.

AB 271 (collective bargaining, sponsored by Assemblyman Carrillo): *Vetoed by Governor Sandoval on Friday, June 2.* It was voted out of the Assembly on party-line votes before the governor's veto.

AB 290 (collective bargaining): *This is our last remaining bill.* At the end of May/beginning of June, we activated an exempt bill sponsored by Assemblyman Wheeler. This bill was gutted and replaced with NRS 288.225: release time language. It is on the governor's desk.

SB 282 (formerly BDR 539; revises NRS 289 language, specifically 289.085; sponsored by Senator Segerblom): *This legislation failed to survive the mandatory legislative deadline.*

SB 176 (body-worn cameras, sponsored by Senator Ford): This bill was signed by the governor.

AB 302 (combining Parole and Probation with Corrections): This bill was voted out of committee and survived the first committee vote, but there is no update on this bill yet. It was amended and is not supposed to take effect until 2019 at a minimum.

SB 403 (sponsored by Senators Manendo and Ford): This bill will provide a 5% increase in pay to Highway Patrol troopers. It remains in Senate Finance at this point and should be scheduled for a hearing soon. NHPA requests that we all support this long overdue pay increase. Senator Ford has stated that a COLA for all employees is going to happen, but that it will not be the 5% proposed.

AB 267 (workers' compensation, sponsored by Assemblyman Araujo and many others): This legislation affects active police and fire members with heart and lung issues. If our officers prevail in denied cases, this legislation will require the insurers to reimburse the costs to the officers, including attorneys' fees. *This bill was on its way to the governor's office at the time this article was written.*

SB 384 (sponsored by Senator Ratti): *Vetoed by Governor Sandoval on Friday, June 2.* This bill would have made certain PERS information confidential.

SB 460 (sponsored by the governor): This bill changes the makeup of the EMRB from three members to five members. Three of the five must be from Southern Nevada P# 14821. Our amendment and the amendment from EMRB were presented in the hearing. This was passed out of the Assembly Government Affairs Committee and should have been voted out on June 2.

Our team of legislative lobbyists worked tirelessly to fight for bills that make sense for our industry. Our team consists of me (LVPPA and SNCOPS), Ron Dreher (PORAN), Scott Edwards (SNCOPS), Tim Ross (WCSDA), Rick McCann (NAPSO) and Mike Giurlani (NSLEOA). We also have our legislative coalition, consisting of over 44 different association members, including SEIU, AFL-CIO, PFFN, CCFA, Teamsters, NSEA, AFSCME, NCA, NHPA, RPEN, WSPA, PPACE, PMSA and more.

With the 79th session behind us now, I would like to thank all of you who took the time to email the elected officials when I asked for your support. Our lobbying team can only do so much. The efforts of our officers helps seal the deal sometimes, so we can't thank you enough. By the time this article goes to print, I will be back in Las Vegas, no longer enjoying the pleasant weather of Carson City. As always, feel free to contact me via email at mramirez@lvppa.com or cellphone at (702) 373-1006 with questions or concerns. Be safe out there! **VB**

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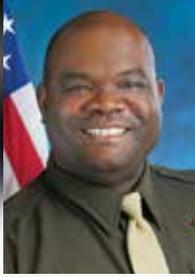
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Guilty Until Proven Innocent

CORRECTIONS OFFICER MYRON HAMM

Secretary/Director of Corrections

I have always heard that our system of justice is the greatest in the world. Having lived abroad before and seen firsthand how the justice systems in other countries operate, I tend to agree. Punishment in countries like Saudi Arabia is so swift and decisive that when I was there years ago, we were briefed constantly by our commander to not do anything that would cause us to be tried under their system. There were numerous conversations among the service men and women about how severe the punishment was there. I always told myself that I was so grateful to be an American and live in a place where I would be treated fairly, no matter the circumstances.

Think about how great it is to live in a place where you are innocent until proven guilty. There are people accused of heinous crimes, such as murder, sexual assault, kidnapping, hate crimes, terrorism and the list goes on. What do all those accused have in common? Simply put, they are innocent until proven guilty. Think about it: Someone can be accused of a horrific crime and there could be pictures, videos or eyewitness accounts proving they had done it, yet they are still innocent until proven guilty. There is no shortage of defense attorneys in this country who will fight with vigor to ensure that their clients receive a fair and just trial.

Anyone who wears a badge will, at some point, be accused of some type of wrongdoing. No matter where you are assigned in law enforcement — whether it be the jail, vice, narcotics, patrol, traffic or SWAT — we are all subject to the same scrutiny. Most officers understand when a complaint comes from a subject they have dealt with, but what is unnerving is that today it seems like we are guilty when the complaint arrives at the door. Not only are your actions questioned, usually with no proof and based on the word of someone who was angry because things did not go their way, but you are subjected to an interrogation. A vast majority of these complaints are unfounded, but going through this process can make you second-guess yourself and your actions. The stress involved and the toll it takes on your mind and your family is a detriment to your career. But when that complaint comes from within, it makes it seem far worse. SOC's today are handed out like medication at a pharmacy; the days when your supervisor actually talked to you, formulated an opinion and then made a decision about the matter are long gone. I spoke with a captain recently about a matter in his area command, and the matter was handled without an SOC being filed. Unfortunately, there are some in that position who believe every issue should be an SOC. In my opinion, this is a classic method of someone who is not a true leader and looks for someone else to make a decision that they have been empowered to make.



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It is my belief that the job of the LVPPA is to strive to ensure that all our members are treated fairly and with the same level of respect afforded to anyone facing an accusation. In my short time in this position, I have seen how important it is for us to continue to move in a direction that is beneficial to our members. Our members deal with enough today on the job and should not have to worry if their chain is going to treat them fairly. To quote a great American: "If you can't fly, then run; if you can't run, then walk; if you can't walk, then crawl. But whatever you do, keep moving forward." **VB**



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Giving Back

POLICE OFFICER TYLER TODD

Treasurer

Around last July, Steve Grammas and Scott Nicholas ran on a promise to give back to the members. Less than a year later, I am proud to announce some of those changes: a dues reduction, social events for members and their families, vehicles for Executive Board members and a new RV that will be used for callouts.

First of all, please do not think that the PPA is here to spend all of your money. The number-one priority is defending you and your job so you can take care of yourself and your family. Second, Nicholas was the treasurer for the past five years, and he is one of the main reasons that the PPA has the ability to give back. He ensured our building was paid off so the PPA could be debt free. In addition to that, past members lined up one of the best people in the investment industry, if not the best, to handle your money. I can assure you that Nicholas, and the whole Board of Directors for that matter, would not allow your hard-earned money to be squandered away after all the hard work to get where we are today. With this in mind, let me explain how the PPA is giving back.

Shortly after the contract was ratified at the end of 2016, the Executive Board asked the Board of Directors to approve a dues freeze, which they did. If they

hadn't, your dues would have gone up with the COLA that you received in July 2016. Just recently, the Executive Board asked the Board of Directors to do two things: 1) freeze dues again this July when you get another COLA and 2) reduce your dues. The Board of Directors approved both requests, and it will take effect in July P# 15087 (see Nicholas' email to members detailing the dollar amounts).

The current Executive Board thinks it is important to unite our members. And one of the ways to unite members is for them to get out among like-minded people (other officers), and get to know each other and each other's families. Many people have stated that East Coast agencies have that camaraderie that we seem to lack — it needs to be so strong that if our organization's president said we are turning our backs on one of our political leaders it would be done (think New York City). Although we are probably not there yet, we have shown it can be done. Several years ago, the PPA asked that we stand together and plead the fifth at an OIS, not because we did anything wrong, but because we were tired of being pushed around and giving up our rights. And we did it! In the hopes of spurring that bond, the PPA has brought members together through football and baseball games (hockey will be coming), Trunk or Treat, Santa Day and Gravady tickets, just to name a few activities.

The Board of Directors allowed the PPA to purchase take-home vehicles and a callout RV, which were paid in cash to remain debt free. Now let me address

Now There Are **500**
More Reasons Why It Pays to Read 
This issue contains **TWO** ways to win your share of **\$500 CASH**

Giveaway #1: One **\$250** prize

Members who find the hidden  in this issue of Vegas Beat and register through www.LVPPA.com will be entered into a drawing for \$250. You must enter by Wednesday, August 9, 2017, to be considered eligible. Telephone entries will not be accepted. Visit our website for more details.

Giveaway #2: Five **\$50** prizes

We've hidden **five personnel numbers** within this issue of Vegas Beat. If your number is among them and you call (702) 384-8692 to let us know that you found it, you'll win **\$50**. If you didn't find your number this time, try again in the next issue where we'll hide five more!

Excludes P#s listed in Retirement and Fit for Duty sections of Vegas Beat

Cash is great, but our giveaways aren't the only reasons to read Vegas Beat.

Each issue gives you the latest information on

- Contract negotiations
- Retirement considerations
- Association news
- Benefit changes
- Hot topics on the job
- Upcoming events

For so many reasons, it pays to read Vegas Beat.

any naysayers. How many of you drive a Department vehicle? The answer is everyone. Policy even states that you should be operating a Department vehicle while on duty, and if you are going to court while off duty, you should go to the station and get a vehicle. If you do not, then you will be compensated for any mileage incurred. The other part, and I think more important, was the issue of getting into an accident while operating a personal vehicle. God forbid any one of us got into a serious accident and caused death or injury. Any decent attorney would go after the PPA. With an insurance policy, this helps to minimize any potential payout. The PPA is now protected, and we should be proud of our fleet. The Executive Board had received a vehicle allowance that is typical in many private businesses and is even provided at Metro. That allowance went away and was invested in a fleet of vehicles. None of the vehicles belong to one person; they are the PPA's. This is an asset the PPA needs to take pride in, much like owning your own home. The vehicles are not there to be driven on our days off. They are there for when a member is involved in a critical incident in the middle of the night.

I saved the best for last. The PPA bought a brand-new RV specifically for call-outs. No, we are not SWAT, FIT or emergency management, nor are we trying to be. However, we have known for far too long that it is not fair for a member to be tucked away in a cramped little car for hours, sometimes with the rest of the involved parties. We once had six officers piled into one of our personally owned vehicles so that they could get warm. The main reason for the RV is to make a difficult situation a little more comfortable. The RV will provide heat, A/C, bathroom, sitting areas, TV, a place to eat, and a meeting room for you and your attorney.

Hopefully, you have seen that Grammas and Nicholas are giving back, like they said they would. And it is not by fiat, but by common sense. The Board of Directors approved of everything I've talked about. When I tell people what we are doing, they see the good in it. Hopefully you see it, too! **VB**



CALENDAR

July 4 Independence Day

September 4 Labor Day

September 7 Third Quarter General Membership Meeting, 5 p.m.

**General Membership Meetings are quarterly rather than monthly. If you need to present something before the Board prior to a regularly scheduled General Membership Meeting, please contact the PPA office so you can be accommodated.*



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Don't Run for the Door Too Fast

DETECTIVE KIRK HOOTEN

Director

Last month I wrote an article extolling the virtues of retirement and why our law enforcement profession has a slightly different slant on the timing and approach to it. One thing I did fail to mention, and something that I have found very perplexing, is the number of people who say they left too soon or wished they hadn't been in such a hurry to retire. Simply put, they miss it!

I have seen this firsthand in several close friends who have left the Department in recent years. One friend had been very diligent and financially prudent and was able to retire at 45 years old with 25 years of service and a very nice pension. This person felt the timing was right and went on to pursue other options in the private sector. Now, 10 years later, he has bounced around several different private-sector jobs, having never quite found a fit. He tells me often

that he has not been able to find the same atmosphere of like-minded people that was present on the Department. He has started some personal ventures and dabbled in the police retiree wasteland of private investigations, like so many others. Apparently it isn't quite like *Magnum, P.I.* In a nutshell, he has told me it is a challenge to stay focused on a healthy lifestyle and schedule when you have so much free time. I say it is a good problem to have, but there must be something to the boredom sentiment, because I have heard it from numerous retirees.

Another friend of mine couldn't wait to run out the Metro door and retired at the bare minimum of eligibility because he was "so tired of the drama," and felt he was marketable in the private sector and could make his fortune there. Now, five years later, he has also bounced around several jobs and cities searching for the golden goose and, ironically, has settled back here in good old Las Vegas, moaning often about how he wishes he had stayed and that he would surely be an executive staffer by now if he had. He misses the camaraderie and the environment of similarly motivated people that comes with the Department or specific bureau or section. He has become the person we all dread at a picnic or neighborhood party who wants to talk about police work constantly and dazzle you with their knowledge and past experience. He called me one time while I was working with another one of our mutual friends and started asking about the Department mission and my opinion on certain current events in law enforcement. I said pretty bluntly, "Hey, man, I know you are probably lonely and sitting there in your underwear solving the world's problems, but I have stuff to do. You never gave a crap about any of this stuff for the 20 years we worked together, why now?" His response was, "I miss it, plain and simple. I left too soon."

There are also the stories from people who have had their careers ended involuntarily. Whether by medical necessity or a negative event, it seems to me that the people who had it and lost it are far more likely to feel the longing for what they previously had. Though these people certainly don't fall into the category of someone rushing out the door too fast, their comments do highlight and support the case for taking your time to make an informed decision on your long-term future. One friend who was forced to medically retire said he missed it so badly that he would "do it for free" if he could. (I think we all know that is a gross exaggeration.)

On a side note, we do see a lot of retirees working part time at the Department in various sections. Almost all have stated that it is a good way to stay in touch with everyone and occupy some free time without the burden and stress of the full-time obligation. Staying in touch seems to be an overriding concern for many. Many of my friends say that they really miss seeing P# 1726 people and being in the daily routine of communicating and sharing information. Many say that they feel like they're on an island or have been forgotten after they leave. Apparently, the lack of daily communication is also an adjustment. Again, it sounds like a good problem to have! I, for one, would welcome a slowdown in my telephone interactions!

I could go on and on with stories of friends and co-workers I have talked to over the years who have related the same type of longing for the people and the interaction, even if they aren't missing the downsides of the job. It stands to reason that having spent 20-plus years committed to something, you would have an adjustment period when it is over.

In the end, it does clearly appear that the decision to retire and the timing associated with it are as important as the original decision to join the law enforcement profession. Take the time to think about it and plan accordingly — and don't run for the door too fast! **VB**

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DAVID ROGER
General Counsel

Can You Hear Me Now?

Recently I learned from a prosecutor that some police officers believe that they can record telephone calls while they listen on a speakerphone. This article is intended to make clear that police officers may not record telephone conversations without a court order.

NRS 200.620 prohibits the interception or attempted interception of a wire communication without a court order, court ratification of an intercept made in an emergency situation, or consent by both parties. A wire communication, as defined by NRS 200.610, includes P# 7496 cellular telephones.

The definition of “intercept,” pursuant to NRS 179.430, is the “aural acquisition of the contents of any wire, electronic or oral communication through the use of any electronic, mechanical or other device, or of any sending or receiving equipment.”

In *Lane v. Allstate Ins. Co.* (114 Nev. 1176, 969 P.2d 938 [1998]), the Nevada Supreme Court held that tape-recording a

telephone conversation is an “intercept” of a wire communication. Similarly, the taping of a phone conversation by using a suction-cup recording device on an informant’s phone was an illegal intercept (*Ruple v. State*, 93 Nev. 60, 560 P.2d 146 [1977]). Under the federal statute, tape-recording calls has always been deemed an intercept (see *Konop v. Hawaiian Airlines, Inc.*, 302 F.3d 868 [9th Cir. 2002]).

Conversely, merely listening to a telephone conversation on a telephone extension without recording the call is not an “intercept” (see *State v. Reyes*, 107 Nev. 191, 808 P.2d 544 [1991]).

Pursuant to Nevada and federal wiretap statutes, recording a telephone conversation without court authorization, judicial ratification or both parties’ consent is unlawful. NRS 179.505 provides for the suppression of the intercepted call and any derivative evidence.

More importantly, NRS 200.690 stipulates that violation of the statute is a category D felony. Additionally, the statute allows for the recovery of monetary penalties and punitive damages.

Remember, no criminal is worth losing your job and/or going to prison. If you have any questions, please call me. **VB**

Association Events

ADELLA SOLANO
LVPPA Staff

Hello, all. As you may have noticed since Steve Grammas became president, there have been some changes in the LVPPA. One of the biggest changes is giving back to our members and their families, because it is important to bring our Association together for positive experiences. Our hope in hosting these events is to create a social, interactive environment for the members. The LVPPA has enjoyed hosting fun events such as Trunk or Treat and Santa Day, but we felt it was necessary to step up these gatherings to foster a social component to our organization. Starting in October 2016, we hosted at a UNLV football game and had a reserved area with food and drinks. We had an overwhelmingly positive response and looked into organizing other events for our members, so we hosted at two UNLV basketball games in January and a Las Vegas 51s baseball game in April.

Please note the events that the LVPPA hosts are different from those in which a venue has graciously donated tickets to our members. In those cases, we usually do not have time to take RSVPs, and the tickets are provided on a first-come, first-served basis.

That said, the tickets that the LVPPA has purchased for our own events are always limited, and we want to stress the importance of your attendance. We know that life happens and unforeseen circumstances occur, but it is necessary to notify our office if you are unable to attend.

Upcoming Events

JULY 15: 51S BASEBALL GAME

AUGUST 1: 51S BASEBALL GAME

OCTOBER 7: UNLV FOOTBALL GAME

OCTOBER 21: UNLV FOOTBALL GAME

The reason for this is that every event we host has a waiting list, and we want to provide that opportunity to another member wanting to attend. Here are some points regarding future events:

- LVPPA will now give out wristbands to the member so that at the event we can guarantee a member of the LVPPA is there.
- If you give your tickets to someone, please make sure that they are members, because they will not be permitted into the event if they cannot verify membership.
- Please know that if a member has attended the first date, they will be put on a wait list for the second one in order to allow other members to attend.

The LVPPA tries to make it as fair as possible to obtain tickets, and we understand that our members work different shifts. The LVPPA will reserve multiple days of the week so that all members will have the chance to attend.

This is our small way of giving back to you, the members! **VB**

HONORING THE FALLEN



National Ceremonies

Every week in which May 15 falls, the law enforcement community gathers in Washington, D.C., to honor our brothers and sisters who made the ultimate sacrifice while protecting and serving their communities. Tens of thousands of attendees from U.S. police departments and even international agencies are joined by dignitaries and officials from the top levels of our government to pay tribute. Attendees include the sitting president and his cabinet, members of Congress, and leaders from the Department of Justice, Homeland Security and other agencies, as well as branches of the military.

The Police Week ceremonies are made possible by the combined efforts of several law enforcement organizations and include the Police Unity Tour and Candlelight Vigil, hosted by the National Law Enforcement Officers Memorial Fund; Peace Officers' Memorial Day Service at the U.S. Capitol, organized by the Fraternal Order of Police (FOP) and FOP Auxiliary; National Police

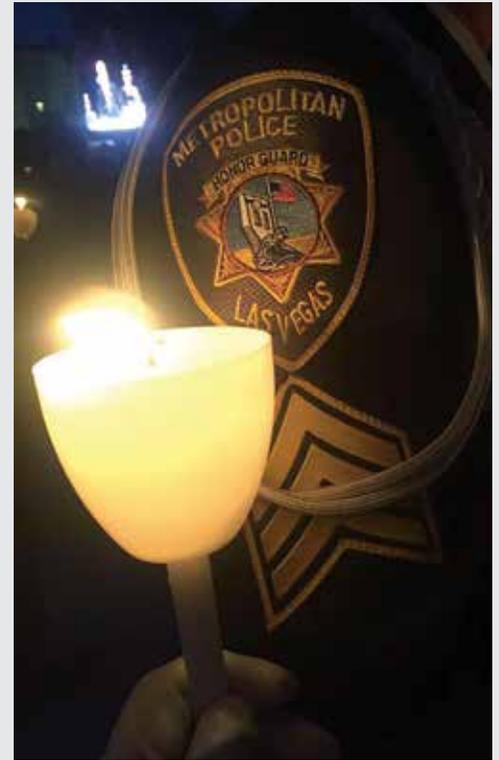
Survivors' Conference, hosted by the Concerns of Police Survivors (C.O.P.S.); and the Top Cops awards program, presented by the National Association of Police Organizations.

The Las Vegas Metropolitan Police Department has a proud history of participating in the Police Week ceremonies, and sadly, over 20 of its fallen officers are carved on the walls of the Memorial. Fortunately, this year no members of our Department were added to the wall, and we hope to continue that trend as long as possible.

The Department has an impressive number of Top Cop recipients, and this year was no exception, with Honorable Mention awards going to LVMPD Officers Dave Corbin (who was a Top Cop in 2015) and Samuel Solorio Jr.

If you have not yet attended Police Week, we encourage you to make it a priority to do so at some point in your career. The entire week is a profoundly moving experience, and one not to be missed by members of our profession.





Top Cops Awards

On May 12, Metro Officers Dave Corbin and Samuel Solorio Jr. received Honorable Mention awards at the 24th Annual NAPO Top Cops ceremony during Police Week in Washington, D.C.

On January 26, 2016, Officer Solorio came to the aid of Officer Corbin after suspect Gilberto Gutierrez sped through the streets of Las Vegas in a stolen car. Officers placed Stop Sticks on the road, puncturing the car's tires and causing Gutierrez to crash and flee the scene on foot.

Officer Solorio heard the call as he was leaving work and raced in his personal vehicle to help Officer Corbin, who was by himself.

As Solorio arrived, Gutierrez was in Corbin's blind spot and was aiming a handgun at him. Officer Solorio accelerated toward Gutierrez, distracting him. Gutierrez then aimed his gun at Solorio, who fired first through his windshield, hitting Gutierrez and ending the threat to his and Officer Corbin's lives.

Congratulations to both of these brave officers, and thank you for representing our Department so well.

(continued on page 20)



State Ceremony

On May 4, officers from across the state attended the 20th Annual Nevada Law Enforcement Officers ceremony in Carson City, honoring 130 peace officers who have died in the line of duty in service to the state of Nevada. During the event, Officers Rodolfo Gil and Lukas Ferris received the Hoffman Survivor's Award (pictured at right with Honor Guard Commander and NEAC Captain Rich Fletcher).



Local Ceremonies

On May 18, hundreds of Southern Nevada officers and their families and friends attended a service at Police Memorial Park to honor 47 fallen officers from Metro, North Las Vegas, Henderson and other city and county police departments, as well as federal and state agencies. Thirteen officers were added to the ceremony's list of honored officers, including North Las Vegas Officer Chad Parque, who was struck and killed in an on-duty vehicle accident on January 7, 2017.



Taking Care of the Blue Family

On June 8 at the LVMPD North-east Area Command, three wreaths were placed to honor Officer Alyn Beck, Officer Igor Soldo and civilian Joseph Wilcox on the third anniversary of their deaths. Two days later, on Saturday, June 10, over 100 Metro officers attended the high school graduation of Officer Beck's son, Daxton. It was a proud, unforgettable moment for everyone involved. **VB**



Photos courtesy of the LVMPD, LVMPD Honor Guard, Jenifer Morris and Adella Solano

Use of Force Board “Experts”

EDWARD PAZOS

LVPPA Director, Northwest Area Command

The following letter to the LVPPA Executive Board was submitted after the author attended a Use of Force Board in May and felt so strongly about how it was conducted that he felt compelled to share what he had witnessed with Vegas Beat.

This afternoon I sat on a Use of Force Board (UOFB) and Tactical Review Board (TRB). As a former Force Investigative Team (FIT) and Major Crimes detective, I've investigated many officer-involved shootings. There aren't many officers on this Department who have been on more OIS scenes than I have. I understand the dynamics before, during and after a shooting. This does not by any means make me an expert, but it does give me a solid background to voice my opinion.

Today I witnessed the chairman of the Use of Force Board roll his eyes in disgust when the PPA Board member uttered the words “force science.” I also watched as our Department refused to take testimony from a subject matter expert (SME). The SME is a Henderson sergeant who is a certified analyst and has obtained the advanced specialist certification in human factors from the Force Science Institute. He has been deposed as an expert in human factors, use of force, video analysis and police procedure for officers in critical incidents, primarily in arbitrations. Instead, the Department let one of our sergeants speak as an expert, even though that sergeant has never investigated an OIS, let alone been involved in one. One can only assume this decision was made because the UOFB felt that testimony from the certified SME would explain why the officer shot at a vehicle as it was driving away.

I watched as this sergeant grilled one of our own officers to the point that the officer needed to take a minute to compose himself. It was clear the officer was already emotional after he testified how he had promised his daughter he would come home the night of the incident. I understand the sergeant had a job to do, but those questions came out like he was on the street dealing with a suspect, not a fellow officer. Meanwhile, the certified SME was silenced by our Department, likely because his findings were not what the Department wanted to hear. As I questioned what I saw, I thought back to a few years ago when I was first exposed to force science; it was an eye opener. I learned how force science could explain why there were times when officers shot someone in the back and how through force science it could be explained. I now understand why the body needs two

sleep cycles in order to fully recall what happens in a high-stress situation like an OIS. All these ideas are based on science by real experts.

At the conclusion of the UOFB and TRB, the chairman approached a group of us who were standing with the involved officer. Someone asked why he was averse to force science, and he said he had only recently heard of it and that it's designed to clear officers on bad shootings. *What the?! I wasn't sure if I had heard that correctly, but the faces of my fellow Board members told me I had.*

How could the chairman of a UOFB and TRB for a major department — in charge of interpreting, dictating and changing policy that affects all officers — be allowed to represent all of us without knowing or understanding the dynamics in an OIS? If the chairman thinks force science is not real or is designed to get dirty cops off, then why would our Department invest in a weeklong training for all its FIT detectives, sergeants and lieutenants? It's ridiculous to think that we as a department wouldn't want the best training available. This training has helped officers in these types of shootings, but has also been used against officers in situations where force has been warranted.

As I reflect on what I observed, it upsets me to think the decision made by the board could have been different if the SME had been allowed to speak and explain why this shooting was justified. Our Department took a three-second event and broke it down frame by frame without taking into consideration the young officer's perception of the situation at the time of the shooting. The officer had just three seconds to make a decision, while a car was barreling at him in an attempt to run him over. It's a travesty if officers, who are already held to a higher standard, will no longer get to explain the emotions they were feeling at the time force was used. Just like any other person being questioned, officers deserve the right to state their feelings of fear, surprise, shock ... whatever emotion may have led to the use of force. If the only measurement of justification is what the body camera shows, then why even interview an officer? Why not just watch the video and hand out a verdict?

I ask all of you reading this to go to forcescience.org and read the different articles, knowing that it could be you involved in the next OIS. If you have further questions, contact Brian Yant, who has taken numerous force science classes to help you when and if you're ever involved in an OIS. Let us demand that our Department be educated and not allow verdicts to be handed down by people who are not properly trained or familiar with force investigations. The Department has always demanded the best from us; we should expect the same in return. **VB**

RETIREMENTS

4/01/2017	Roger McMenemy, P# M530	DCM	20 years
5/16/2017	Pamela Bordeaux, P# 4610	PO II	23 years
5/22/2017	Candie Stieb, P# 6183	PO II	18 years
6/01/2017	Jasmin Davis, P# 5163	PO II	20 years
6/14/2017	Allen D. Johnson, P# 4140	PO II	26 years
6/29/2017	Richard Sua, P# 8445	PO II	12 years

CONGRATULATIONS

to the contest winners from the last issue!

May/June

Hidden Symbol Contest (\$250)

Shane Koboski, P# 9694

P# Contest (\$50)

Angela McClelland, P# 8404

Joshua McDonald, P# 15323

Mariah Mendoza, P# 15639

Joshua Taylor, P# 13349

Metro: Our History, Our Story

STAN OLSEN

Retired LVMPD and President, Metropolitan Police Museum and Historical Society

45th Anniversary Collectibles to Support Preservation

This article is a little different from the past few. While it does have a rather historic link, it is a current topic.

As many of you know, the Metropolitan Police Museum and Historical Society has worked since 1998 to preserve our past and educate our law enforcement community about our history. Much of the work we do comes at a cost, preserving and storing the P# 8884 artifacts we have.

We have several cars that are stored at the Metropolitan Police Headquarters. They include a 1941 Clark County Sheriff's Office Chevrolet and two old Las Vegas Police Department cars, one a white 1960s-era Mercury, one a 1972 blue and white Plymouth (the style used by the City at the time of merger). These cars were painstakingly refurbished by retired Lieutenant Dennis Larsen and retired Officer Bill Price. Unfortunately, the weather of Southern Nevada is harsh on these cars. We also have a couple of motorcycles, the 1930s-era strap-steel jail cells, multiple uniforms, over 200 guns, and hundreds of photos and technology from yesteryear, just to name some of the items. Repair and maintenance comes at a price.

Last summer we undertook the expensive and manpower-intensive project of properly archiving and cataloguing most of our inventory, a process that took over 700 man-hours.

The Metropolitan Police Museum and Historical Society has one major fundraiser. Since our 25th anniversary, we have issued anniversary badges every five years. The coming anniversary is no different. Shown here are the



badge and patch that we have designed for the 45th anniversary of the Las Vegas Metropolitan Police Department. They have been authorized by the Sheriff for wear during the anniversary year. It's hard to believe we became Metro nearly 45 years ago!

The cost is \$165 for the badge and \$5 for the patch, which covers production and sales tax. These items will be for sale through supply, and orders are now being accepted. They are copyright protected and will have a limited production, which will make them valuable collector's items. Please consider supporting your Museum and Historical Society by making a purchase of these limited-edition items. **VB**



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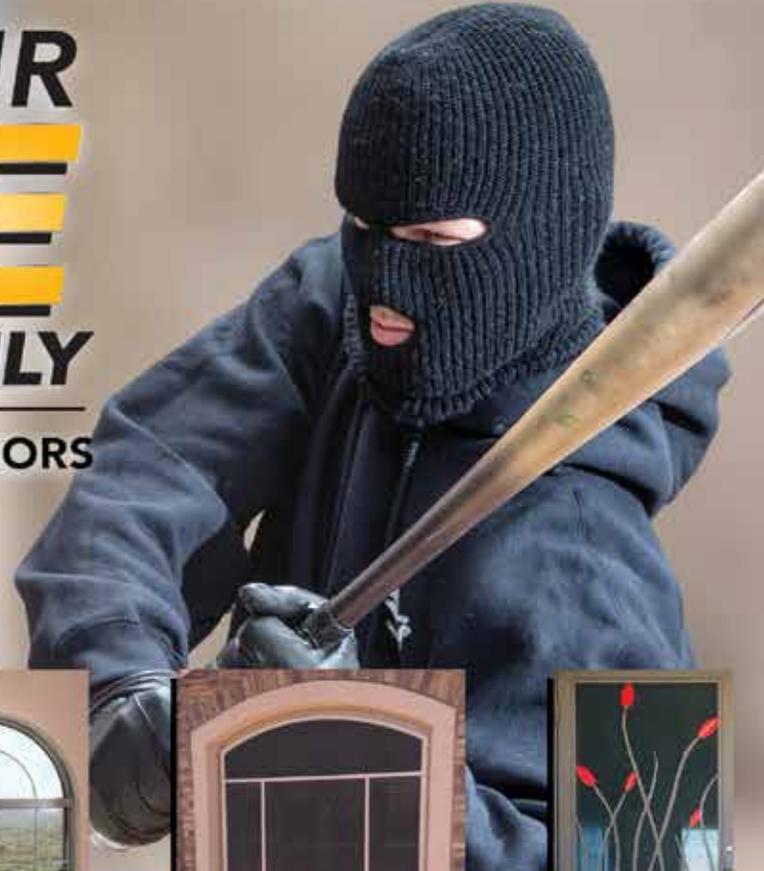
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- Safely leave windows open for fresh air

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