



Las Vegas Police Protective Association Metro, Inc.



November 26, 2012

Sheriff Douglas Gillespie
Las Vegas Metropolitan Police Department
400B Martin Luther King Blvd.
Las Vegas, NV 89106

Dear Sheriff Gillespie:

I am writing on behalf of our members concerning the implementation of the amendment to policy 5/204.02.

The new policy, as you are aware, prohibits our members from inserting statements reserving their *Garrity* rights in any department document. Additionally, the directive states that officers are not entitled to Fifth Amendment protections when completing such reports.

While we believe that the new policy violates our members' constitutional rights, we have suggested that our members comply with your directive. Please be advised, however, that by obeying your orders, our members are not waiving their Fifth Amendment rights. Our members believe they are compelled to complete these reports as a condition of their employment. They also believe, justifiably so, that they will be subject to discipline or termination of their employment if they are found to have violated your policy and deemed insubordinate.

Please forward this letter and enclosed memorandum to any prosecuting agency when responding to a subpoena for our members records or reports. Additionally, should the Department decide to submit a case to the District Attorney, U.S. Attorney, Attorney General or Department of Justice, for prosecution of one of our members, please forward these documents with the Department's investigative file.

Please contact me if you have any questions.

Very truly yours,

DAVID ROGER
General Counsel
Las Vegas Police Protective Association

DR: tc
enclosure

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