



LAS VEGAS POLICE PROTECTIVE ASSOCIATION

LVPPA VEGAS BEAT

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

VOLUME 1 | ISSUE 5

January/February 2007

LVPPA
The Las Vegas Police Protective Association

*Celebrating 60 years
protecting those who protect others.*

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**The Four Ps of
Crisis Preparation**
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Police Brutality
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General information:
(702) 384-8692

Fax:
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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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CALENDAR

2007

January 1	New Year's Day
January 1	New LVPPA Executive Director takes office
January 4	LVPPA General Membership Meeting (LVPPA office)
January 15	Martin Luther King Day
January 21	LVPPA's 60th Anniversary (the LVPPA was originally formed on January 21, 1947)
February 1	LVPPA General Membership Meeting (LVPPA office)
February 2	Groundhog Day
February 19	Presidents Day
February 24	Flag Day
March 1	LVPPA General Membership Meeting (LVPPA office)
March 17	St. Patrick's Day

RETIREMENTS

09/11/2006	Julius T. Prator, P# 2939	PO II
09/20/2006	Robert W. Doyle, P# 1737	CO II
09/20/2006	Daniel R. Newman, P# 1873	PO II (A-2)
09/22/2006	Andrew R. Ramos, P# 2789	PO II (A-2)
11/15/2006	Michael Surick, P# 3083	PO II (A-2)



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Executive Director's Message

DETECTIVE **CHRIS COLLINS**

Back in September, I was asked by a small group of you to consider running for the position of Executive Director of the Police Protective Association. After a bit of soul-searching, I made the decision to seek the position (if it was truly what the majority of you wanted). I started out by seeking the endorsement of the Executive Board, the Board of Directors and former Board members.

I was amazed, and thankful, that so many people within this group wished me well and allowed me to use their names on my flyer to show their support for my election to the position of Executive Director. There is no doubt that if these people did not come forward, I may not have run and I certainly would not have won the election. Time did not allow me to get out and speak to each and every one of you; I counted very heavily on those people mentioned above to speak on my behalf and to call me if there were questions that I needed to answer in person.

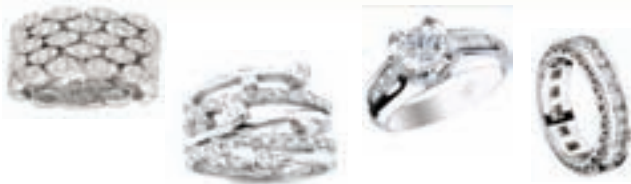
I did not get nervous or upset when a former Board member tried to cast a shadow of doubt over the election by spreading a bunch of half-truths around the Department. I was certain our membership was smart enough to take whatever steps necessary to get to the bottom of these accusations. It was not until George Martin told me he would also be seeking the position of Executive

Director that I had my first worries. I have nothing but respect for George and would like to thank him for a fun, yet clean and professional, campaign.

As in all elections, there can only be one winner, and in this election I was very fortunate to be that person. This may sound like a cliché, but I hope you will read it and know it comes from my heart. In 1984, I was very proud to join the LVMPD and take the oath of office as a police officer. With this oath, I promised to protect the rights, lives and property of the citizens of the community. I took that oath with a sense of pride and responsibility. The citizens of this community did not ask me to be a police officer or elect me to the position of police officer; their trust was in the LVMPD to hire the right people. You, the officers the LVPPA represents, have elected me as the Executive Director of the organization that protects your rights. Accepting this new challenge fills me with more pride and a greater sense of responsibility than did the oath I took in 1984. Over the next five years, I can only promise you that we will protect your rights and fight the good fight. I would like to say THANK YOU for your votes and confidence in me. Please feel free to contact me with your concerns anytime. **VB**

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Mommy, Where do Police Dogs Come From?

CORRECTIONS OFFICER TOM REID

Assistant Executive Director

There's nothing like a well-trained police dog. Unfortunately, these animals cost a lot of money and law enforcement agencies are strapped for cash, but the LAPD has a plan to bring down the high cost of purchasing police K-9s by breeding the animals themselves. Already up and running, the program is currently training the first round of homegrown animals. The new recruits are more adorable than anything else, but that's because puppies are cute in general, whether they're on their way to becoming police dogs or not.

The police pups were recently featured in an article in the Los Angeles *Daily News*. Reporters fawned over the puppies as they wagged their tails and growled ferociously as they wrestled each other for a chew toy. "This is all fun for them," Sergeant Doug Roller, the chief trainer for the LAPD's 22-dog K-9 Unit, told reporter Angie Valencia-Martinez. "You start incorporating obedience and discipline as they get older."

Due to a large increase in the demand for police dogs after 9-11, the Los Angeles Police Department began breeding its own dogs this year. It's not clear if that makes the LAPD the first large law-enforcement agency in the United States to do so. The department will continue to import dogs from Europe, which supplies most of the K-9 units in the United States, but with the animals costing \$8,500 each, the LAPD hopes to save money while creating a supply of trained dogs for the future. "This is not going to solve our need for dogs," Roller told the *Daily News*. "This is just a way to help us obtain dogs, to give us a break. It takes the pressure off. I can afford to have a young dog in hand without being worried about a dog getting too old."

Most of the time police departments import two-to-three-year-old dogs from Europe that have been bred for strength and intelligence and have received a very broad training regimen. Individual departments provide more specific training based on their needs. Dave Reaver, president of Adlerhorst

International Inc., which supplies imported dogs to the LAPD and some 300 other agencies, said departments take a risk when they breed their own dogs. "It's probably not the most cost-effective way to do it," he said. "If you breed your own dogs and you need ten dogs a year, you have to have 40 to 50 puppies. Many won't make it."



Adlerhorst, which also operates an academy that trains handlers and dogs, has a policy that includes replacing animals that don't demonstrate the appropriate drive and temperament, or that display physical problems. The LAPD puppies don't come with that guarantee. Time will tell if the pros outweigh the cons on police departments breeding their own dogs for K-9 units. **VB**

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The Las Vegas Police Protective Association:

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those who protect others.*



Year-End Statistics

DETECTIVE MICHELLE JOTZ
Assistant Executive Director/Secretary

Representatives

Things, they are a-changing ... January marked many changes here at the PPA office. There has been movement among the Executive Board and movement among the Board of Directors. With this movement, I sincerely hope you are seeing positive changes. The face of the Executive Board has changed dramatically over the last five years and the Board of Directors hasn't been far behind.

During my treks to different areas doing IAB representations or stuffing mailboxes, I have heard folks in a couple of different areas make comments about not knowing who their area representatives are or not being kept informed by their area representatives. It is a shame that I was told about this being a problem for extended periods of time, but only now (after this was a problem for months) was anyone on the Executive Board being made aware of the problem. I know that when I had concerns about a lack of representation in the area I worked prior to coming up here full-time, I started attending meetings myself and made a play to become an area representative. With there currently being only five full-time positions at the PPA, we definitely can't be everyone all the time and we DO need your input to continue to make this Association a success. We'd love to be omnipresent but, if we were that talented, you'd never have ANY complaints about the job the Association does and I could get a lot more sleep. Please let us know when you have a problem or when you see

that something might become a problem. We'd love the heads up; perhaps, we might be able to preempt something before it becomes a problem.

I've been receiving more and more phone calls from members asking for rumor control. This has been very successful in that we have been able to verify whether or not the rumor is true prior to an entire substation getting worked up about a non-existent problem. If you've heard something that you'd like to verify, you can call the office and we will be more than happy to help you out. I look forward to hearing from you!!

Vegas Beat Articles

I've had some officers ask me about including an article in the magazine. If you've got an interest in writing something for the *Vegas Beat*, please send me an e-mail at mjotz@lvppa.com with your article. Depending on the deadlines for each issue or the topic of the article, I may not be able to get it in the next issue, but I'll do what I can to get your article published if the content is pertinent. Likewise, if you have suggestions for information you would like to see included in the magazine, I'm definitely open to ideas. I certainly hope to hear from you, as this is your Association's magazine.

LVPPA Statistics

Since our Department is so focused on the numbers, I'll continue to include our statistics in each issue. The stats will be on a rolling 12-month period (once we hit the one year anniversary of the magazine) so you can continue to see what the trends are. Esther, our office manager, has continued to compile the numbers for your viewing pleasure. **VB**

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	Reinstated, 320 hour suspension
CITIZEN REVIEW BOARD COMPLAINTS			
Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
2	0	1	2

(continued on page 33)

OPTIONS WITH LVMPD EMPLOYMENT



DETECTIVE DAVID F. KALLAS
Director of Governmental Affairs

Now that my term is about to expire, it has given me time to evaluate my options regarding my continued employment with the LVMPD, or in the alternative, my retirement. As with many officers, preparation for retirement is not something we consider during our careers until we are almost ready to "pull the plug." Unfortunately, because of this mentality, many of us may not be as prepared for retirement as we should be, or (is more often the case) understand what the Public Employees Retirement System of Nevada (PERS) means to us. With that in mind, I would like to provide you with some information about PERS, the "Police Fire Fund," and what it means to you.

I would recommend that every officer who intends to make a life-long career out of their employment with the LVMPD purchase five years of service as soon as possible after you become "vested" in the PERS plan. The vesting occurs after you have completed five years of service with the LVMPD. If you work for a Nevada public employer in an approved police/fire position, you will be enrolled in PERS. Membership is not cancelled automatically upon termination of employment. Membership can only be cancelled upon refund, retirement or death of the member.

Your base pay, longevity pay, shift differential pay and call-back pay are subject to retirement contribution. Overtime, terminal leave, pay from secondary employment and any other type of payment not specifically listed as subject to retirement contribution within Chapter 286 of the NRS are not subject to contribution. Police and fire members earn service credit based on years, months and days actually worked.

If you have five years of creditable service, you may purchase up to five years of service credit. You must pay the full actuarial cost associated with your age and average compensation at the time of purchase. The cost to purchase one year of service averages about one-third of your annual salary. Payment may be made in a lump sum or by installment agreement. Purchase of service may also be accomplished using certain types of retirement savings accounts such as 401(a), 401(k) qualified pension trusts, 403(b), 457 retirement savings plans, IRAs, and Metro's current Hartford "Deferred Compensation" plan. If you are a contributing member of PERS after June 30, 1989, you earn the right to receive a retirement allowance after five years of service.

Eligibility for Monthly Unreduced Retirement Benefit

Years of Service	Age
5	65
10 (Police/Fire Service)	55
20 (Police/Fire Service)	50
25 (Police/Fire Service)	Any age
30	Any age

Benefit Calculation Factors

The amount of allowance you receive will be based on three factors:

- Service Credit-years, months, and days on which contributions were paid.
- Average Compensation-average of highest 36 consecutive months of employment.
- Selection of retirement option and age of member and beneficiary at the time of retirement.

Benefit Formula

The formula used for calculating your retirement benefit is as follows:

$$\text{Service Credit} \times 2.5\% \times \text{Average Monthly Compensation} = \text{Unmodified Monthly Benefit}$$

$$\text{Example: } 20 \text{ years} \times 2.5\% = 50\% \\ 50\% \times \$3,000 = \$1,500$$

***For service credit earned after July 1, 2001, a 2.67% multiplier will be used.**

Benefits are paid to you for life and, after your death, to the one person named as beneficiary on the retirement application. It is not mandatory to name a beneficiary. Prospective retirees may elect one of seven retirement plans.

(continued on page 9)



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OPTIONS WITH LVMPD EMPLOYMENT

(continued from page 8)

Your PERS benefit will not be affected by a Social Security benefit; however, a Social Security benefit may be affected because you receive a PERS pension. The Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP) are the two Federal Government regulations that may reduce your Social Security benefit. For years, your Association, through our national group NAPO, has tried to change the legislation that impacts your social security. Though the majority of our representatives in Congress support the elimination of the social security reductions, Senator Ensign still does not support the change. We suggest you contact the Social Security Administration at (800) 772-1213 or visit their Website at www.ssa.gov for more information.

Between three and six months before your retirement, request an estimate of retirement allowance and an application for retirement. The request should include:

- 1) Your anticipated retirement date
- 2) Your name and Social Security number
- 3) Your beneficiary's name, birth date and Social Security number

Consult a PERS counselor prior to your retirement.

If you have five or more years of service and become totally unable to perform your current or any comparable job because of an injury or mental or physical illness of a permanent nature, you are eligible to apply for disability retirement. Your application must be filed with PERS prior to your termination of employment.

The disability application has four parts:

- 1) Member's statement of disability and retirement plan selection
- 2) Personnel officer's report
- 3) Supervisor's report
- 4) Physician's statement

The completed application is submitted to the Retirement Board for consideration at its regular monthly meetings. Disability retirement benefits are calculated in the same manner as service retirement benefits described before, but without reduction for age. To apply for disability benefits, employees are urged to contact PERS or the retirement liaison officer where you work.

If you were to die prior to retirement, your eligible survivors would be entitled to a survivor benefit if:

- 1) You had two years of service in the two and one-half years immediately preceding your death; or
- 2) You had more than ten years of accredited service; or
- 3) Your death was caused by an occupational disease or an accident arising out of or in the course of your employment, regardless of service credit.

Effective January of 2004, all members of the plan can designate a Survivor Beneficiary and any additional payees to receive survivor benefits in the event of death prior to retirement. The designation must be made on an approved PERS beneficiary form. Your named beneficiaries would receive a payment based on the percentages you designate for the lifetime of the person named 'Survivor Beneficiary' in the event you are single at the time of your death.

Who is Included

Your eligible survivors include:

- 1) Your spouse
- 2) Your survivor beneficiary and additional payees
- 3) Your dependent children under age 18
- 4) Your dependent parents, provided there are no other eligible survivors at the time of your death

Hopefully this has given you some insight into the PERS plan and will help you be better prepared to face the challenges of retirement. If you need any further information you can go to www.nvpers.org.

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



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End of Watch

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

Name: John T. Thornton, P#1052

Rank: Lieutenant

Hired: August 12, 1974

Retired: January 4, 2002

Died: October 22, 2006

Name: Elmer "Spence" Wall, P# 0041

Rank: Sergeant

Hired: February 15, 1956

Retired: December 27, 1990

Died: November 28, 2006



Change is Good!

POLICE OFFICER GEORGE MARTIN

Former Assistant Executive Director

It was the spring of 2001 when David Kallas asked me if I would be interested in coming up to the LVPPA as a full time Representative. The LVPPA had just survived a challenge from another group who was looking to replace the LVPPA as the primary collective bargaining organization for the rank and file, police and corrections officers of the LVMPD.

It took me almost 60 days to give Dave an answer. At that time, I had other plans in mind — one was to promote. I took all my options into consideration and decided to accept Dave's offer and come up for a couple of years and help with rebuilding the membership and other transitions. I knew then that I would be part of a new beginning for the LVPPA. Change was going to happen and it was a good thing.

Here I am, almost six years later saying, "Change is good!" again; only this time, I'm returning to where I began my career, in uniform. I still want to promote and look for other paths in which to grow. I can honestly say my tenure with the LVPPA has been one of many facets — the people I've met and worked with, some that have become friends and others I'll never forget. The experiences that I've had have taught me that the surest path to success is the one that others walk with you, and that you can succeed without sacrificing your principles.

The accomplishments of this organization during the past five years go without saying, but let's take a look back for a moment at some of the obstacles along the way. There was the challenge from another group to replace the LVPPA as the collective bargaining group; a medical plan in debt; contract negotiations; employee issues, including individual grievances and discipline; and membership that was at an all time low, just to name a few.

Where are we today? We have had two very successful contracts negotiated and ratified; the medical trust actually has money in its reserves; our Association has a net worth in excess of five million dollars; the Association has a chair on the NAPO Board and a position on the PERS Board; is respected nationally as a top law enforcement labor association; and membership is at an all time high.

Let's not forget the little things that add to our commitment to you, our members. We now have membership cards that afford the members discounts to several local businesses. We also have discount tickets at most of the amusement parks in Southern California. Communication with our membership has become more transparent in the way we do business. We have expanded our representation to 24/7, as we respond to your needs in a 24-hour city. Lastly, our own LVPPA *Vegas Beat*, something that is well worth noting.

I have many things to be thankful for, but first I want to thank Dave Kallas for his leadership and friendship. Also, I want to thank him for giving me an opportunity to be part of this fine Association at a pivotal point in its existence. I want to say thank you to my peers who have shared this experience with me: Chris Collins, Tom Reid, Michelle Jotz, Fred Gale, Mick Gillins and Todd Rosenberg. To our legal eagles, John Harper and Kathy Werner, you are truly the best. Of course, to our staff, Esther, Laura and Marge, thank you for your support and empathetic ears. You are the oil that keeps this group running smoothly.

I leave this position with no regrets and by my own choice. My experiences and lessons learned have only made me a better person. I congratulate Chris Collins, the newly elected Executive Director, and wish him all the best. I know that Chris will continue to lead the Association into the future and I offer my support to him in his new position.

Last but not least, our membership, thank you for having the confidence in us to come back and support your Association. I would not like to say goodbye but say 'til another time and leave you with this quote from John Andrew Holmes, "No exercise is better for the human heart than reaching down and lifting another up."

God bless, stay safe.

Editorial Note: The Executive Board and Board of Directors for the LVPPA would like to sincerely thank George Martin for his years of hard work and dedication to the progression of the Association. We also hope he will continue to be an active part of this Association for the many years to come. Thank you, George! VB

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QUICK INSURANCE AND LEGAL DOCUMENT CHECKLIST



JOHN DEAN HARPER

Chief General Counsel

Unbelievably, another year has flown by in what seems to be a nanosecond. Frequently, the legal office gets questions from members regarding insurance and estate planning needs. As such, I have devised a quick checklist to assist our members in making informed choices.

Living Will/Durable Power of Attorney/Springing Power of Attorney

These three documents are usually executed in conjunction with each other. The **Durable Power of Attorney for Health Care Decisions** gives the person you designate as your attorney-in-fact the power to make health care decisions for you. This power is subject to any limitations or statement of your desires that you include in this document. The power to make health care decisions for you may include consent, refusal of consent or withdrawal of consent to any care, treatment, service or procedure to maintain, diagnose or treat a physical or mental condition. You may state in this document any types of treatment or placements that you do not desire.

The **Living Will or Declaration Directing Physician to Withhold or Withdraw Life-Sustaining Treatment** simply allows your attending physician to withhold life-sustaining treatment. The physician may do this if it is his/her opinion that: 1) you are no longer able to make decisions regarding your medical treatment and 2) your incurable and irreversible condition is such that, without the administration of life-sustaining treatment, your death will result in a relatively short time.

The **Springing Power of Attorney** only "springs" into life if the author is incapacitated. This allows the attorney-in-fact to make financial decisions for you until you regain your abilities.

These documents are of vital importance, especially when you are injured and incapacitated due to an injury. In my capacity as counsel for the Injured Police Officers Fund (IPOF), I cannot tell you how many times I have seen an officer's spouse unable to make health or financial decisions while the officer is unconscious or otherwise incapacitated.

Auto Insurance

Your liability insurance should, at a minimum, be \$100,000 per person and \$300,000 per accident. In addition, you should have the same coverage for Uninsured/Underinsured coverage. In my opinion, Uninsured/Underinsured coverage is the most neglected insurance coverage of any of our members. This protects you when the person causing the accident either has minimal insurance or no insurance. Also, you should ask for Med Pay coverage. This pays medical costs immediately and allows you to obtain treatment immediately without having to wait for a settlement or utilize an attorney's lien.

VEGAS BEAT EDITORIAL POLICY

1. Opinions expressed in *LVPPA Vegas Beat* are not necessarily those of the Las Vegas Police Protective Association.
2. No responsibility is assumed for unsolicited material.
3. Letters or articles submitted shall be limited to 500 words and must be accompanied by writer's name but may be reprinted without name or address at writer's request.
4. Freedom of expression is recognized within the bounds of good taste and limits of available space.
5. The Board of Directors reserves the right to edit submissions and/or include Editor's Notes to any submitted material.
6. The deadline for submissions to *LVPPA Vegas Beat* is approximately 30 days prior to the issue date.

Life Insurance

It is suggested that, if you have a family, each working spouse should have coverage that is six times your annual salary. You will be surprised to find out your "real" annual expenses total. The proper coverage will allow your survivors to adjust to the new financial circumstances. If you are under 40 years of age, purchase term insurance. If you are over 40, you may consider whole life or variable/universal life which is more expensive, but also has tax deferral implications.

Homeowner's Insurance

You should ensure that you obtain a Guaranteed Replacement Policy so that you have enough coverage to rebuild your house if it is damaged or destroyed. If you purchased your home before the big housing boom of the last several years, you may be underinsured.

Umbrella Insurance

An umbrella policy is excess coverage that gives you piece of mind and generally keeps predatory litigants away from your personal assets. I recommend you purchase a minimum of \$1 million of this type of coverage in combination with homeowner's or auto insurance.

Disability Insurance

This is another type of insurance that is highly neglected. To me, this type of insurance is almost more important than life insurance. If you are disabled, without money coming in and you need medical care, you are a huge liability to your family. The statistics show that 40 percent of workers will become disabled for more than ninety days. Short-term disability insurance is even more neglected than long-term disability insurance (which usually kicks in after ninety days). It is during those first ninety days that most people get into a big financial hole.

Insurance That Is Unnecessary

Mortgage insurance and credit life insurance that pays off after you die are very expensive and the same result can take place with sufficient term life coverage. Also, Identity Theft Insurance and some pre-paid legal plans are suspect and require that you read the fine print.

There is your checklist. Make it your New Year's resolution. **VB**

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KATHY WERNER
General Counsel

Reflecting Back - Looking Ahead: Trends, Patterns and Anticipated Turns in Disciplinary Proceedings

Here we are, at the end of another year and the beginning of a new one: always a good time to look at where we have been and where we are going. It is generally this time of year that I look back on the statistical information that I have compiled for the past year for the LVPPA legal office to evaluate how we are doing and what we can do to better serve our members. Over the course of the past number of years, I have maintained statistics showing how many Labor/Management hearings, Pre-Termination hearings and Arbitration hearings we have handled and how we have done for our members in those hearings. (Note: we also handle Civil Service Board matters, workers' compensation matters, Citizen Review Board matters, Coroner's Inquests and a variety of other types of legal matters, but this article is confined to appeals of disciplinary actions as noted above.) The statistics are quite interesting and show a trend or pattern that is very positive.

Summary of Hearing Results

2006: Labor/Management Hearings - 7 completed - of these:

- 3 were settled for written reprimands or contact reports
- 2 had discipline reduced
- 1 was denied, discipline upheld
- 1 employee resigned
(corresponding recommendation for termination)

Pre-terms - 10 completed - of these:

- 1 resigned (same individual referenced above)
- 3 were exonerated or received a written reprimand
- 4 received suspensions - 2 minor suspensions
and 2 major suspensions
- 2 were terminated (both with arbitration outcomes pending)

2005: Labor/Management Hearings - 17 completed - of these:

- 2 were settled
- 5 were exonerated altogether
- 4 had discipline reduced
- 6 were denied, discipline upheld

Pre-terms - 7 completed - of these:

- 1 resigned
- 2 received suspensions
- 3 were terminated but reinstated via arbitration
- 1 was terminated and elected not to go to arbitration

2004: Labor/Management Hearings - 14 completed - of these:

- 1 was settled
- 3 exonerated (or won on contract issue)
- 2 were reduced
- 1 was withdrawn
- 7 were denied

Pre-terms - 14 completed - of these:

- 3 resigned or retired
- 2 received suspensions
- 4 were terminated but reinstated via arbitration
- 5 were terminated and not reinstated

2003: Labor/Management Hearings - 17 completed - of these:

- 2 were settled
- 6 exonerated (or won on contract issue)
- 6 were reduced
- 3 were denied

Pre-terms - 3 completed - of these:

- 1 resigned
- 2 were terminated and not reinstated

These statistics show that in both Labor/Management hearings and Pre-Termination hearings the trend is toward an ever-increasing rate of success for our members. To be specific, the numbers show the LVPPA legal office had the following success rates in these cases:

Labor/Management Hearings:

2003 - 82%
2004 - 43%
2005 - 65%
2006 - 71%

Pre-termination Hearings:

2003 - 0%
2004 - 43%
2005 - 71%
2006 - 70%

I cannot tell you for certain what specific factors account for the increases in success rates our office has experienced over the years. I can, however, tell you some of the factors I think are responsible. For one, John Harper and I have both been dealing with these disciplinary matters since 1998. Obviously, with time comes experience. While each case is different, the allegations and policy violations leading to discipline tend to remain fairly

constant. Most cases we deal with from a disciplinary perspective deal with the same handful of policies. As a result, we have a good working understanding of not only the policies that are at issue, but also the standard of review that is applicable, the elements the Department must prove in order to meet its burden of proof, the Department's past practice in administering discipline for similar offenses, what the Department's Discipline Decision Guide says as to discipline in general and the recommended level of discipline for specific offenses and many other issues that come into play in succeeding in the hearings.

However, we are not solely responsible for the trend or pattern that you see in the numbers. The Department has also played a part in this trend. If you look back at 2004 and 2005, you will see that in 2004, four of the nine employees who were terminated were reinstated by an arbitrator. While in 2005, three of the four employees who were terminated were reinstated by an arbitrator. Over time, the number of terminations and subsequent reinstatements has decreased while the number of individuals who were recommended for termination but not ultimately terminated by the Pre-termination Board and/or Sheriff has increased. I commend the Department for questioning why so many of its disciplinary decisions have been overturned and taking a closer look at these cases before a termination ultimately occurs. As you can imagine, it is better for all involved if an employee recommended for termination is put back to work by the Department rather than terminated, out of work for a period of time, then reinstated by someone outside the agency and awarded back-pay for time that he or she never worked. Not only is the Department out money to reimburse the employee, not to mention attorney fees and costs

involved in the arbitration, but typically the reinstated employee is bitter and disgruntled throughout the remainder of his or her career. The Department has recognized this and taken proactive steps to improve its record in this regard.

Finally, I believe the Department has recognized that some of the problems our younger officers experience stem more from a lack of leadership and accountability at the supervisory level, rather than mistakes that the employee should be held accountable for. Thus, we often see that following an internal investigation, a supervisor is disciplined either along with or instead of the employee under his or her supervision; this just makes sense because, for the most part, an employer would prefer most disciplinary matters to be handled and addressed at the supervisory level and corrected before the problem rises to the level of warranting formal discipline. Again, I commend the Department for recognizing the fact that many disciplinary matters could have been avoided altogether if they were handled by a supervisor who recognized a problem and took steps to address it rather than letting it fester and go unaddressed until it rose to the level of a necessary suspension or worse.

These are some of what I believe to be the primary reasons for the trends noted above. What can we expect in the future? I hope, and I believe, more of the same. John Harper and I will continue to work hard to minimize the discipline our members wrongfully receive. I think the Department will likewise strive to address the reasons why discipline occurs and try to figure out ways to prevent similar situations in the future. If you have received discipline that you have some questions or concerns about, as always, do not hesitate to contact me. VB

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Detective Chris Collins
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New DOJ Initiative to Fight Crime in Targeted Cities

On October 16, Attorney General Alberto Gonzales announced the launch of the Initiative for Safer Communities. This new program will target violent crime prevention efforts in selected cities across the nation that have experienced unexplained increases in crime. The first stage of this three-part initiative will begin over the next several weeks.

According to the FBI's Uniformed Crime Report and Department of Justice (DOJ) surveys, although the national crime rate remained at low levels across the country in 2005, some cities showed an increase in certain types of violent crimes. The first stage will investigate this rise in crime through detailed surveys conducted by the DOJ and visits to local law enforcement in impacted areas to identify possible factors contributing to the increase.

The initiative's second phase will focus on policy development by analyzing the findings of the first stage to identify the roots of the localized rise in crime. The third and final stage will concentrate on matching localized results with established federal programs that are proven to be effective in combating crime, and where necessary, creating new initiatives.

The cities to be examined in the investigative phase have yet to be finalized; however, in order to best ascertain which crime-prevention tactics have been the most effective, both cities which have experienced increases in crime and significant decreases in crime will be studied. Local law enforcement leaders will be asked questions regarding a variety of demographic, economic and social matters which could affect the crime rate, including whether gang violence, drug trafficking or prisoner re-entry have caused changes in criminal activity. They will also be asked about whether there are specific federal, state or local initiatives that have successfully cut the crime rate in their cities.

The DOJ is launching the Initiative for Safer Communities as a proactive measure to help thwart further increases in the rates of violent crime and homicide. Nevertheless, this initiative does not include any new funding for existing state and local law enforcement grant programs, such as the Community Oriented Policing Services grants program, which have proved effective in fighting violent crime.

Discharge Petition Files to Force Vote on WEP/GPO Repeal in House

On September 7, 2006, U.S. Representative Lloyd Doggett (D-TX) introduced H. Res. 987, a discharge petition which would allow floor consideration of H.R. 147, the "Social Security Fairness Act." H.R. 147 would eliminate the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP). The GPO and WEP reduce the Social Security benefits of more than a million teachers, police officers and other public servants across the country. Although the Social Security Fairness Act has 323 bipartisan sponsors (an overwhelming majority of the House), the House leadership has refused to allow the House to vote on it.

The introduction of H. Res. 987 is a procedural maneuver to force a vote on H.R. 147. Since the House leadership refused to act on H. Res. 987 by September 20, Representative Doggett began collecting signatures on a "discharge petition," which would remove H. Res. 987 from the jurisdiction of the Committee on Rules and bring it directly to the floor for consideration by the full House. If the petition garners 218 signatures (a majority of the House), a motion to discharge the Committee on Rules from further consideration of H. Res. 987 is placed on the Discharge Calendar. After seven legislative days on that calendar,

H. Res. 987 can be considered on the next discharge day (the second or fourth Monday of a month).

Hometown Heroes Act Goes Into Effect

(Includes NAPO's Suggestions for Improvement)

President Bush signed the Hometown Heroes Act into law on December 15, 2003. A year ago, the Department of Justice's Bureau of Justice Assistance (BJA) posted the initial proposed rules for the implementation of the Hometown Heroes Act for comment. NAPO had some concerns with the draft language and formally submitted comments to the BJA. When the final rules were published in the Federal Register on August 10, 2006, NAPO was pleased to see many of our suggestions had been incorporated. The provisions of the Hometown Heroes Act were finally implemented on September 11, 2006. The regulations can be found on NAPO's Website, www.napo.org.

Hope Janke, who heads the Public Safety Officers Benefit Program (PSOB), spoke to our members about the new regulations at our Annual Legal Rights and Legislative Seminar on October 4. NAPO took this opportunity to personally thank her and the PSOB office, for taking into account and using NAPO's suggestions in the composition of the final rules.

This necessary expansion of the Department of Justice's Public Safety Officers Benefit Program (PSOB) extends coverage to include those officers who suffer debilitating or fatal heart attacks or strokes while on, or related to, active duty or training work. Families of any public safety officer who died of a heart attack or stroke in the line of duty since December 15, 2003, must submit an application to the PSOB office to find out if they are eligible. Survivors must file for the benefit within three years of the officer's death, leaving only a couple of months for those who lost a family member shortly after the bill became a law.

The PSOB Program now has an online application system in which you can file for survivor benefits. Currently, the Website (<https://www.psob.gov>) only accepts applications for death benefits, but the PSOB office is working on including disability and educational benefits applications on the website in the near future.

NAPO is proud to have worked on strengthening the PSOB program over the years. NAPO's accomplishments include helping to increase the program's one time base payment, as well as our current victory of the enactment and implementation of the Hometown Heroes Act.

If H. Res. 987 receives a majority of votes, the House would then consider the "Social Security Fairness Act." The "Social Security Fairness Act" has been bottled up in a subcommittee by the House leadership since it was introduced in January 2005, despite garnering the support of 323 co-sponsors. After 20 years of efforts, we finally have the opportunity to repeal two unjust offsets that drastically cut public safety officers' Social Security benefits. NAPO hopes that the House of Representatives will hear the voices of America's public safety community and sign the discharge petition to bring the bill to the House floor for a vote.

Action Update

There have been no new signatures since Congress recessed on September 29 as members of Congress can only sign the petition in person when the House is in session. Your Representatives that promise to sign on the Campaign Trail cannot do so until after the November 7 elections. The results of all of your grassroots work will not be evident until then, but please keep urging your Representatives to sign. Come November, you can check the status of the petition at <http://clerk.house.gov/109/lrc/pd/petitions/Dis15.htm>. **VB**



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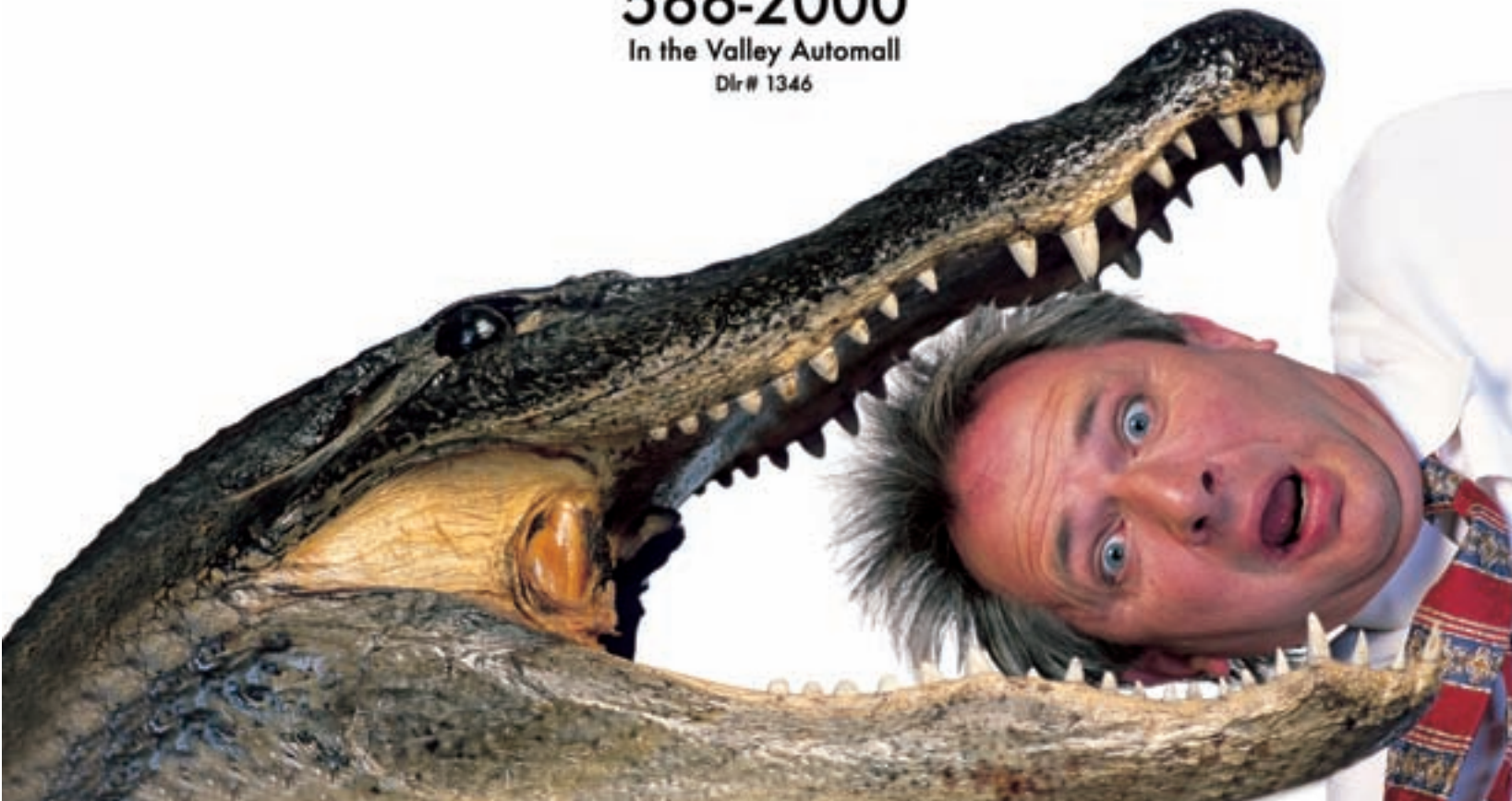
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FAVORABLE GARRITY ANALYSIS ADOPTED BY GEORGIA

Aaron Nisenson, I.U.P.A. General Counsel

The Court of Appeals for Georgia issued a decision on September 1, 2006, adopting a favorable standard for determining whether Garrity immunity applies to statements given by law enforcement officers. *State v. Aiken*, 2006 WL 2535046 (Ga. App.). Generally, in order for a statement to be excluded from use in a criminal prosecution, the statement must be compelled by a threat of termination or other serious employment action. A question arises if there is no explicit threat of termination. Under the favorable "Friedrick analysis," a statement would be protected if the officer subjectively believed that he would be terminated if he did not give a statement, and this fear was objectively reasonable.

In the *Aiken* case, the Georgia Court of Appeals came down firmly in favor of applying the Friederick analysis. In *Aiken*, a state probation officer sought to exclude a statement that he gave to an internal affairs investigator. Aiken gave the statement after being required to sign a Notice of Interference with On-Going Internal Investigation, which threatened Aiken with discipline if he communicated with anyone about the interview; however, Aiken was not given a Garrity statement which explicitly directed him to give a statement or be terminated. The Court ruled that because the Defendant conceded he had not been explicitly threatened with termination,

The question then is whether the statements were properly excluded applying the two-step analysis stemming from *United States v. Friedrick*, 842 F.2d 382 (D.C.Cir.1988). As we explained in *Stinson*,

In *Friedrick*, the D.C. Circuit held that statements should be excluded under Garrity, if 1) the defendant subjectively believes that he must answer questions or lose his job, and 2) this subjective belief is objectively reasonable.

The Court then ruled that the trial court had properly excluded the officer's

statement finding that the officer had subjectively believed he would lose his job if he did not give a statement, and this fear was objectively reasonable and created by the department. In a finding that may be helpful elsewhere, the Court stated that, "the circumstances surrounding the interview, including requiring Aiken to sign the Notice of Interference with On-Going Investigation immediately prior to the interview, constituted sufficient action by the Department to provide an objectively reasonable basis for Aiken's belief that his failure to cooperate could result in termination from employment."

This new case should help clarify an earlier decision by the Georgia Court that created confusion regarding Garrity protection. In a previous case, *State v. Stinson*, 536 S.E.2d 293 (2000), the Georgia Court of Appeals had stated that there were two different standards: *Friedrick*, and *Indorato*, which the Stinson Court said required an explicit threat of termination for a statement to be protected under Garrity. Unfortunately, the Court's summary of *Indorato* was incorrect, as the Wisconsin Supreme Court explained in *State v. Brockdorf*, 717 N.W.2d 657 (2006). The *Aiken* case should help prevent any further incorrect interpretations of *Indorato*. **VB**



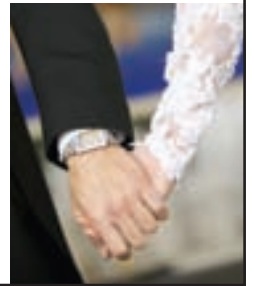
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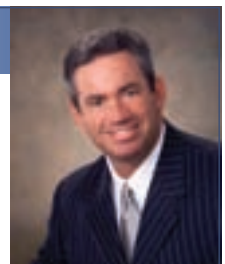
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THE EMERGING TREND OF CRIMINAL COMPLACENCY

GO AHEAD, SHOOT ME!

John Wills, Training Contributor for Officer.com
Co-Authored by Jeff Quail

“Go ahead, shoot me!” Over the last ten years, one would be hard-pressed to find an officer that has not heard this emanating from a suspect that is taunting him or her, confident that the officer will not pull the trigger. Lately, there has been some scrutiny in what appears to be a growing trend by officers not to use force, even when they are completely justified in doing so. What has not been looked at, however, is the effect that this failure to use force is having on the bad guys that encounter the police. There appears to be an increasing number of individuals that show little or no reluctance to assault police officers. These criminals believe that officers will not respond with force simply because the officers fear that a lawsuit will follow if they do.

“Litigaphobia,” the irrational and excessive fear of litigation, first recognized as affecting physicians and psychotherapists, subsequently causing them to practice defensive medicine, has now found its way to police and correctional officers. This new paradigm has resulted in officers being overly cautious about using force, even when completely justified. Exacerbating this situation is the systemic fear of litigation from the agencies employing the officers, leading the officers to feel that they will be “hung out to dry” in an effort to protect the agencies’ own interests.

The reluctance by officers to respond with force when required can lead to catastrophic outcomes resulting in death or serious injury to the officer or innocent parties. Non-action can even engender litigation, criminal and/or regulatory charges, all resulting in the quintessential “Catch-22” — you’re damned if you do, and damned if you don’t.

Given that the bad guys have now succeeded in adding yet another issue that causes our reaction time to slow even further, litigaphobia is the genesis for what can be referred to as “Criminal Complacency” (CC). CC occurs when the bad guys become emboldened by the knowledge that the police are too afraid of lawsuits to use force justified by the incident.

In a recent *Winnipeg Free Press* article entitled “Officers Enduring More Attacks,” reporter Mike McIntyre identifies 240 documented cases of assaults against Winnipeg police officers last year. This number does not sound as profound until you remove administrative officers that do not work the street from Winnipeg’s total force. You are then left with approximately 600 officers, which equates to a disturbing 40 percent that are being assaulted.

Even justice officials are noticing the increase in assault cases against officers. “This is completely unacceptable and, unfortunately, becoming more and more prevalent,” says Judge Richard Chartier. His comments came after having just sentenced a woman for assaulting a police officer who was trying to take her to jail after fearing she would pass out and freeze to death last winter.

There have been several police shootings where the suspects’ action left no option for officers but to respond with deadly force, even though it was obvious that the malefactors would not win. Later investigations revealed no signs of mental history or psychosis. Many times these actions are labeled “suicide by cop,” even though there was nothing other than the person’s actions in that

specific incident to indicate that they were suicidal. In these cases, CC may be the unexplained factor in their behavior. CC can present itself anywhere along the use of force continuum.

Verbal Non-Compliance

If you speak to retired or senior officers with over 20 years of service, they will tell you that it was rare for a suspect to swear, belittle or argue with police. They had been accustomed to, with few exceptions, people that were compliant. Speak with an officer with less than five years on the job, and you will find a dramatic contrast. They will tell you that they routinely encounter suspects that verbally assault officers.

Physical Assaults

Spitting, shoving, grabbing and even punching officers is becoming commonplace. Armed with the knowledge that the officer is reluctant to physically back up his commands, the criminal element seizes the initiative and strikes first. More often than not, the officer’s unwillingness to use the force necessary gives the bad guy the advantage.

This hesitation has spawned this new phenomenon — suspects that are dumbfounded when the officer does use force to defend themselves or control the subject. Arrestees frequently say things like, “They’re not allowed to touch me!” or, “I pushed an officer before and nothing happened.” The bottom line is that criminals have become complacent enough in their belief to think that the officers will not respond with force. Would these same individuals walk up to an outlaw motorcycle gang member and assault them, thinking that there would be no reprisal?

Deadly Force

Suicide by cop, recognized in scientific journals since 1985, explains most irrational acts that result in the death of some despondent and/or criminal types. However, there are a number of cases that do not seem to fit into either the homicide or suicide by cop model. These cases involve individuals who arm themselves with an edged or impact weapon and create a stand-off situation with police. They taunt police with the weapon, sometimes advancing on the officers to the point of having the officers respond with gunfire.

In the resulting investigations, no evidence is found to suggest that the suspect was suicidal, or had expressed a desire to kill a police officer. Instead, the suspect taunts the officers, edging closer and closer until the officers feel their lives are in jeopardy and respond accordingly. Suspects who have survived these situations related that they did not think the officers would shoot, or that they were just trying to scare the officers away.

Ultimately, police must respond appropriately when they feel that their life or the life of another is in danger. Officers cannot try to be psychologists and attempt to determine if the suspects’ actions are a display of criminal complacency, suicide by cop, or mental instability, as this can put them and others in harm’s way. They need only form the reasonable belief that the threat is real and that force is necessary to stop it.

If you, or any officer that you know of, has witnessed an example(s) of Criminal Complacency, please send an e-mail to j.quail@shaw.ca. This article is the first step in an attempt to quantify data in support of this new phenomenon. **VB**

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BALDY BASH 2006 RESULTS

Detective Michelle Jotz

The "Baldy Bash" was held on October 1, 2006, at the Luxor Hotel. The event was a huge success for children with disabilities who utilize the resources of Nevada PEP (Parents Encouraging Parents). A total of 43 southern Nevada police, fire and emergency services personnel participated in this annual fundraising event.

The following is a partial listing of the results:

Agency	# of participants	Amount raised*
Las Vegas Metropolitan Police Department	12 officers/ 1 civilian	\$18,335.00
Las Vegas Fire and Rescuets	17 (3 females)	\$14,145.00
Clark County Fire Department	5	\$1,176.00
Nevada Highway Patrol/ Parole & Probation	4	\$1,225.00
Medic-West (Southwest Medical)/ North Las Vegas Police/ Fire Departments	4	\$1,766.00

*Above totals are not all-inclusive.

Detective Harry Fagel wrote a special poem just for the event. Sergeant Steve Custer from the LVMPD raised \$13,003 and LEST Colleen Lozano donated her hair to the "Locks of Love Foundation." We are looking forward to the 2007 Baldy Bash and hope to see even more participants for that event. **VB**



During Sergeant Steve Custer's haircut, the stylist takes a moment to decide if she should leave some bangs.



Baldies Deputy Chief Mike Holt (CCDC), Officer Dave Sacco, and Captain Tom Hawkins proudly display their new dos!



A City of Las Vegas Firefighter gets the buzz.



Corrections Officer Tom Taycher models his bare noggin.

Photos by Mike Blasko



Sergeant Mike Welch proves that the Baldy Bash is a family affair



Captain Tom Hawkins and Sergeant Steve Custer pre-Baldy.



Detective Harry Fagel took the name "Baldy Bash" very literally.



Deputy Chief Mike Holt thought about changing his mind mid-buzz.



LEST Collen Lozano gets ready to donate her hair to the "Locks of Love Foundation."



LEST Collen Lozano takes the plunge for a good cause.

HANDCUFFING DURING A VALID "TERRY STOP"

Jack Ryan

Does handcuffing during a "Terry Stop" transform the stop into a full-blown arrest, which requires the officer to have probable cause rather than the lesser requirement of reasonable suspicion? A case from the United States District Court for the District of Connecticut determined that the application of handcuffs does not automatically turn an otherwise valid "Terry Stop" into a full-blown arrest.

In *Riordan and Bruzy v. Trooper Joyner et. al*, 2005 U.S. Dist. LEXIS 5312 (Dist. CT. 2005), a trial court reviewed the stop and temporary detention of Kathleen Bruzy and Mark Riordan by the Connecticut State Police. On June 28, 2002, the State Police received a call from a man named Henry Angelico, who reported that he was behind a car on the highway and that he heard a loud noise come from the vehicle and had observed smoke coming from the driver's window. Mr. Angelico thought that a shot had been fired from the vehicle. In addition to identifying himself, Mr. Angelico described the vehicle and provided his license plate. He remained behind the vehicle and turned on his emergency flashers as the troopers approached so that they would more easily spot the vehicle. Kathleen Bruzy, who had just left her workplace, was driving the vehicle in question. Her boyfriend, Mark Riordan, was driving in a separate vehicle in tandem with Bruzy.

The troopers pulled Bruzy over and conducted a high-risk traffic stop. Riordan, upon seeing the stop, pulled over ahead of Bruzy but did not get out of his vehicle. The trooper pointed a shotgun at Bruzy as she exited her vehicle. A trooper patted-down Bruzy and handcuffed her while additional troopers searched her vehicle. Two police officers from North Haven Police Department approached Riordan, who acknowledged that Bruzy was his girlfriend. The officers removed Riordan from his vehicle and handcuffed him. Other officers searched Riordan's vehicle for weapons. During the search of Riordan's vehicle, he twice complained about the tightness of the handcuffs. Upon complaining the second time, an officer checked and then loosened the handcuffs. When no weapons were found, Bruzy and Riordan were released and told that the man who had made the report was sorry. Riordan and Bruzy then filed a lawsuit alleging that they were illegally arrested and subject to excessive force.

The court first dealt with the issue of whether the use of handcuffs changed the nature of the police contact from an investigatory detention – only requiring reasonable suspicion – to a full-blown arrest, which would require probable cause. In analyzing this issue, the court looked at factors used by the United States Court of Appeal for the 2nd Circuit in determining the line between a temporary detention and an arrest. Among the factors examined were: the "amount of force used by the police, the need for such force and the extent to which an individual's freedom of movement was restrained, and in particular, such factors as the number of agents involved, whether the target of the stop was suspected of being armed, the duration of the stop and the physical treatment of the suspect, including whether or not handcuffs were used." [citing *U.S. v. Vargas*, 369 F.3d 98, 101 (2nd Cir. 2004)]. The court noted that the use of handcuffs during a "Terry Stop" is not the ordinary course of events, but it does not necessarily change the event to an arrest "when it [use of handcuffs] is a reasonable response to legitimate safety concerns on the part of the investigating officers ... Further, the fact that the officers approached a stopped car with guns drawn in order to protect themselves and bystanders on the street [does not] necessarily transmute a 'Terry stop' into an arrest."

In applying the law to the facts here, the court noted that the Troopers had information from an identified good-citizen informant who remained on the scene during the police investigation. The troopers had no reason to believe that Mr. Angelico's information regarding Bruzy and her vehicle was unreliable. In looking at the treatment of Riordan, the court noted that officers were aware that Riordan's fiancée was under investigation for firing a shot. "Although Riordan had not been disruptive to the investigation, there was the potential that he could do so. Objectively speaking, the justification for placing Riordan in handcuffs was twofold: 1) to prevent him from disrupting the investigation of Bruzy, and 2) to determine if Riordan had any role in the suspected criminal activity." The court found that the actions of the troopers and officers were reasonable with respect to Bruzy and Riordan and, notwithstanding the handcuffing, remained a "Terry stop" and not a full-blown arrest. As such, the officers were released from liability. **VB**

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THANK YOU LETTERS

Dear Mr. Kallas

On behalf of the thousands of Culinary Union families, we wish to thank you for your support of the third annual Tillmon, Turner, Sifford Memorial Golf Tournament. Due to the generosity of friends such as you, this annual event raised more than \$200,000 for the direct benefit of the Nevada Cancer Institute. The NCI will also send you a thank you letter after the event, but we wanted you to know how much we appreciate your help as well.

The Nevada Cancer Institute has been providing our community with extremely valuable treatment and research services for a little over a year. Many Southern Nevada residents now receive state-of-the-art care locally and no longer feel the need to leave town for treatment of this dreaded disease. The Nevada Cancer Institute's commitment to education, prevention, early detection, high quality care and treatment is more than worthy of our support. We thank you again for your \$2,000 Silver Sponsor Donation.

Sincerely,
D. Taylor
Secretary-Treasurer

Geoconda Arguello-Kline
President

Thank you for tolerating me through everything. I got my first full paycheck and this is my thank you!

Thanks,
Dave Olive

Dear Members of the LVPPA,

I wish to thank you for the beautiful full arrangement that you sent me while in the hospital. The colors, which ranged from deep maroon through the oranges and yellows, really brightened my room. The knowledge that you took time to order it warmed my heart.

Thank you ever so much.
Peace, Love, and Joy to all,

Celine Green

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	One Day Pass-Child (3-11)	\$22.00	\$19.00
Sea World	Two Day Pass-Adult	\$54.00*	\$42.00 (Expires 7/31/07)
	Two Day Pass-Child (3-9)	\$44.00*	\$36.00
Universal Studios	Three Day Pass-Adult	\$61.00*	\$46.00 (Expires 1/31/08)
	Three Day Pass-Under 48"	\$61.00*	\$46.00
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* Reflects single day admission price.

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.

The LVPPA makes no profit from the sales of Theme Park Tickets; however, our ticket costs are rounded to the nearest dollar. Revised 12/2006.

THE FOUR PS OF CRISIS PREPARATION

Gerald R. Baron

Maybe it was because I was a teacher eons ago, or maybe it is just that I am simple-minded, but I find it easier to remember things when they all start with the same letter. For example, in my book *Now Is Too Late 2*, I refer to the three main things that cause today's crisis communicators the most trouble as the three *Is*: Instant News, Infotainment and the Internet. And, the four elements of crisis preparedness are four *Ps*: Policy, People, Plan and Platform.

Policy

In advance of any crisis, companies and organizations must think through crisis what they want to achieve. A policy statement should incorporate the goals or aspirations of the organization going through a crisis and the basic strategies they will employ to achieve the goal. The best policies are the ones that articulate the goal of emerging from a major crisis with the organization's reputation not only protected, but enhanced. And the way to do that is by responding very effectively and communicating quickly, transparently and frequently with all critical audiences. Policy statements need not be long and fancy. One of the best was expressed by a head of public affairs for a Coast Guard district when he said, "We want to be the first and best source of the news," relating to the event in which they were involved. This kind of policy leads to the excellent reputation the Coast Guard enjoys for professionalism and responsiveness.

Policy statements can also include basic dos and don'ts of crisis communication. Here are a few examples:

- We will never release the names of employees involved in injuries or loss of life.
- Only authorized spokespersons who have been properly trained will be allowed to speak on behalf of the organization.
- We will always do our utmost to provide the most complete, accurate, and timely information about the company and the incident.
- We will never abandon our commitment to honesty and to maintaining the trust our stakeholders have in us.

A few simple policies all aimed at a goal of building credibility and trust will serve as memorable guidelines for all employees as well as outside consultants working during a crisis situation.

People

Time and again, the debrief after a crisis incident points to the people involved in responding and communicating as the key element. Whether your company or organization comes through a crisis with reputation intact or enhanced largely depends on the leadership, skills, common sense and character of the people involved in managing the response. That's why one of the best things CEOs can do to prepare is to identify a crisis response team and prepare them for the roles they will play. These people will frequently have to act fast and with considerable autonomy; they will also have to play well with others. CEOs must look long and hard at these people. Will they make the right decisions? Will they take initiative and do what is needed when it is needed? Will they behave in ways that will lead outside audiences and key stakeholders to trust the organization and its leaders? If a CEO does not feel comfortable with those answers, there is nothing better that he or she can do than to make the needed changes before the critical time comes.

Plan

Most preparation focuses on the plan which is mostly appropriate. But most crisis plans are far too complicated. They sit in big red binders on the shelf and may or may not be pulled down and referred to during an event. If you can't see the basic plan on a single page, it is probably too complicated. If you can't quickly get at the key information you need, such as who to contact and their contact information; then the plan is of limited use. And if the plan isn't with you or is not accessible when you most need it, it does no good.

A good crisis plan is structured like the inverted pyramid you learned in journalism school. It starts with a few basic elements that cover everything that needs to be thought of and done. Then it proceeds to a deeper level of detail, then to another level of detail, until as many possible situations are covered. I also favor a cookbook style — a listing of action items that must be taken and who is responsible for doing them. Most plans I have written anticipate three levels of crisis, all based on the same simple plan that is very scalable.

To make the crisis plan accessible, put it on the Internet — ideally, in highly secured forms such as on a secure company intranet or, better yet, on a crisis communication control center such as described below in the section called "Platform."

I also strongly believe that crisis and crisis communication plans should take advantage of the best thinking on this subject and in my mind that leads to the Incident Command System. This basic and very scalable management structure was developed out of multi-agency response to forest fires in the 1970s but since has been adopted by most fire, police and government agencies. In fact, in 2003 the Department of Homeland Security mandated its use for all government agencies receiving federal funding. So if you don't know about the National Incident Management System (NIMS) and the Incident Command System (ICS) which it prescribes, you should definitely learn about it and use its well proven structure as the basis for both your crisis response and communications.

Platform

Platform deals with the infrastructure your team will use during a crisis. The emphasis has been on creating Emergency Operations Centers, where the team can gather and work effectively in a major crisis. There are a couple of problems with this, and Katrina highlighted these problems. Too often in major events, from terrorism to pandemics to earthquakes to hurricanes, you can't count on your EOC being there or being able to easily get there. Secondly, from a communications standpoint, by the time your communication team assembles in the Joint Information Center, the story has gone around the globe multiple times and chances are the mainstream media are onto other stories already. Your chance to participate and tell the story is long gone.

The new thinking about crisis response and communications puts the responders into virtual control centers. There the team can assemble in minutes rather than hours or days because the place where they gather is the Internet. As long as they can get to a place to login they can participate. Web-based response management systems are becoming increasingly available. Public Information Emergency Response (PIER) is the standard for online control centers for communication purposes and was built based on the Incident Command System and the Joint Information Center and is used by most major oil companies, federal agencies such as the Coast Guard and numerous other organizations large and small. (*Full disclosure: your author is the creator of this system and the president of AudienceCentral, the company that provides it.*)

If you choose to use standard communication tools, such as your office e-mail, Outlook for contact lists of reporters and stakeholders, e-mail for collaborating with attorneys and outside consultants, cell phones and landlines for team coordination or your IT or Web team for Web information posting, just be aware of the limitations and the likelihood that in major events the basic infrastructure you count on everyday may not be there when you need it most.

Clearly, there is a lot to do in thinking through and preparing for a major crisis event. But sometimes it is easy to get lost in the details. That's when it is helpful to remember that most things come down to a few key elements. In the case of crisis preparedness, those elements may all start with P.

Gerald R. Baron is President of Baron & Company, (www.baron-co.com) founder of AudienceCentral, which provides PIER, the leading crisis communications technology. His e-mail address is gbaron@baron-co.com. **VB**

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POLICE BRUTALITY

Tim Dees
Editor-in-Chief, Officer.com

The last couple of weeks haven't been too warm and fuzzy for the police image. The UCLA Police zapped a student with a TASER, and got both videoed and vilified for it. Then the NYPD killed "an unarmed man," and the community is up in arms, with Reverend Al Sharpton at the forefront. And then there is always the Los Angeles Police Department, the agency that liberals love to hate, who got YouTubed pepper-spraying a man in the back of a patrol car and punching another one in the face. Let's ignore, for the moment, that independent reviews of these incidents have so far cleared the officers of wrong doing. It's just so much fun to believe that the cops have been caught red-handed, doing the stuff that we always knew they did, but we couldn't prove.

A story that got far less play came from an incident in Monroe, NY. A Monroe PD sergeant, Robert Compasso, drove his patrol car around a corner to find a teenage party that had moved into the street. About a hundred junior citizens were enjoying the beginnings of a fight between several of their comrades. Sergeant Compasso stopped his car and got out to break up the fight. He didn't expect the crowd to turn on him. But they did, with someone holding him in a headlock and bloodying his nose, while the crowd chanted "More blood! More blood!" and "This is how we roll in Spring Valley." This could have ended much worse than it did. Sergeant Compasso was not seriously injured, and after escaping from the people who had assaulted him, held off the children with a drawn TASER until the cavalry arrived. A partier that punched Compasso was taken to the hospital before he was booked, and the innocent little darling that was the host got zapped with a TASER when he tried to keep the police from speaking with his parents, who were home the entire time. It took 20 officers over half an hour to disperse the crowd.

Reaching back to a line from *The West Wing*, "This is bad on so many levels." Breaking up a teenage fight would not normally require a platoon of police officers. Crowds of spectators wouldn't be expected to attack the police and cheer when the cops looked to be losing the fight. Parents aren't supposed to allow their children to host parties that evolve into near-riots. And why is it that a badly behaved college student being ejected from a library without injury is national news, when a mob attacking a law enforcement officer who is performing his duties with a lot more restraint than I would likely have had is only a local story?

Several of the newspapers and television stations that carried this story have a feedback capability for people to comment. Most of the comments are in favor of the police and condemn the attackers. A few cowardly revolutionaries advocate offing the pigs, or whatever is the euphemism for that these days. But there are also the people that said that Sergeant Compasso was a "moron" for not waiting for backup before trying to break up the fight.

I can't imagine a situation that is more "no win" for the cops. Sergeant Compasso is a "moron" for trying to break up the fight before reinforcements arrived. Had he waited, he would have been a coward for being afraid to take on a few innocent kids, and had someone been hurt in the fight, guilty of nonfeasance. He gets injured, so he's incompetent. One kid went to the hospital and another one took the TASER ride, and I'm sure there will be some accusation of brutality behind that.

In our politically-correct-at-any-cost school systems, it is now possible for students to emerge without ever having been in a fight. This isn't a bad thing in itself, but it does create a cohort of people that don't understand any of the dynamics of a fight from the fighter's perspective. And even the folks who have been in a fight have probably not been in a fight for their lives. Every cop that is in a fight is fighting for his or her life. Every confrontation is an armed confrontation — if the other party doesn't have a gun, the cop brought at least one that can be used against him. If the cop loses the fight, he's probably going to lose the gun. And once that happens, he is completely at the mercy of his assailant, who is often highly motivated to eliminate witnesses, delay pursuit

and/or demonstrate to his peers just how really bad-ass he is. If more people understood that, they might be less likely to automatically condemn the actions of officers in crisis.

I don't think it was quite so bad before my first days in law enforcement, but over the past 30 years or so, the cop path has been paved with litigious stones. It seems that whatever you do, or don't do, there is someone that will try to sue you, prosecute you, or otherwise condemn you for it. One of our regular contributors, John Wills, devoted a column to this mindset among cops, where the fear of getting hurt or killed is being superseded by the fear of getting sued or prosecuted.

In this era of up-to-the-minute, instant reporting, there is always a rush to judgment. The broadcast media in particular will roll out their "expert" to give commentary on the rightness or wrongness (mostly wrongness) of an officer's actions, when the commentator can't possibly have any more information on the incident than the typical viewer or listener. In response to the most recent incident in New York City, Reverend Al added in, "We're not anti-police ... we're anti-police brutality." A thorough investigation of the shooting is in progress, and the cops involved might be right or wrong — your guess is as good as mine. Sharpton has already made up his mind, and you can bet he won't be holding another rally to apologize if the cops are cleared. And I also don't expect to see Reverend Sharpton in Monroe, condemning the bloodthirsty youth and the irresponsible parents that put Sergeant Compasso's life in jeopardy. He can get a lot more attention from the press in NYC.




This article was originally printed on November 27, 2006. The article by John Wills mentioned in the above article is also included in this issue of the Vegas Beat. VB

The Las Vegas Police Protective Association, LVPPA has made special arrangements exclusively with John Giatropoulos, Fleet Manager at Chapman Dodge and Chapman Chrysler Jeep, for it's members and their families to be eligible to purchase vehicles and receive special benefits including a low fleet price with no distasteful negotiations.

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New Condos Bring High Style to Vegas Modern design and 'loftstyle' living are L5's trademarks

Modern-designed condominiums—those swanky pads like Christian Troy's home in "Nip/Tuck"—have long been the sole possession of the ultra-rich and uber-cool. But a new condo project on the South Strip will soon change all that.

With prices starting as low as \$180,000, L5 is ideally positioned for the first-home buyer who wants to live on his or her own terms. And to sweeten the pot, until February 28, the firm behind L5 is offering a \$10,000 discount off first-phase pricing to all members of the Police Protective Association. Additionally, another \$5,000 will be taken off the first-phase purchase price for all successful referrals. Both promotions require that the buyer not be working with a real estate agent.

Trademarked as "loftstyle," the Modern minimalist, six-story development boasts more than 40 different floor plans of living spaces that are open to interpretation by the residents. Don't need a formal dining room but want office space? Looking for a big room for entertaining friends? No matter what a person desires for their home, L5 and its highly successful predecessor Loft 5 let the buyer make those decisions for themselves.

"I wanted to create space and then let the residents impose themselves upon it," said Richard McCann, the project's designer and a partner in m_space development, which along with ADG Capital, created the condominiums.

"L5 combines a cutting-edge sophistication with modern loft living," said McCann. "When we developed Loft 5, we dubbed this union 'loftstyle,' and it's perfect for those who aspire to live according to their own terms."

The development is located off of Las Vegas Boulevard and Pebble Road, just three miles south of Mandalay Bay and adjacent to its successful sister development, Loft 5, which will have residents moving in as early as mid-December. Both are at the heart of the burgeoning South Strip district, close to shopping at the Bass Pro Shop, Las Vegas Outlet Center and Town Square, with its selection of upscale options like Whole Foods and Robb & Stucky; recreational amenities

like Century Theatres at South Point and Silverton hotels and casinos and the Bali Hai Golf Club; and of course, Starbucks.

Incorporating the concept of interlocking opposites first introduced to Las Vegas by Loft 5, the outside of the development includes daring cantilevers, a uniquely varied elevation, and corrugated metal as a design accent. The units will offer many of the same high-end amenities as Loft 5, including European-style cabinets and stainless steel appliances, natural stone counter tops and bamboo flooring.

Main-floor flats have direct access to secluded garden areas that flow into common courtyards featuring a relaxing pool area, multiple spas, fire pits, barbecues and sculptural lounges, creating an environment that is conducive to privacy, as well as mingling. Upstairs units offer private balconies and sky decks. The public spaces also are designed to showcase mountain-framed sunrises and sunsets. L5 features a state-of-the-art fitness center, private security and controlled entry, and assigned garage parking.

The 284 units range from expansive flats to tri-level penthouses; floor plans are sized from 600 square feet to over 2,000-square-foot-plus, and include studios, one and two bedroom units, all crafted for owners to define their own space.

L5 was conceived by the award-winning design team of McCann, Graham Downes Architecture and Southwick Landscape Architects. Graham Downes is the firm behind the award-winning Tower 23, San Diego's only beachfront, luxury lifestyle hotel recently featured in Architectural Record. The firm's portfolio includes such exciting San Diego-area developments as Barriohaus (mixed-use development), the chic Bar Basic and the lively Gringo's Cocina y Cantina.

Residences will average about 1,000-square-feet, with the average sales price well below \$400,000 and many starting as low as the high \$100,000s. Unlike most developments that require anywhere from 10% to 20% deposits, L5 residents need only pay 6%: 3% at reservation and 3% at contract. And the 3% at reservation is fully refundable if you change your mind.

The L5 Sales Center is located at 3960 Howard Hughes Parkway, Suite 370, and is open Monday through Friday from 9 a.m. to 5 p.m. To reserve your new loftstyle™ residence or for more information, visit www.L5vegas.com or call 702-435-0505.



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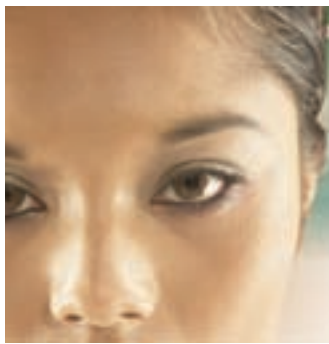
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Resolve to Get Healthy

Dr. Joseph Heck

The long and irregular workdays associated with a career in law enforcement can wreak havoc on an individual's ability to maintain a healthy diet and exercise regimen. Fast food plus a lack of regular exercise equals increasing fat deposits on varying parts of our bodies! To minimize this adverse impact, we need to address both variables in this equation: proper nutrition and appropriate exercise.

Proper Nutrition

Although most of us eat every day and many of us eat several times per day, some people are still not sure how to make healthy eating choices. With so many mixed messages from low calorie, to low fat, to low carbohydrate, anyone could easily become confused.

Healthy eating begins with assessing and meeting your individual energy requirements based on your age, gender, body composition and activity level. Select a calorie level to fuel your body for its daily activities. One thousand or even 1200 calories is not enough to fuel most adults, yet 2000 calories may be too many for some. One way to estimate your daily caloric needs is the following:

- 1) Determine daily calories needed based on your resting metabolic rate (RMR) by taking your body weight in pounds and multiplying by ten.
- 2) Add any calories you will need for planned exercise. Easy to use calculators are available at:
<http://www.changingshape.com/resources/calculators/caloriesburnedcalculator.asp>
-or-
http://www.weightlossresource.com/tools/exercise/calculator1_2.cfm
- 3) Add calories needed for daily activity apart from your planned exercise:
 - multiply RMR calories by .20 if you are sedentary
 - multiply RMR calories by .40 if you are moderately active
 - multiply RMR calories by .60 if you are very active

The total daily calories found by adding the three components above should promote weight maintenance as long as you continue with the activity levels used to determine them. On days you do not exercise, subtract that amount of calories from the total. If you are trying to lose weight, the most effective method for safe weight loss is to reduce your calorie intake by 250-500 calories per day and increase your exercise to burn 250-500 per day. This should result in a weight loss of one to two pounds per week.

As you seek to meet your energy needs each day, try to consume a variety of foods. Our bodies require 40 or more different nutrients to function properly and no single food or food group provides all those nutrients. Eating plans which recommend concentrating on only one or two foods or food groups while shunning others do not include the recommended variety. If you want to reduce your total calorie intake, try reducing portion sizes of meals rather than eliminating certain foods altogether. While many people are finding initial success in weight loss with low carbohydrate diets, continuing this way of eating long-term may lead to some health problems. Consuming 100 grams of carbohydrates per day, which is still one-third to one-half of what many people consume, can still promote weight loss while allowing you to include some whole grain products and fruits in your diet.

Variety in the diet also includes trying new preparation methods. Baked chicken for dinner every night can become old very quickly. Using marinades or sauces to add flavor, stir-frying, making chicken fajitas, or topping salads with chicken strips are all ways to eat healthy while adding variety. Alternating chicken with fish, lean beef or pork, or sources of vegetable protein such as tofu or beans is another good way to increase variety while promoting health.

In addition to variety, focus on moderation. You don't have to completely give up your favorite treats. Healthy eating doesn't mean feeling guilty for having a small piece of chocolate or a slice of cake for a family member's birthday. On the other hand, a one pound chocolate bar or jumbo ice cream sundae should not be consumed on a regular basis without expecting weight gain and probable increase in blood cholesterol levels.

Appropriate Exercise

As mentioned, when estimating energy needs, regular exercise and an active lifestyle have a great impact on the amount of calories you can consume each day. Besides burning calories and promoting weight loss, regular exercise can reduce stress levels, tone and strengthen muscles, and help you feel better overall. Many of the same guidelines discussed above for eating apply to exercise as well. Select a variety of exercises or activities you enjoy. Running some days, or playing golf, swimming or biking on other days allows you not only a change of scenery, but a chance to use different muscle groups. Keep moderation in mind too. Three hours at the gym is a bit much for most people; combining aerobic activity with some strength training to total about an hour a day can healthfully fit into your schedule.

Interestingly, the Center for Disease Control recently publicized another slant on exercise. Research has demonstrated that 30 minutes of "accumulated" moderate-intensity exercise daily, divided into 10-15 minute periods, or 20 minutes of vigorous exercise can have significant health benefits.

The mode, intensity, and duration of any exercise bout will determine what energy system is engaged *the most* to produce the required energy from existing fuel sources, e.g. fat or carbohydrates. The terms aerobic and anaerobic are simply words to describe a type of energy production. Respectively, they mean "with" and "without" oxygen. But these terms also describe the preference of fuel, or the combination of fats and carbohydrates metabolized, for combustion and energy production. Let's set the record straight by stating no form of exercise is strictly aerobic or anaerobic in nature, or only fat burning or carbohydrate burning! At rest, each calorie used to sustain various metabolic functions comes from both fat and carbohydrates being metabolized. In an average person, a combination of about 60 percent fat and 40 percent carbohydrate are used for each calorie of energy that is expended to meet the body's resting energy needs. While sitting and reading your favorite book, for instance, you don't need much energy and plenty of oxygen is available. During the first few minutes of exercise, the fuel ratio changes to more than 80 percent carbohydrates and less than 20 percent fats. At this point, the body is attempting to reach steady state, which takes about two to five minutes in the average person, provided exercise intensity remains the same. Once at steady state exercise, the

(continued on page 29)

RESOLVE TO GET HEALTHY

(continued from page 28)

heart and lungs “catch-up” and an increased portion of calories are derived from fat stores. Remember, *the ultimate percentage of calories from fat stores is solely dependent on the intensity of exercise.*

As exercise intensity continues to increase above resting levels, more carbohydrate is burned per calorie expended. Even though less fat is burned the higher the intensity, the more total fat and calories are burned overall. As an individual exercises harder, more oxygen is consumed and utilized to supply the working muscles. Each liter of consumed oxygen equates to five calories being used or “burned.” More oxygen consumed means more total calories expended overall.

How does resistance training add to this scenario? Why is this form of training touted as promoting fat loss? Among the many benefits of resistance training is fat loss, weight control, and maintenance. Your body composition changes as the amount of muscle mass increases. This occurs from an increased metabolism, as muscles are the engines of your body. Muscle takes up less space than fat and is much more metabolically active compared to fat. Adding muscle mass to your body is like adding pistons to the engine of your car! Not only is there increased calorie burning during your training bout, but also increased calorie burning long after exercise.

By incorporating sound nutritional principles with a balanced exercise program composed of resistance training and vigorous cardiovascular workouts, you will see a marked change in your appearance and enjoy better health.

The Fuzz

by: Trooper Sarah Foster



Umm... hold on a second, some idiot keeps knocking on my window!

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A Policeman

A policeman is a composite of what all men are ... a mingling of saint and sinners ... dust and deity. Cold statistics wave the fan over the stinkers ... underscore instances of dishonesty and brutality because they are news. What that REALLY means is they are exceptional, unusual — not commonplace. Buried under the froth is the fact that less than one half of one percent of policemen misfit that uniform. And that's a better average than among clergymen.

What is a policeman made of? He of all men is at once the most needed and the most unwanted ... a strangely nameless creature, who is “sir” to his face ... and “pig” to his back.

He must be such a diplomat that he can settle differences between individuals ... so that each will think he won ... But if the policeman is neat, he's a flirt. If he's not, he's a grouch.

In an instant he must make decisions which require months for a lawyer. But if he hurries, he's careless. If he's deliberate, he's lazy. He must be first to an accident ... infallible with a diagnosis ... he must be able to start breathing, stop bleeding, tie splints and above all be sure the victim goes home without a limp, or expect to be sued.

The police officer must know every gun ... draw on the run ... and hit where it doesn't hurt. He must be able to whip two men his size and half his age ... without damaging his uniform and without being brutal. If you hit him, he's a coward. If he hits you, he's a bully.

A policeman must know everything and not tell. He must know where all the sin is and not partake.

The policeman must, from a single human hair, be able to describe the crime, the weapon and the criminal ... and tell you where the criminal is hiding. But if he catches the criminal he's lucky ... if he doesn't he's a dunce. If he gets promoted, he has political pull. If he doesn't, he's a dullard.

The policeman must chase bum leads to a dead end and stake out ten nights to tag one witness who saw it happen, but refused to remember.

He runs files and writes reports until his eyes ache to build a case against some felon who will get dealt out by a shameless shamus or an honorable who isn't.

A policeman must be a minister ... social worker ... a diplomat ... a tough guy ... and a gentleman. And of course he will have to be a genius, for he will have to feed a family on a policeman's salary.

-Author Unknown



Diversifying Your Investments and the Art of Asset Allocation

Richard L. Hoover

Let's talk about your Deferred Compensation, Roth IRA, your spouse or your partner's 401k at work or other investment related programs. Your long-term investment strategy should address your need to help protect your savings and build upon them in any market condition. A well-considered investment program should take into account your time horizon, accumulation goals, return requirements, tax situation and risk concerns. The cornerstones of any sound financial plan are *diversification* and *asset allocation*. Both allow investors to carefully assess their risk and reward within their investment time horizon.

Why Diversification?

Diversification is a proven approach to addressing risk concerns by "not putting all of your eggs in one basket." Diversification encourages investors to use a combination of stocks and bonds to achieve their particular investment goal. By diversifying, you can strike a more balanced portfolio; thereby, making you less dependent on the performance of any single asset class.

Why Asset Allocation?

Asset allocation is an even more precise and analytical form of diversification that has been developed and refined by economists and investment professionals for more than fifty years. Quite simply, asset allocation is a systematic way of tailoring investment portfolios to the risk tolerance of individuals to help achieve the highest level of return. It calls for the combination of different asset classes in a way that is meant to help smooth out a portfolio's behavior

and manage long-term risk (although not guaranteed). Asset allocation is the outgrowth in an analytical approach to portfolio construction that studies and graphs the interaction of varying asset classes—stocks, bonds, cash and even real estate. The resulting graph measures how different groupings of assets used in tandem work to produce measurable amounts of return for the risk taken. Commonly referred to as the "Efficient Frontier" is a correlation of risk versus return interactions.

Take the Guesswork Out of Investing

The beauty of a solid asset allocation strategy is the freedom it offers:

- Freedom from the constant worries of whether your money is in the right investment options to achieve your financial needs
- Freedom from market timing decisions

Asset allocation puts the power of all markets to work for you ... every day!

Each written financial plan we provide for members of the LVPPA includes careful asset allocation. Generally, the PPA member's first plan is free of charge!

Richard L. Hoover is an Investment Advisor Representative for American General Securities Inc. located at 2920 S. Jones Blvd., Ste. 110-A, Las Vegas, Nevada 89146. He can be reached at (702) 221-8866 ext. 11.

Securities and Investment Advisory Services offered through American General Securities Inc., member NASD and SIPC. (2727 Allen Parkway, Suite 290, Houston, TX 77019, (800) 247-4669) Member American International Group, Inc.

BENEFICIARY UPDATES

Now is the time, if you haven't already done so, to confirm that all of your beneficiary information is up to date. The last thing you'd want is for some unintended person to end up receiving the benefits you worked so hard for and for your loved ones to miss out on those benefits. Please verify your beneficiary designations are updated with the following places:

LVMPD final paycheck

E-mail Rick Gill at R956G@lvmpd.com or call 229-3041.

Public Employee's Retirement System (PERS)

Contact PERS at 486-3900 or go to NVPERS.org and look at your account.

Medical Insurance (Life Insurance)

Contact Benefit Planners (LVMPD Health & Welfare Trust) at 413-1701.

Hartford (Deferred Compensation)

Contact Hartford at 862-8296.

AFLAC

Contact John Innes at 871-9997.

LVPPA

Contact the PPA office at 384-8692.

SPA

Contact Henry Coker at 452-5765.

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Recruiting Officer Marizela Razo

How it Works

An applicant must be referred by a full-time, permanent employee (commissioned or civilian) of the Las Vegas Metropolitan Police Department. When you refer a candidate, they must respond to appropriate questions during the application process by specifying that you referred them. It is very important that your referred candidate places your full name and P# on their application.

After the candidate submits his/her application, you will be notified via e-mail or memo that a referral has been received and whether or not you are eligible for compensation, pending his/her enrollment in the Academy. Your payment of \$500.00 will be processed after the Candidate Management Team has received approval. They will then forward your payment to Payroll for processing.

As of May 11, 2006, five Department members have received payment for their Recruits making it to the first Academy since this new policy was implemented. We foresee this number increasing rapidly, due to the hiring goal of 480 recruits per year for the next five years, and we plan on continuing the trend for the next several years.

So, if you want to earn the extra money, just stop by Recruiting in Personnel and pick up some referral cards. This way, when you're shopping at the mall, going to community functions, attending a sporting event or even while on the job, you can give a good candidate your card with your information and mentor them through the testing process.

Keep in mind our mission is to attract, develop and retain the *best* candidates; and now you can get paid to do it! We in Recruitment want to wish you the best of luck and hope you take the challenge and earn some extra money by helping our Department recruit/retain the best candidates.

For further information, refer to PO-40-06. VB



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YOU, as an LVMPD Police Officer, can not only achieve your career goals with endless advancement opportunities, but you can also realize an excellent quality of life including home ownership in Las Vegas or any of the surrounding communities. Now is the time! Our agency must hire approximately 480 Police Recruits per year for the next several years to keep up with the "booming" growth of Southern Nevada. Visit www.protectthecity.com for details and to apply for one of our six annual Las Vegas testing dates, or one of our out-of-area testing dates. We may bring our testing process to a town near you. VB

SOMETIMES KEEPING THE PEACE
REQUIRES A LITTLE ACTION.



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**PROTECT THE CITY.
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LVPPA RECEIVES AWARDS

On Wednesday, October 18, 2006, the Las Vegas Police Protective Association was invited to a "Special Tribute to Labor" dinner given by the Paradise Democratic Club of Las Vegas. The dinner was held at the Painters' Union Building in Henderson and John Ponticello, President of the Paradise Democratic Club, and Las Vegas City Councilman Steve Ross presented the LVPPA with several awards. Assistant Executive Director Tom Reid accepted a total of four awards on behalf of the PPA.

The awards were as follows: a Certificate of Recognition from the Paradise Democratic Club for our support of locate candidates; a Congressional Recognition award from Congresswoman Shelley Berkley for the PPA's commitment to working families of Southern Nevada; a Certificate of Commendation from United States Senator Harry Reid for our support of labor; and a Certificate of Appreciation from the Mayor and City Council for the City of Las Vegas for our dedication and service to the residents of Nevada.



YEAR-END STATISTICS

(continued from page 7)

NOVEMBER/DECEMBER 2006 REPRESENTATION STATISTICS

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	Pending Decision	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	
73	20	93	
ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
2	1	17	1

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YEAR-END STATISTICS

(continued from page 33)

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	

(continued on page 35)

YEAR-END STATISTICS

(continued from page 34)

SEPTEMBER/OCTOBER 2006 REPRESENTATION STATISTICS (CONT.)

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

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	2

(continued on page 36)

YEAR-END STATISTICS

(continued from page 35)

JULY/AUGUST 2006 REPRESENTATION STATISTICS (CONT.)

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	
30	52	82	

ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
7	9	45	2

MAY/JUNE 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	Pending Hearing 7/13/06

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
02/17/06	Truthfulness Required at all Times; Conduct	Recommended for termination	Terminated
12/2005	Truthfulness Required at all Times; Conduct	Recommended for termination	Pending Pre-Termination Hearing 7/1/06

(continued on page 37)

YEAR-END STATISTICS

(continued from page 36)

MAY/JUNE 2006 REPRESENTATION STATISTICS (CONT.)

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	3	1
OFFICER-INVOLVED SHOOTINGS			
Date	Use of Force Board Decision	Inquest Decision	
03/15/06	Justified	N/A - no death	
04/24/06	Justified	N/A - no death	
04/28/06	Pending Scheduling	Pending CI Hearing 06/23/06	
05/13/06	Pending Hearing 06/26/06	Justified	
06/3/06	Pending Scheduling	N/A - no death	
06/11/06	Pending Scheduling	N/A - no death	
06/11/06	Pending Scheduling	N/A - no death	
INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS			
Declined/Cancelled	Represented	Total	
40	70	110	

MARCH/APRIL 2006 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
2004/2005	Conduct Unbecoming	48 hours w/out option	Written Reprimand, resolved prior to hearing
08/21/05	Conduct Unbecoming	50 hours w/30 hour option	30 hours w/option
01/04/05	Neglect of Duty	12 hours	Written Reprimand
NON-CONFIRMATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
03/24/06	Truthfulness; Standards of Conduct	Recommendation for Non-Confirmation	Non-Confirmed
PRETERMINATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
02/17/06	Truthfulness Required at all Times	Recommended for termination	Pending Pre-Termination Hearing 6/5/06

(continued on page 38)

YEAR-END STATISTICS

(continued from page 37)

MARCH/APRIL 2006 REPRESENTATION STATISTICS (CONT.)

ARBITRATIONS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A
Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
0	2	1	4
OFFICER-INVOLVED SHOOTINGS			
Date	Use of Force Board Decision	Inquest Decision	
02/01/06	Justified	Justified	
02/09/06	Justified	Justified	
03/13/06	Justified	Justified	
03/15/06	Pending Scheduling	N/A - no death	
04/24/06	Pending Hearing 06/06/06	N/A - no death	
04/28/06	Pending Scheduling	Pending CI Hearing 06/23/06	
INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS			
Declined/Cancelled	Represented	Total	
49	111	160	

JANUARY/FEBRUARY 2006 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	LMB Decision
2/1/05	Conduct Unbecoming	30 hours w/option	Written Reprimand
6/19/05	Disputes/Arrests/Investigations where Personally Involved	8 hours w/option	Written Reprimand
7/18/05	Dissemination of Criminal History Information	50 hours w/40 hour option (vacation)	Upheld discipline
2004/2005	Conduct Unbecoming	48 hours w/o option	Pending Hearing
6/26/05	Conduct Unbecoming	80 hours w/20 hour option	Withdrew Appeal
4/5/05	Neglect of Duty	50 hours	20 hours w/10 held in abeyance if training is completed
8/21/05	Conduct Unbecoming	50 hours w/30 hour option	Pending Hearing

(continued on page 39)

YEAR-END STATISTICS

(continued from page 38)

JANUARY/FEBRUARY 2006 REPRESENTATION STATISTICS (CONT.)

PRETERMINATION HEARINGS			
All. Violation Date	Alleged Violation	Original Discipline	Outcome/Status
1/4/05	Truthfulness; Neglect of Duty; False Information in Reports; Use of Force; and Reporting Requirements	Recommended for Termination	12 hours - Neglect of Duty; minor Use of Force
1/4/05	Use of Force; False Information in Reports; Neglect of Duty; and Truthfulness	Recommended for Termination	12 hours - Neglect of Duty
1/4/05	False Information in Reports; and Truthfulness	Recommended for Termination	Exonerated
7/12/05	Conduct Unbecoming	Recommended for Termination	160 hours - Conduct Unbecoming
10/11/05	False Reports	Recommended for Termination	Resigned in lieu of termination
6/28/05	Truthfulness; Obedience; Complaints and Internal Investigations Involved Dept. Employees; Booking Evidence & Property; Drug Free Workplace, Use of Controlled Substance; and CAB Article 24 - Random Drug Testing	Recommended for Termination	Terminated

ARBITRATIONS			
All. Violation Date	Alleged Violation	Original Discipline	Outcome/Status
2/20/05	Truthfulness; Police Business Confidential; and Consorting w/Persons of Ill Repute	Termination	Reinstated

CITIZEN REVIEW BOARD COMPLAINTS			
Dismissed	Referred to IAB for Review	Pending Response	Pending CRB Decision
7	1	3	4

OFFICER-INVOLVED SHOOTINGS			
Date	UOF Decision	Inquest Decision	
01/02/06	Justified	Justified	
01/02/06	Justified	Justified	
01/11/06	Justified	N/A - no death	
01/31/06	Pending Scheduling	Justified	
02/09/06	Pending Scheduling	Pending Scheduling	

INTERNAL AFFAIRS INTERVIEWS			
Declined/Cancelled	Represented	Total	
41	61	102	



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