



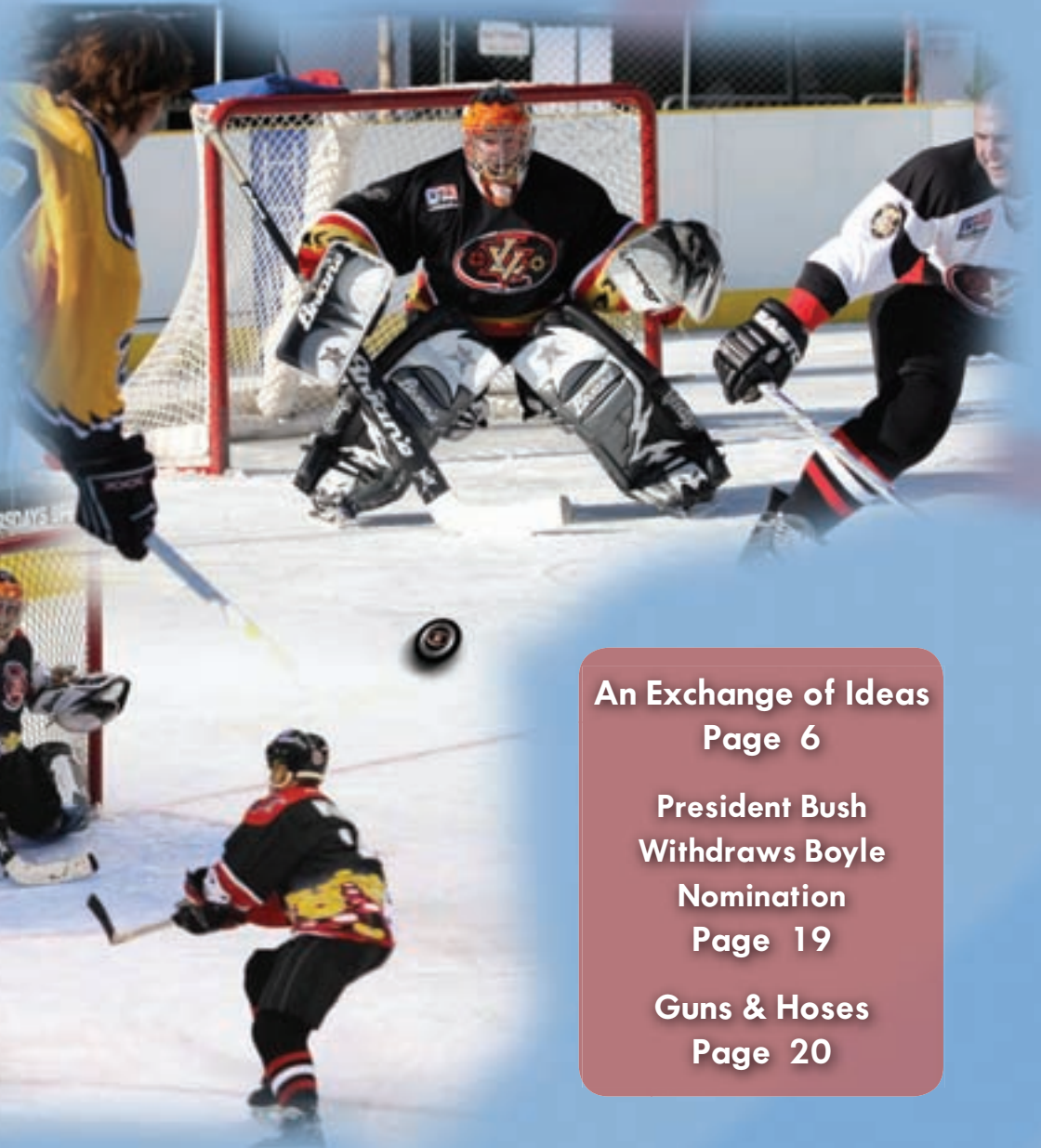
LVPPA VEGAS BEAT

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

VOLUME 1 | ISSUE 6

March/April 2007

11 Years of Athletic Excellence



An Exchange of Ideas
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President Bush
Withdraws Boyle
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The Las Vegas Police Protective Association is affiliated with the following organizations at the state and national level:

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

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

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

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

SNCOPS – Southern Nevada Conference of Police and Sheriffs



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Executive Director's Message

DETECTIVE **CHRIS COLLINS**

By the time you read this article, I will have had the honor of being the Executive Director of the LVPPA for just over two months. I must tell you that I have found the job exciting and full of new challenges. With the help of the Executive Board (E-Board), the Board of Directors, the office staff and the membership, both the LVPPA and I have survived.

In this edition of the *Vegas Beat*, I have chosen to write about two subjects, both of which I believe are important. First, I would like you all to know that any decision that is made or any action that is taken by the LVPPA Board of Directors is and/or was done with the best interest of the membership in mind; nothing is done in a vacuum. I wish every action taken by the Board of Directors would make 100 percent of the membership happy; however, I am not that naïve. If you do not share your thoughts on a topic or issue with us, they can be given no weight in the decision-making process. I promise all of you that, if you take the time to share your thoughts on a topic or issue, they will be shared with and discussed with the entire Board of Directors.

You can share your thoughts through e-mail, telephone, written correspondence or by attending the General Membership Meetings that are held the first Thursday of the month at 5:00 p.m. here at the LVPPA office. There does come a point in time when the Board of Directors must make a decision reference the topic being discussed. Once a decision has been made, it does not mean you should not share your thoughts with us reference that decision, but I would ask you to remember that, once a decision has been made public, it can

be very hard or sometimes impossible to undo. That is why your input prior to any decision is important. I hope that each and every one of you know that any decision made by the Board of Directors are done so with the best interest of the LVPPA membership.

Second, I would like to discuss the National Association of Police Organizations (NAPO) TOP COPS Awards. This event is held every year in Washington, D.C. during Police Week to honor Law Enforcement officers for heroic acts or for somehow going above and beyond the call of duty. In the past three years, Metro has had a TOP COPS winner or a TOP COPS honoree. Very few Metro officers have attended this event in the past. This year, I hope that will change. Many of us will be in Washington, D.C. to honor the late Sergeant Henry Prendes, as his name is added to the Memorial Wall. Let's not forget the other officers who were involved in that tragic event; they have been nominated as Law Enforcement Heroes to receive the NAPO TOP COPS award for the state of Nevada.

I hope as many of you as possible will join me on Saturday, May 12, at the TOP COPS Awards ceremony and again on Sunday, May 13, at the Candlelight Vigil to show all of America that here at Metro we honor and respect our living and our fallen heroes. In closing, let me say again I am honored to have been elected to represent the brave men and women at Metro and the Deputy City and Municipal Court Marshals and promise to fight the good fight on your behalf. **VB**

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LVPPA Board of Directors Training: An Overview

CORRECTIONS OFFICER TOM REID

Assistant Executive Director

The Board will have held its annual Board of Directors training when this gets into your hands.

Being a member of the LVPPA Board of Directors is more than just going to two meetings a month. The Board is the voice of the area commands, bureaus and sections throughout the Department. To keep the Board members up to date on issues and trends, the LVPPA conducts Board of Directors training for its new and incumbent Board members. This training is done over a two-day period and provides the Board with a series of presentations from LVMPD's Labor Relations Section, Internal Affairs, Health & Safety Sections and the Public Employee Retirement System (PERS). Our two in-house attorneys give us an in-depth lecture on the Police Officer Bill of Rights (NRS 289) and how to best represent our officers during an internal investigation.

One of the Board highlights is our question-and-answer session with the Sheriff. The Board members are given the opportunity to express, directly to the Sheriff, the concerns of the membership on issues including: officer safety, radio communication systems, weapons system attachments, personnel

shortages, jail overcrowding, overtime, minimum staffing issues and more. These discussions give the Board and the Sheriff a better understanding of concerns and solutions from management and labor.

The keynote speaker at this year's Board training is Mr. Ron Delord. Ron is a founding member of the Combined Law Enforcement Associations of Texas (CLEAT), a well-funded political juggernaut that's dealt out its share of black eyes in labor disputes with public officials. In 1997, DeLord co-authored *Police Association Power, Politics, and Confrontation*, a book drawn from his experiences training police unions how to organize and push their agenda into the public forum. Ron is also an instructor at the Michigan State University School of Labor and Industrial Relations Police Union Executive Leadership Program.

The result of this annual Board of Directors training is to ensure that the LVPPA provides its Board members with the tools needed to effectively represent officers during Internal Affairs interviews and to provide relevant information on a broad range of issues and concerns from the members they represent. At the end of day one of the training, the Board holds the regular monthly meeting scheduled for that week. **VB**

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An Exchange of Ideas

DETECTIVE MICHELLE JOTZ

Assistant Executive Director

When Sheriff Gillespie was running for office, he told the PPA that he wanted to create some open lines of communication and that he would be available during some of our Board meetings for questions and for an exchange of ideas. On January 18, he made good on his promise to be available. He attended the Board of Directors meeting and brought along Undersheriff Jett. I can assure you that the Board posed some very pointed questions and were pleasantly surprised at the responses. I'll just give you a brief overview of some of the things that were discussed, so you know that your representatives are truly following up on your concerns.

Sheriff Gillespie advised the Board that the CMS process is being evaluated in its entirety. I know that I was present for part of the CMS meeting held on January 9 and the entire room was discussing the pros and cons and successes and failures of the CMS meetings. It should be interesting to see what changes, if any, come from that.

The Department is currently in the budget planning process. The County has approved 40 additional positions for a misdemeanor detention facility. The Sheriff would like to see the new facility open and functional with 1,000 new beds within one year's time. The Department is working with a private developer to build this new facility near Nellis Air Force Base.

Mark Chaparian asked about the continual problems with the radio system and reminded the Sheriff that we have always been told, "We're working on it." The Sheriff told the Board that a new radio system is coming. As Mark told you in his article, the Sheriff does not believe that repairing the current system is a viable option. The current system is too far gone. The new system is expected to have voice and data transmission capabilities. The only "fix" for the current problems, until the new system is up and running, is a patchwork fix. In the meantime, the dead spots can be fixed with new repeaters and memorandums of understanding; so, there are some short-term fixes. There are technicians on stand-by in the Communications Building and Captain Primas is working on the problems. Deputy Chief Cobb has stated that we will likely have test radios in June or July of this year. Along the lines of technology, the Department is looking into Toughbook laptops for all vehicles. This is in an attempt to continue to work toward being "paperless." The Sheriff advised that the Toughbooks should be able to do everything we need them to do and they are working on a GPS-type system to include in those Toughbooks.

There was extensive discussion, spurred by Kyle Lopez, about the new cage cars and the safety concerns with those cages. The Undersheriff advised that there was not enough research conducted on the new system before purchasing and installing them. He also said we need to know whether they really do provide an additional level of safety or if they are a hazard. If they are a hazard, they will be removed. The vendor is willing to remove the cages without significant cost to the Department if we determine that they need to be removed. Undersheriff Jett also said that there is a change from allowing a small group of people to make decisions that affect the masses, and there will be more research into potential decisions and changes prior to implementation.

The third-party administrator for our worker's compensation cases may be changing in the near future. That is currently out for bid. I know that will please many of you!

When Bill Schoen told the Sheriff he was a member of the Firearms

Committee, the Sheriff responded with, "You're gonna get your lights." I think the majority of you know what that is about, but for those of you who don't ... this is reference the lights on rifles. There was much controversy under Sheriff Young and he actually told the Board that he didn't believe officers should have rifles at all. I think we all know the importance of the rifles since the loss of Sergeant Prendes.

The Sheriff and Undersheriff are extremely disappointed in the response from Patrol in reference to the Department-issued rifles. They are disappointed that, after officers insisted we needed rifles, those officers are not signing up for the rifle certification classes and signing out the rifles. They truly believe that each squad should have a complement of officers who are rifle certified and have rifles issued or personally owned. They believe we have become complacent, but that this problem starts with first-line supervision.

When our attorney, John Harper, asked the Sheriff if he will be showing up at officer-involved shootings, the Sheriff said that there was concern about undue pressure on everyone involved if they were to be present at the scene. In the event that an officer is significantly injured in the line of duty (we aren't referring to a sprained ankle or a bruised funny-bone), he will show up for that. He will also be present for any item that will be a big media issue, as he wants to be able to visualize the event himself, rather than relying on briefs provided by staff.

Mike Fortunato asked the Sheriff if he will hold individual officers accountable for screwing up or if everyone will be punished for a single person's mistake. The Sheriff assured the Board that he will hold individuals personally responsible for mistakes.

There was also discussion about the NBA event coming to town in February (I know this is late information because of publication dates, but I thought you might still be interested in the Sheriff's responses). The Sheriff advised that vacations are cancelled for that time period, but that they are hoping to avoid canceling days off. He also said that he is a firm believer in practicing what he preaches, so he has cancelled his out of town trip for that time period also. He will stay in town like the rest of us. Sheriff Gillespie said he wants to send a clear message that you can come here and have fun, but not at the expense of others.

The Sheriff is going to join us on a regular basis, but we certainly don't have to wait until a scheduled meeting with him to address a concern you may have. If there is something you want to know and you aren't going to ask the Sheriff yourself, please get your question to a Board member who can ask for you. I know that I received an e-mail from a member during the election process when he heard that we were going to go back to hats and ties with our uniforms. I e-mailed Gillespie that day and received a response the following day letting me know that he was a part of the committee who got rid of wearing hats and ties with everyday uniforms. He said he had no intention of reverting back to that. If we can stop a rumor before it gets out of control, I'd be more than happy to do that.

I think we were all pleased with the honesty of the Sheriff and Undersheriff. He doesn't always tell you what you want to hear but, so far, he has told us the truth. It sure would be nice to continue along that path. **VB**



2007 Legislature Bill Draft Requests

DETECTIVE DAVID F. KALLAS
Director of Governmental Affairs

Hopefully, everyone had a safe and happy holiday. With the New Year behind us, it is time for the Association, in conjunction with the other law enforcement groups in southern Nevada, to focus on the upcoming 74th session of the Nevada Legislature. The session begins on February 5 and is scheduled to conclude 120 days later, on June 4. As in years past, the LVPPA, LVPMSA, HPOA, HPSA and NLVPOA, under the umbrella of the newly reorganized Southern Nevada Conference of Police and Sheriffs (SNCOPS), will be lobbying at the 2007 Legislature on behalf of all the police and corrections officers we represent.

Over the last several months, our Association has received several recommendations for legislation from our members. We have met with the other representatives of SNCOPS and, to date, have submitted four Bill Draft Requests (BDRs). So you know, in order to get a BDR submitted, a group such as ours must contact a legislator and ask that they "sponsor" the BDR on our behalf. To date, four legislators have agreed to do so. This does not mean that we will not be working on other legislation that will benefit our members, but only that four of our issues are currently BDRs.

The first BDR, 23-146, makes changes to NRS 289 (better known as the Peace Officers Bill of Rights) by removing language that would allow employers to release the home address of an officer after their arrest. Though most agencies have said they would never release the home address of any employee under any circumstance, we'd rather be safe than sorry.

The second BDR, 1-145, requests that jury duty "exemptions" for officers be re-instated. As some of you may know, prior to July of 2003, officers were exempt from jury duty (criminal or civil). At the 2003 Legislature, then-Assemblywoman Chris Giunchigliani supported a bill that gave ex-felons the right to sit on a jury. When someone foolishly said, "Why should ex-felons get to sit on a jury when officers can't?" The solution resulted in the elimination of all jury exemptions. We hope to fix that.

The third BDR requests an increase in the mileage fee (currently \$.19 per mile) for witnesses attending court to the current Federal rate. I believe the

current rate has been in existence since the first-ever legislature.

The fourth BDR is probably our most important. It creates a Partial Lump Sum Option Plan (PLOP). The PLOP is a lump sum somewhat like the better known Deferred Retirement Option Plan (DROPP), but without the costs generally associated with a traditional DROPP. Basically, it allows a participant of the Public Employees Retirement System (PERS), upon reaching his or her eligibility, to receive the retirement benefit (25 years for members of the Police/Fire fund or 30 years for members of the Regular fund) of 12, 24 or 36 months worth of the benefit in a lump sum. An actuarial is completed to determine what reduction is necessary to cover the "Lump Sum" option. We will post the language, when it is introduced, in our Forum or you can view it at the legislative Website at <http://leg.state.nv.us>. Though it may sound complicated, it truly is not. Currently, several other states including California and Illinois have plans.

As all these BDRs progress and we become involved in others, we will keep you updated. If you have any other suggestions as to potential legislation, please forward them to me at dkallas@lvppa.com.

As always, stay safe!! VB



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Treasurer's Message

DETECTIVE FRED GALEY

LVPPA Treasurer, Trust Representative for the LVMPDEH&WT

I would like to inform our members that there have been a few changes in the make-up of the Las Vegas Metropolitan Police Department Employees Health & Welfare Trust (LVMPDEH&WT) board. The changes are only with the Trustees. Sheriff Gillespie, who has been the Chairman of the Board since January of 2002, has stepped down. I would like to personally thank him for his commitment and dedication to the retirees and the members of this Department who are in the Trust. He has learned a lot over the years and only had our best interests at heart. I would also like to thank Dave Levins for serving as the Co-Chairman for a year or so. Thank you to both.

The new Trustees are as follows:

Chairman	Greg McCurdy
Co-Chairman	Fred Galey
Labor Trustee.....	Dave Levins
Labor Trustee.....	Tom Reid
Alternate Labor Trustee	Paul C. Page
Management Trustee	Karen Keller
Management Trustee	Mike Snyder
Alternate Management Trustee	Bob Chinn

There was an agreement struck between the PPA and the PMSA to alternate the Co-Chairman position every other year. Currently (in 2007), the PPA has two votes, therefore, the Co-Chairman is from the PPA. Next year, the PMSA will be the Co-Chairman and they will have two votes. The Chairman and Co-Chairman are really only titles. They run the meetings and set up committees, etc. The entire board has the vote to change benefits, add benefits or hire or fire new consultants. So, if there is something that is eating at you, the entire board voted on it. You can contact any Trustee if you have a complaint or a thank you for anything to do with the LVMPDEH&WT.

End of Watch

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

Name: Lauraine Painter
Rank: Police Woman
Hired: November 15, 1944
Retired: August 3, 1946
Died: December 2, 2006

Currently, we are going to interview companies that may be our new Pharmacy Benefit Manager (PBM). This process is slow but, hopefully when it is finished, we will have a new PBM that will continue to give our members the excellent service that we deserve. When this process is finished, and if the PBM changes, we will be getting new insurance cards. I know when we switched a few years back, that there were problems with getting insurance cards. The main problem with that was that a lot of our members' addresses changed and the insurance people, including Sav/Rx, were not notified. When our members notify Metro of a change of address, it doesn't necessarily mean that the insurance people will be notified. We are working on that and, hopefully in the near future, the insurance people will be included in the notification. If you feel that your address has not been changed, please contact Benefit Planners to check on it. This will speed up the process of getting your new cards when the change takes place.

Also, since I have been transferred back to ISD, I am no longer the Trust representative. I will still assist members with their problems, but it is best to contact Benefit Planners at (702) 413-1701 to expedite any problems you may have. My e-mail address is f2383g@lvmpd.com if you need to contact me.

Thank you for your time and I will talk to you in the next issue. **VB**



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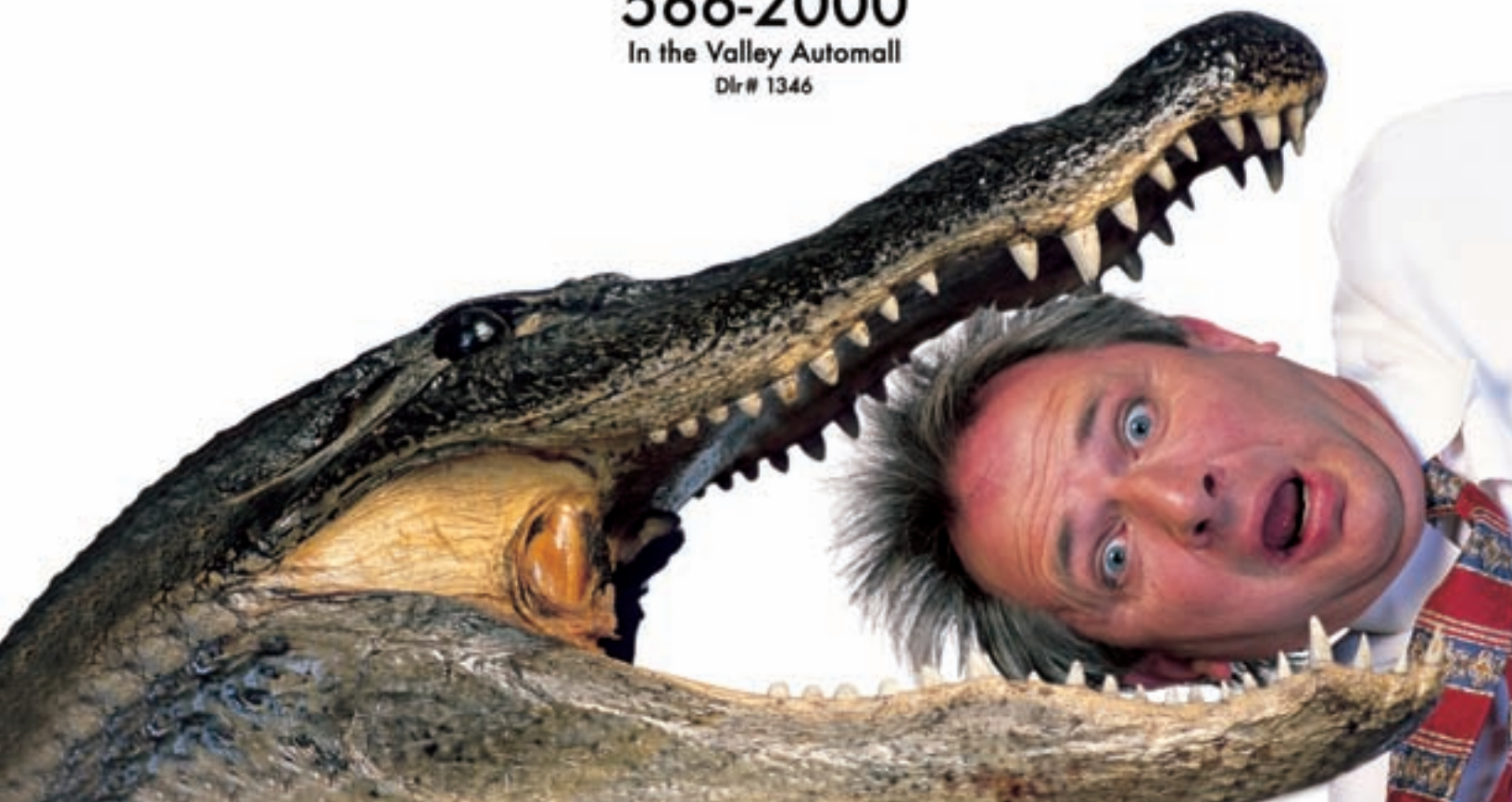
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THE LAW ENFORCEMENT OFFICERS' SAFETY ACT OF 2004

JOHN DEAN HARPER
Chief General Counsel

On July 22, 2004, President Bush signed H.R. 218, the Law Enforcement Officers' Safety Act of 2004, into law. This federal law allows qualified active and retired law enforcement officers to carry concealed firearms across state lines while off-duty with the proper identification.

Qualified Active or Retired Law Enforcement Officer

A "qualified active law enforcement officer" is an employee of a government agency who:

1. Is authorized by law to engage in or supervise the prevention, detection, investigation or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;
2. Is authorized by the agency to carry a firearm;
3. Is not subject to any disciplinary action by the agency;
4. Meets standards established by the agency which require the employee to regularly qualify in the use of a firearm;
5. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
6. Is not prohibited by Federal law from receiving a firearm.

A "qualified retired law enforcement officer" is an individual who:

1. Retired in good standing from service with a public agency as a law enforcement officer for reasons other than mental instability;
2. Before retirement was authorized by law to engage in or supervise the prevention, detection, investigation or prosecution of, or the incarceration of any person for, any violation of law, and had statutory power of arrest;
3. Before retirement was regularly employed as a law enforcement officer for a total of 15 years or more or completed any applicable probationary period of such service, and then retired early due to a service connected disability;
4. Has a nonforfeitable right to benefits under the retirement plan of the agency;
5. During the past 12 months has met, at his/her own expense, the State of residency's standards for training and qualification for active law enforcement officers to carry firearms;

6. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
7. Is not prohibited by Federal law from receiving a firearm.

Additionally, the retired law enforcement officer must receive identification issued by the employing agency which states that the officer has been qualified by that agency within the last year.

[The entire text of the act is published below]

Issues/Concerns

One of the elements of the definition of an active law enforcement officer states: "Is not subject to any disciplinary action by the agency." I have not read the legislative history of this bill to ascertain what the intent of Congress was regarding this provision. However, questions arise, such as:

1. What types of discipline?
2. How far back?
3. Is administrative leave pending an investigation discipline?
4. What about findings by a Citizen Review Board?
5. What if you are appealing the discipline?
6. What if you resign in lieu of termination and get a job with another agency?
7. What type of liability will the home agency have if there is an out of state incident?

There are a myriad of other issues such as: Will an out-of-state officer have the same immunities and protections of an in-state officer? In addition, a huge issue remains as I am unaware of any law enforcement agency in this state that has issued the requisite identification card for retired officers. This would appear to make the statute moot for any State of Nevada retirees.

Logically, it appears as if those questions would only arise if the law enforcement officer did something to bring attention to him/herself that would cause the local agency to inquire into the discipline aspect of the law. And as far as my research goes, there have been no significant incidents since the passage of this law.

Also, this law does not override current federal law and FAA regulations. Therefore, an off-duty active law enforcement officer or a retired officer continues to be prohibited from carrying a firearm onboard a commercial aircraft. However, the LVPPA will be asking Senator Harry Reid to re-introduce legislation that would allow state and local officers from qualified agencies to carry their firearms on aircraft while off-duty. That legislation has been proposed two times by Senator Reid but has not moved forward.

Lastly, private property owners and a State can restrict possession of a concealed weapon on its property. While the intent of this law is admirable, serious questions about the intricacies still exist. We will continue to work on improving this law on behalf of our members. **VB**

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INSIGHT

A leader does not deserve the name unless he is willing occasionally to stand alone.

-Henry A. Kissinger



KATHY WERNER
General Counsel

The Coroner's Inquest Process

Background

The Coroner's Inquest process in Clark County was developed about 31 years ago in order to address the public's concerns about how officer-involved deaths were reviewed. Prior to implementation of the inquest process, officer-involved deaths went before a Grand Jury. Grand Jury proceedings, as the means of looking into these deaths, came under attack; there was a suspicion that attorneys involved in the inquiry had potential bias and there was a concern over the fact that these proceedings took place behind closed doors and outside the watchful eye of the public. The inquest process was developed in an effort to address these concerns. Since its inception, the inquest process has been alive and well in Clark County.

Now, however, there is a move afoot to revamp the Coroner's Inquest process in Clark County. Specifically, there have been three changes proposed that purportedly will increase the public's confidence in the inquest process. These proposals have been the topic of discussion by a committee that has been meeting since the summer of 2006. The committee is comprised of representatives of the following organizations: Clark County, the Las Vegas Police Protective Association, the Las Vegas Metropolitan Police Department, the District Attorney's office, the Attorney General's office, the American Civil Liberties Union (ACLU), the National Association for the Advancement of Colored People (NAACP), the Citizens' Review Board and, occasionally, some justices of the peace.

The Coroner's Inquest process, as it currently exists, is designed by statute to be an investigatory hearing and is aimed at finding answers to the following questions:

- the name of the decedent
- the date and location of death
- the means by which the death occurred
- the name(s) of the person(s) causing the death
- whether the death was justifiable, excusable, or criminal

As it is investigatory in nature and not a traditional adversarial proceeding, there are not opposing or different "sides" that participate. Rather, participation by means of the questioning of witnesses is limited to the Hearing Master, who oversees the proceeding; the District Attorney, who presents the evidence in the proceeding; and the jurors who have been selected.

The Coroner's Inquest jury instructions describe a justifiable homicide as one committed by public officers and those acting by their command in their aid and assistance, when necessarily committed in overcoming actual resistance to the execution of some legal process, or in the discharge of any other

legal duty. The instructions state that homicide is excusable when committed by a person doing a lawful act, without any intention of killing, yet unfortunately kills another. Finally, the instructions direct that a homicide that is not justifiable or excusable, is a killing by criminal means. N.R.S. 259.130 states that:

If a jury finds that the dead person was killed by another person under circumstances not excusable or justifiable in law, and that the person who committed the act is not in custody, the justice of the peace shall issue a warrant signed by him, with his name and office, for the arrest of the accused.

The Coroner's Inquest Committee Meetings

Before talking about some of the specific recommended changes, I would briefly like to give you some history about what occurred in the committee meetings. First, it is interesting to note that what started these meetings in the first place were allegations or charges that the "public" or "significant segments of the public" had lost trust in the inquest system. As a result of these charges, the PPA offered to pay for a survey to ascertain what the concerns of the public actually were. In response to that offer, the ACLU admitted that probably 95 percent of the public was completely satisfied with the inquest process as it currently exists. So, it appears as though the committee was formed simply to appease a couple of special interest groups rather than the "public" at large.

I think that it is also worth noting that, at the beginning of these committee meetings, the whole committee thought it would be a good idea to research other jurisdictions to see what they were doing with regard to investigating officer-involved deaths — the thought being: why reinvent the wheel if we could follow a procedure developed in another jurisdiction that is better than what we have in place here? Interestingly, that search revealed that our process here in Las Vegas is more progressive than any other jurisdiction in the country. In fact, while we have been meeting to improve our process, another jurisdiction has been looking to us to duplicate exactly what we have in place here at this time.

Despite all of this, the PPA agreed to participate in the inquest committee meetings for a couple of reasons. First, our officers know that they are held to a higher standard of scrutiny than employees in just about any other walk of life and they accept that and are willing to stand accountable for their actions. So, if we can improve upon the process to get to a better investigatory proceeding than we have right now, our officers would be supportive of such a change. In fact, the PPA recognizes that no system is perfect, and since everything can be improved upon, we were willing to hear what proposals

(continued on page 12)

LEGAL CORNER

(continued from page 11)

were brought to the table by others involved in these meetings. But most importantly, the PPA agreed to be involved in these meetings because we felt it was important to guard against changes that would alter the process so much that officers would no longer agree to participate.

As I'm sure you know, officers have Fifth Amendment rights not to incriminate themselves and, as a result, they can choose not to participate in the Coroner's Inquest hearings at all. As things stand right now, our officers choose to participate in these hearings because it is important to them to have an opportunity to explain what occurred and hopefully be exonerated and return to work on those terms. If we alter the process to the extent that it becomes adversarial with advocates for the decedent and the decedent's family standing up in open court to express their opinions, officers may choose not to come and testify. This would be the worst result of all; then, rather than improve upon an already good process, we will effectively have no process at all, or at least no public process, which is what the inquest hearings were designed for to begin with.

With all this background in mind, the PPA came to these meetings in the spirit of cooperation. It should be stressed that from the time these meetings began through today, it has always been the PPA's position that the system is not broken and that no changes are necessary; however, as the meetings progressed, certain changes were discussed that the PPA felt it would not oppose, even though we felt they were not necessary. Other changes were discussed that the PPA had some concerns about but again, in the spirit of

cooperation, we agreed to consider some version of those changes. Unfortunately, after hours of meetings and at the end of the day, the ACLU for the first time voiced their opinion that, without all of their suggested changes being enacted just as proposed, the ACLU was not agreeable to any changes whatsoever — in other words, the ACLU took the position that their proposals were an "all-or-nothing" deal. As to the two changes that were at some point acceptable to all parties at the table, the ACLU has now taken the stance that these changes are "fluff" or "meaningless."

One final point bears mentioning before I comment on the specific proposals that will eventually be considered by the County Commission. It should be noted that the deadly force decisions that we are dealing with are made in literally a tenth of a second. Those involved in the inquest process then spend an entire day or longer scrutinizing the split-second decision the officer was forced to make. Officers don't go out and choose to use deadly force for no reason; rather, they react to whatever situation they are faced with and respond accordingly based on their training and experience. And, while this is a tragic situation for the family members of the decedent, it is equally difficult for any officer who has taken an oath to protect and serve to be forced to make the decision to use deadly force. Not only is it a difficult decision to make, it is difficult to subsequently articulate all the thoughts that go through an officer's mind when he or she made that decision and it is difficult to explain those thought processes, coupled with all the training that an officer receives, to a lay jury. Throughout the course of these conversations in the committee meetings, what no one has ever mentioned is that the entire inquest process is incredibly tough and highly emotional for an officer. To say that officers are not asked

(continued on page 14)

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LEGAL CORNER

(continued from page 12)

the “tough questions,” as some on this committee have suggested, is insulting to any officer who has ever been asked to explain why he or she had to make the most difficult decision of his or her law enforcement career.

Proposed Changes to the Inquest Process

All that being said, I would now like to explain the three proposals that have been bantered around and explain PPA’s position on each:

1) Replacing Hearing Masters, who oversee the proceedings, with justices of the peace. During the committee meetings, this was one of the proposed changes that the PPA felt was unnecessary but that it would not oppose. The special interest groups that initiated these discussions feel that the current hearing masters, who are members of the local bar, do not ask all of the relevant questions that are sent up in writing by the interested parties. These same groups apparently believe that justices of the peace would perhaps ask more questions or ask more probing questions of the participants in the hearing. All questions that are currently submitted in writing are ultimately made part of the record and I suppose that we could actually go through the records of prior inquests to determine whether relevant questions are being disregarded by our current Hearing Masters. But, rather than go through this time-consuming exercise, the PPA simply agreed not to object to this proposal hoping that allowing this change would instill more confidence in the current system. As an aside, the PPA would likewise consent to allowing district court judges to participate in the inquests, and the PPA feels that it would be appropriate to allow a representative of the officers the right to exercise one peremptory challenge of a judge assigned to the matter if it felt appropriate.

2) Replacing representatives of the District Attorney’s office, who currently are the chief questioners during coroner’s inquests, with lawyers from the State Attorney General’s office. The PPA believes that attorneys from the District Attorney’s office handling inquest hearings have always done a complete and satisfactory job and that no change in this regard is necessary. At the same time, the PPA also believes that members of the Attorney General’s office would also do a satisfactory job and so the PPA would not object to this change. The PPA does recognize that a relationship exists between members of the District Attorney’s office and police officers, due to the nature of their jobs and the necessary interaction between the two groups so, if removing the District Attorney’s office from these hearings would add confidence in the process, the PPA will not object.

3) Allowing relatives of shooting victims, who are currently allowed to submit questions in writing, to ask questions in open court. Those questions would be considered by the Hearing Master, who would determine whether they are relevant. First, it must be stressed that as it currently exists, Clark County Code 2.12.080 states that “[t]he presiding officer . . . over the coroner’s inquest . . . shall insure that the inquest is conducted as an investigatory proceeding and not an adversary proceeding.” The statute goes on to state that the presiding officer shall “[m]ake an opening statement indicating that a coroner’s inquest is not an adversary proceeding but a fact finding procedure and that the presiding officer, the representatives of the district attorney’s office and the coroner’s jurors will be the only individuals allowed to question witnesses.” This statement indicates that the original drafters of this regulation understood that allowing the questioning of witnesses by individuals other than those mentioned above would turn the proceeding into an adversarial one. If the proceeding becomes adversarial, the likelihood exists that officers who currently appear voluntarily would

no longer do so, as mentioned before.

It also bears mentioning that nowhere else in the country does there exist a court process where members of the audience are allowed to stand up in open court and participate in the proceedings at hand. Allowing this to occur would turn this serious process, designed to get to the truth of what occurred, into a circus. The definition of interested parties who would be allowed to speak in open court during these proceedings includes family members of the decedent, who lost his or her life at the hands of law enforcement. The inquest hearing is generally scheduled to occur within three or four weeks of the incident leading to the death. Obviously, those family members would still be very emotionally upset at that time — understandably so — but to allow them to get up in court and express their concern and frustration would in no way lend to getting to the truth of what occurred, which is what the process was designed to accomplish. Limiting those allowed to participate to just members of the bar would also not prevent the process from getting out of control. After all, these attorneys, whether representative of the decedent’s family or representatives of the officers, are all there as advocates for their respective interests. The key word here is advocates — this implies an adversarial proceeding with various advocates asserting competing positions. Furthermore, it is well known that oftentimes attorneys who are present with the family of the decedent have been retained to file a civil lawsuit against the agency or the officers or both and are simply inquiring in order to obtain discovery prior to the filing of the lawsuit. That is not the purpose of an inquest proceeding and we should not facilitate changes that would allow that to occur.

Finally, it should be noted that the ACLU came into these meetings with three proposals, all aimed at addressing what it perceived to be a problem with witnesses not getting asked the “tough questions,” or not being subject to “meaningful cross-examination.” Now the ACLU says that without all three of their proposals going into effect, they will not agree to any. The PPA has taken the position that it will not be held hostage to the ACLU’s all-or-nothing approach. The PPA has been completely compromising until now, agreeing to the first two proposals in their entirety and agreeing to a variation of the third proposal with regard to the questioning of witnesses. However, as the process has unfolded, the PPA has serious concerns as to whether the process will survive at all if interested parties are allowed to orally participate in open court, as they are clearly advocates and their participation would turn this investigatory process adversarial, in violation of the statute. As things stand now, the PPA does not oppose the first two of the three proposed changes, but wholeheartedly opposes any changes whatsoever to how witnesses are currently questioned. In other words, the PPA will not support any change that would allow interested parties to address the judge, the coroner or the attorney general orally in court, either within or outside the presence of the jury. The PPA has also taken the position that if the County is considering the all-or-nothing approach proposed by the ACLU, then the PPA supports no changes whatsoever.

What to Expect in the Future

At this point, the committee is no longer meeting and has agreed to disagree as to how to handle the questioning of witnesses in Coroner’s Inquest hearings. The three proposals have recently been discussed in public meetings that occurred on January 10 and 11. The testimony given at those public meetings will be summarized and then submitted to the committee for further discussion and ultimately to the County Commissioners for their consideration. I’m sure you will be hearing about what occurs as this debate has been highly publicized. However, as always, should you have any questions about this issue, do not hesitate to contact me or any of your representatives. As always, we welcome your input. **VB**

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Sheriff's Message

SHERIFF **DOUGLAS C. GILLESPIE**

As I enter my first term as Sheriff of the Las Vegas Metropolitan Police Department, I must recognize the good work that is being done by Metro. The faith the public has placed in me is a direct reflection of their faith in our Police Department. Without the support of the community, our jobs become much more difficult than they already are and we are fortunate to have earned and kept the respect and trust that many agencies have lost.

Much of that trust has been earned because of our openness with the public. One example of that has been the review of the Coroner's Inquest process. Anytime a human life is lost, there is a cry from the public for answers, and that is especially true when those who are charged with protecting human life are forced to take one. Thus, the Coroner's Inquest was established to provide the public with the facts surrounding incidents where an officer has used deadly force. This process has come under scrutiny and review because of the delicate balance between the needs of the community and those of the employees at Metro.

To maintain this balance and to ensure the interests of our employees were represented, Sheriff Young participated in the committee established by the County to review the process. I also began participating as Sheriff-Elect in December. The good working relationships that our Department has established with the County and the police unions have allowed us to make recommendations that will meet the needs of police officers who are testifying,

as well as the community's concerns which have been discussed over the past couple of years.

It is important to have dialogue internally and externally during good times, as well as when challenges arise. As your Sheriff, I believe in the importance of a strong working relationship with each of the respective employee bargaining units. Therefore, I will continue both monthly meetings with all of the Association heads and quarterly attendance at each of the Association Board meetings. As we move forward to face the challenges ahead of our Department, the strength of our commitment to the Department and to each other will carry us through whatever we may face. **VB**

INSIGHT

Success, *n*, More achievement than expectation.
Failure, *n*, More expectation than achievement.

-Anonymous

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I LOVE THE UNION

Anonymous LVPPA Member

I love the union. They recently changed my life with the amount of devotion and caring that they provided for me. Not too long ago, I found myself feeling as though all was lost. I was in trouble and facing some serious discipline and/or termination. Had it not been for Michelle Jotz, I would have gone crazy. I can remember calling her four and five times a day for several months and never did she get mad or irritated. That meant a great deal; she treated me as though I was a human being, not just a member of the union. I genuinely felt that she believed in me and what I was feeling and going through.

Life was difficult and there were visits to the Internal Affairs Section, supervisors that doubted me and a general lack of trust in me. I had a friend, not just Representative that was willing to go the extra mile if needed, in Michelle. As fate would have it, my case went to pre-term. At that time, I hit my lowest. I was in a deep pit of despair. Michelle kept attempting to keep my spirits up and my case was handed over to Kathy Werner. This was an excellent move for me. I had done a great deal of research in my case: I studied case law, policy, rulings and similar adjudications around the nation. Kathy never made me feel stupid and always invited my input. Together, we were able to square the case up and present it in a coherent and intelligent way.

I was not terminated, although a hefty suspension was given to me, and I was happy. The thing that stood out the most for me was a statement that Kathy gave during my pre-term. She said, "when I first received 'XXXX's', case I thought,

'here we go again with another stupid mistake by an officer.' But I can assure you that there was no stupid mistake made here. 'XXXX' is not a bad guy and wants to be an officer for all the right reasons." Kathy and Michelle had faith in me and it showed with the amount of devotion and encouragement they gave. I owe a great deal to the both of them and to the PPA. Thank you.

The reason I am an officer is best summed up in a country song by Toby Keith. I share it now so that maybe we all can feel what he is singing and re-devote ourselves to our profession:

*I'm just trying to be a father, raise a daughter and a son,
Be a lover to their mother, everything to everyone.
Up and at 'em bright and early, I'm all business in my suit.
Yeah, I'm dressed up for success from my head down to my boots.
I don't do it for the money, there's bills that I can't pay.
I don't do it for the glory, I just do it anyway.
Providing for our future's my responsibility.
Yeah, I'm real good under pressure, being all that I can be.
I can't call in sick on Monday when the weekend's been too strong.
I just work straight through the holidays, sometimes all night long.
You can bet that I stand ready when the wolf prowls at the door.
Hey, I'm solid! And I'm steady! And I'm true down to the core.
And I will always do my duty, no matter what the price.
I've counted up the cost, I know the sacrifice.
And I don't want to die for you but if dying's asked of me,
I'll bare that cross with honor because freedom don't come free ... VB*

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Sea World (Expire 7/31/07)	Two Day Ticket-Adult	\$54.00*	\$42.00
	Two Day Ticket-Child (3-9)	\$44.00*	\$36.00
Universal Studios (Expire 1/31/08)	Three Day Ticket-Adult	\$61.00*	\$46.00
	Three Day Ticket-Under 48@	\$61.00*	\$46.00
Wild Animal Park (Expire 3/31/07)	One Day Ticket-Adult	\$28.50	\$25.00
	One Day Ticket-Child (3-11)	\$17.50	\$16.00

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

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REPRESENTATION STATISTICS

DETECTIVE MICHELLE JOTZ
Assistant Executive Director

Esther Green, our Office Manager, has been diligently compiling these for your perusal. As stated in the January/February issue, all statistics will be listed in each issue for the previous rolling 12-month period (commencing from our first anniversary issue which is due out the first week of May). The statistics included in this issue are current through February 14, 2007. **VB**

The following are the most recent statistics from the LVPPA. These statistics do not include any briefings attended, Police and Corrections Academy Class presentations, Political Action Committee interviews, etc.

JANUARY/FEBRUARY 2007 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
7/28/06	Use of Force	8 hours	Pending Hearing 3/8/07

NON-CONFIRMATION HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
2006	Consorting w/Persons of Ill Repute; Truthfulness Required at all Times; Use of Alcohol; Drug Free Workplace - Use of Controlled Substances; Authorization to Carry Firearms	Recommended for Non-Confirmation	Resigned Prior to Hearing
2006	Truthfulness	Recommended for Non-Confirmation	Unfounded

PRETERMINATION HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
8/15/06	Conduct Unbecoming an Employee	Recommended for Termination	Pending Hearing 2/15/07

ARBITRATIONS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
02/17/06	Truthfulness Required at all Times; Conduct	Terminated	Reinstated - received 320 hours

CITIZEN REVIEW BOARD COMPLAINTS

Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
2	0	0	3

OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS

Date	Use of Force Board Decision	Inquest Decision
10/19/06	Justified	Excusable
01/01/07	Pending Scheduling	Pending 2/9/06 Hearing

INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS

Declined/Cancelled	Represented	Total
14	51	65

ACCIDENT REVIEW BOARD

Excusable	Non-Negligent	Negligent	Rescheduled
1	1	22	0

(continued on page 35)

PRESIDENT BUSH WITHDRAWS BOYLE NOMINATION

Bill Johnson, Executive Director
National Association of Police Organizations (NAPO)

In a victory for law enforcement, on January 9, 2007, President Bush announced his decision to withdraw the nomination of Judge Terrence Boyle to the U.S. 4th Circuit Court of Appeals. In the 109th Congress, with heavy lobbying by NAPO, the Democrats successfully blocked his nomination from reaching the Senate floor. Boyle, a North Carolina federal district judge, was first nominated by President Bush in 2001. He has been dogged by conflict-of-interest allegations, as well as strong opposition by law enforcement organizations that consider him hostile toward police officers.

NAPO believes that as men and women working on the front lines to enforce

the law, police have a right to expect that the nation's federal judges understand and are willing to follow that same law. Unfortunately, we cannot say that about Judge Terrence Boyle, which is why NAPO took the unusual step of asking the Senate to reject the nomination. This is something NAPO has done only once before in our 29-year history. The previous nominee was Samuel Paz, a 1993 Clinton nominee to the District Court.

NAPO is pleased that the President decided to pull his nomination of a judge who has proven to be an adversary to those who serve and protect our communities.

Information provided, with permission, from the newsletter of the National Association of Police Organizations. VB

INSIGHT

In the postbureaucratic world, the laurel will go to the leader who encourages healthy dissent and values those followers brave enough to say no. The successful leader will have, not the loudest voice, but the readiest ear. And his or her real genius may well lie, not in personal achievement, but in unleashing other people's talent.

-Warren Bennis



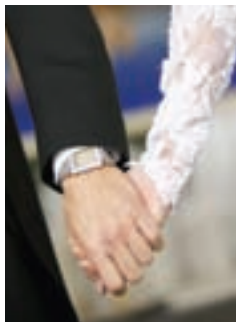
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11 Years of Athl



Officer Joel Reiss

So who's better: police officers or firefighters? While we share a common goal of keeping the public safe, it's a bitter rivalry for the ages. We at the Las Vegas Guns and Hoses Hockey Club try to settle the score on the ice. Our next Main Event Police vs. Fire Game is set for Thursday April 5, 2007, at 7:00 p.m. at the Orleans Arena.

This is our 11th year of Las Vegas Police vs. Las Vegas Fire Ice Hockey. We started at the Sante Fe ice rink with a crowd of just 200 people, and now have grown into the Orleans Arena with crowds over 2,500. We've played 12 games so far and Fire leads the all-time series 7-5. Most of the games have been close and exciting down to the wire, as nine of the games have seen a one-goal difference going into the last minute of play. Every year, the first question our friends and family excitedly ask after the game is, "When's the next one!"

Each time we play, it's for the benefit of local charities. Last year's Main Event at the Orleans raised over \$15,000, which was donated to the Prendes family via the Injured Police Officers Fund and to the Nevada Patriots Fund. The Patriots Fund offers a monetary benefit to the family of soldiers from Nevada who have been killed in action while our nation is at war.

Our organization has also formed our own combined Police & Fire Travel Team. In January, we won the Orange Division at the 30-team Orlando Firefighter's Tournament in Florida, beating Sacramento Fire in the finals, 2-0. Upon returning home, we hosted the Atlanta Police & Fire Hockey Team in a charity event to benefit the family of fallen Atlanta Firefighter Steve Solomon, who was killed fighting a house fire on Thanksgiving Day. We packed the Fiesta Ice Rink for the game, beat Atlanta 3-2, and sent the team home with over \$5,000 for the Solomon family.

In March, our Travel squad is headed to the 2007 World Police and Fire Games in Adelaide, Australia. We are the



(continued on page 22)

etic Excellence



11 Years of Athl



(continued from page 20)

only hockey team from the United States entered into the games and will face-off against the Czech Republic Police in our first game. In June, we will hold our own Public Safety Ice Hockey Tournament, hosting Police and Fire teams from across the United States and Canada.

We look forward to seeing everyone out at the Orleans Arena for the next Police vs. Fire Game on April 5. Last year, we had the Metro K-9 Team and City Fire Heavy Rescue showing off their skills in the parking lot before the game and we hope to have them out again this year. Tickets are \$10 and children 12 and under are half price. You can keep up to the minute on all the latest details on the game and other events on our Website, www.lvgunsandhoses.com.

See you there!

Joel Reiss is a police officer with the Las Vegas Metropolitan Police Department, working at the Southcentral Area Command, and is currently on the Board of the Las Vegas Guns and Hoses Ice Hockey Club as the Marketing Director. VB



etic Excellence



GRACIOUS MEMBER

January 25, 2007

To Whom It May Concern:

Hello, my name is Aron Eckel, I am a gracious police officer with LVMPD. I say gracious because I have recently been dealt a great service by your attorney John Harper.

About nine months ago, I was placed on leave pending an investigation. My badge was taken and I was escorted out of SEAC. To say the least, I was devastated, embarrassed and very concerned about my future. For the first few weeks, I was a terrible mess and couldn't fathom the idea that I could lose my job and no longer be a police officer. I was later told that the Department was indeed seeking termination and that I was going to have to appear before a Pre-Termination Board. As you could guess, the news did not help to remedy by above-described feelings. But then I was contacted by a Mr. John Harper, who immediately calmed me down and told me that, after reviewing my incident, he strongly believed that I did not deserve to be terminated for my actions. He seemed to genuinely care about my situation and was very honest with me about what to expect throughout the entire process. Mr. Harper told me up front that we may very well lose the decision with the Pre-Termination Board but that he would definitely take my case before an arbitrator. Of course, the Department did not side with us and I was then officially terminated; but, to be honest, I did not feel like it was over at all. After having seen the dedication and professionalism of Mr. Harper during the Pre-Term hearing, I knew I still had a very good chance of winning a decision in front of a third-party arbitrator. Mr. Harper told me before the hearing that he would do everything he could do and that he believed that the arbitrator would rule in our favor.

Well, I supposed that you guessed that the arbitrator did, in fact, rule in our favor after seeing the impressive case that Mr. Harper made. But that is not why I am writing this letter. I'm not writing all of this just because Mr. Harper got me my job back. I would have been sending this letter no matter the outcome of this case, because I saw something rare in Mr. Harper — I saw caring for a complete stranger. Mr. Harper does not know me, he does not know my family, but he said over and over how my being terminated was wrong and that he was going to help me. I am gracious ... gracious for the PPA and gracious to Mr. Harper for all his hard work and for helping me in a very stressful time. Mr. Harper is a great asset to the PPA and, in turn, to all the members of the PPA.

Thank you very much to everyone at the PPA, to all of you who care and are there for us. You can know that you have at least one voice back in the substations telling what the PPA did for me and my family.

Sincerely,
Officer Aron J. Eckel

TROOPER BLOOPER

In most of the United States, there is a policy of checking on any stalled vehicle on the highway when the temperatures drop down to single digits or below. At about 3 a.m. one very cold morning, Trooper Allan Nixon #658 responded to a call where there was a car off the shoulder of the road outside Shattuck. He located the car, stuck in deep snow, with the engine still running. Pulling in behind the car with his emergency lights on, the trooper walked to the driver's door where he found an older man passed out behind the wheel with a nearly empty vodka bottle on the seat beside him.

The driver came awake when the trooper tapped on the window. Seeing the rotating lights in his rearview mirror, and the State Trooper standing next to his car, the man panicked. He jerked the gearshift into "drive" and hit the gas. The car's speedometer was

showing 20-30-40 and then 50 miles per hour, but it was still stuck in the snow, wheels spinning.

Trooper Nixon, having a sense of humor, began running in place next to the speeding, but still stationary car. The driver was totally freaked, thinking the trooper was actually keeping up with him. This goes on for about 30 seconds, and then the trooper yelled at the man to "Pull over!" The man obeyed, turned his wheel and stopped the engine. Needless to say, the man from Dumas, Texas was arrested, and is probably still shaking his head over the State Trooper in Oklahoma who could run 50 miles per hour.

Who says troopers don't have a sense of humor?

- Author Unknown



CALENDAR

2007

March 1	LVPPA General Membership Meeting (LVPPA office)
March 11	Daylight Savings Time Begins
March 17	St. Patrick's Day
March 21	First Day of Spring
April 1	April Fools Day
April 1	Palm Sunday
April 1	Daylight Savings (set clocks forward)
April 2-6	Spring Break
April 3	Passover
April 5	LVPPA General Membership Meeting (LVPPA office)
April 5	Guns vs. Hoses Hockey Game (Orleans Arena at 7:00 p.m.)
April 6	Good Friday
April 22	Earth Day
May 3	LVPPA General Membership Meeting (LVPPA office)
May 13	Mother's Day

RETIREMENTS

12/05/2006	Patrick W. Geary, P# 3029	PO II
12/27/2006	Fredrick J. Adam, P# 1348	PO II (A-2)
12/28/2006	Sherry L. Hanneman, P# 3227	PO II (A-2)
12/28/2006	Steve F. Zaic, P# 3237	PO II (A-2)
12/28/2006	Douglas C. Gillespie, P# 2272	Undersheriff
12/29/2006	Alan S. Klein, P# 1770	PO II (A-2)

N.A.P.O. UPDATE

Democratic House Kicks off 100th Congress by Passing Bipartisan 9/11 Commission Recommendations Act

On January 9, 2007, the new Democratic-controlled House of Representatives passed H.R. 1, the "Implementing the 9/11 Commission Recommendations Act of 2007" by an overwhelming 299-128 vote. This legislation was one of the House Democratic leadership's high-priority issues they intended to address within the first 100 legislative hours of the 100th Congress.

Title I of the legislation provides for threat-based allocation of homeland security grant funds to first responders. It would change the formula for distributing homeland security grants (the State Homeland Security Grant Program, the Law Enforcement Terrorism Prevention Program and the Urban Area Security Initiative) via the Department of Homeland Security (DHS), to police, firefighters and other first responders from the current broad-based political formula based on risk of terrorist attack. It would guarantee each state .25 percent of funds from the grant programs, with states that have significant international borders receiving up to .45 percent.

Title II of the bill would improve emergency communications capabilities of first responders by establishing a stand-alone emergency communications grant program at DHS. This provision addresses the concern of the 9/11 Commission that the inability of first responders to communicate was a critical failure on 9/11 and that compatible and adequate communication among public safety organizations at the local, state and federal levels remains a problem.

Subtitles A and B under Title VII of H.R. 1 will establish a Fusion and Law Enforcement Education and Teaming (FLEET) grant program, as well as a Border Intelligence Fusion Center program to assist state and local law enforcement in protecting our nation's borders from terrorist and related criminal activity. The creation of the FLEET and the Border Intelligence Fusion Center programs will help ensure that state and local law enforcement in border regions are properly supported, trained and informed in order to prevent terrorism before it occurs.

Most importantly, these provisions will allow law enforcement agencies to maximize their participation in the fusion centers by providing funds to allow them to assign officers and intelligence analysts to the centers without having to reduce daily neighborhood crime protection. Additionally, these grant programs would also go directly to local law enforcement authorities, thus bypassing the state and ensuring prompt funding dedicated solely to the needs of the local agencies.

NAPO feels that the implementation of these provisions of the "Implementing of the 9/11 Commission Recommendations Act of 2007" represents a key step toward ensuring that state and local first responders are properly supported, trained and equipped to prevent terrorism before it occurs.

The Senate Committee on Homeland Security and Governmental Affairs has begun working on similar legislation, S.4, the "Improving America's Security by Implementing Unfinished Recommendations of the 9/11 Commission Act of 2007." This bill differs in key areas with H.R.1, including risk-based funding of homeland security grants. Although the Senate committee favors more risk-based funding, Chairman Joseph Lieberman (I-CT) acknowledged that the

House proposal goes further than the Senate would like to go. This difference could be a major issue during the conference of the House and Senate bills. The Committee is expected to finish marking-up the legislation within the next few weeks, at the request of Senate leadership.

Wasting No Time, Congress Re-Introduces the Social Security Fairness Act on Its First Day Back

On January 4, 2007, Congressman Howard Berman (D-CA) re-introduced the "Social Security Fairness Act of 2007," which would amend Title II of the Social Security Act to totally repeal the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP). These provisions particularly affect law enforcement officers and their families who are outside of the Social Security system. On January 9, Senator Dianne Feinstein introduced its companion bill in the Senate, S. 206.

Though most police officers must retire after specific time served, usually in their early to mid-fifties, many look for new opportunities to serve their community. Yet, when they retire from a non-Social Security paying job and move to one that does pay into Social Security, they are penalized by WEP. Instead of receiving full support from their rightfully earned Social Security retirement benefit, their pension heavily offsets it, thus vastly reducing

the amount they receive.

More troubling is the effect of GPO on a police officer's retirement. If a spouse who paid into Social Security dies, the surviving public safety officer should be eligible for half of the deceased's benefit. However, GPO requires that this amount be offset by two-thirds of the survivor's pension, eliminating most or all of the payment. By professional need, many police officers are outside of Social Security but if they had not served at all, they would receive the full allotment of the spouse's benefit.

Since public safety officers often retire under job-related disability, many state and local governments opted to keep their employees in adequate pre-existing pensions systems. GPO and WEP were a "leveling" response, but only serve to hurt public safety officers. By totally repealing both GPO and WEP, H.R. 82 and S. 206 would preserve the retirement security of those who put their lives on the line to secure our communities.

Already, H.R. 82 has the support of 103 co-sponsors — one-third of the total number of co-sponsors the bill garnered by the end of the 109th Congress. For over 20 years, NAPO has been fighting for the repeal of these two unjust offsets that drastically cut public safety officers' Social Security benefits. NAPO will continue this effort to protect the community and we hope that the momentum the legislation gained at the end of last year propels Congress to act on it quickly in 2007.

FIB Uniformed Crime Report Shows Violent Crime Surge in First Half of 2006

According to the FBI's semi-annual crime report, which was released on December 18, 2006, there was a steep increase in violent crime in the first half of 2006. These results follow the 2005 Uniformed Crime Report (UCR), which



N.A.P.O. UPDATE

(continued from page 26)

stated that the murder rate increased by 4.8 percent from 2004 to 2005 and that violent crime rates in general, which included forcible rape, robbery and aggravated assault, as well as murder, was up 2.5 percent. Up to this point, 2005 marked the highest rise in the crime rate in fifteen years.

Reports of violent crime surged by nearly four percent in the first half of 2006 when compared with the same six months of 2005. This includes a dramatic, nearly ten percent increase in robberies. The report shows a rise in robbery for cities of all sizes, with the most significant jump for smaller cities with populations ranging from 10,000 to 24,999. It also reports a rise in murders and assaults by more than one percent. Larger cities with populations of 500,000 to one million saw an 8.4 percent rise in murders. All of this comes after experiencing more than a decade of record decreases in crime, which can be attributed to the 1994 Crime Bill and the implementation of the COPS program.

This newest UCR is further evidence that the federal government cannot maintain its path of gutting funding to vital state and local law enforcement grants. For the past six years, the federal government has retreated from providing necessary funding and resources to help states and localities fight domestic crime. At first, the government diverted these funds to counter-terrorism and homeland security; however, over the past three years, local enforcement has seen a cut in those funds also. Law enforcement needs federal support to continue fighting the war on drugs, protect our neighborhoods from crime and defend against terrorist threats. NAPO will continue working with Congress and the Administration until they realize the necessity of fully supporting America's law enforcement.

Fiscal 2007 Appropriations Update: Continuing Resolution Looks to Fund Government Through End of Fiscal Year

The 109th Congress adjourned in December having only completed two of the 11 fiscal 2007 appropriations bills (Homeland Security and Defense), leaving the spending bills in the hands of the 110th Congress. With President Bush's fiscal 2008 budget proposal expected to be announced in February, Democratic leadership has decided to focus Congressional efforts on the upcoming fiscal year and to use a continuing resolution to fund the remainder of the 2007 fiscal year. Top Democratic appropriators expect Congress to agree on a continuing resolution to fund the government through the end of fiscal 2007 before the current resolution expires on February 15, 2007.

Using a continuing resolution to fund agencies and programs through the end of the fiscal year will not be an easy task since it leaves limited room to increase spending from fiscal 2006 levels. Additionally, funding levels are also confined to the \$873 billion cap for fiscal 2007 discretionary (non-mandatory) spending that the Republican-led Congress passed last year. Chairman of the House Appropriations Committee, David Obey (D-WI), has stated that appropriators are starting with fiscal 2006 spending levels as the baseline, and then examining which programs most need additional funding. The previous continuing resolutions, including the current one, have set spending at the lowest of three funding levels: that of the House-passed, Senate-passed, or fiscal 2006 bills.

This leaves law enforcement grant programs under-funded, as they have been for the past few fiscal years. However, many lawmakers are making efforts to significantly increase funding to key Justice Department and Homeland Security Department grant programs for state and local law enforcement for fiscal 2008. NAPO will continue to work with Congress to ensure that these efforts come to fruition and that the grant programs receive the necessary funding to truly assist state and local law enforcement's efforts to keep our nation's communities safe.

Information provided, with permission, from the newsletter of the National Association of Police Organizations. VB

MEMBER GOOD NEWS



Births

On January 4, 2007, PPA members Annette and Jason Darr became the proud parents of twins. Sidney Grace was born at 7:46 a.m. and Joseph Timothy was born at 7:47 a.m. at Valley Hospital in Las Vegas. Included is a photo of the beautiful new additions to their family that now totals five children.

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THE IMPORTANCE OF COMMUNICATION

Officer Mark Chaparian
NWAC/Academy Representative

We are all aware of the importance of good communication skills. We all have had formal training in the elements of communication and what it takes to get your message across clearly and accurately. We realize that effective communication skills are the foundation of successful policing in modern society. Effective communication can make our jobs safer and reduce our use of force incidents, our discourtesy complaints and our actual physical workload. The Las Vegas Metropolitan Police Department offers many assorted classes in communication skills, reinforcing the idea that effective communication is of utmost importance for our Department to thrive.

The ways in which we communicate and how we choose to use communication are always changing based on our mission, our position and our needs. It seems every day that someone has invented a new or better way to communicate. Cellular phones, e-mail, the World Wide Web, sophisticated radio systems and the like are pretty much a part of our everyday world. Most of us enjoy using these wonderful, technologically-advanced tools given to us by our employer to assist us in becoming better and more effective communicators; however, there are a large number of police and corrections officers who are NOT afforded these privileges. That is correct! Most of our faithful, hard-working uniformed patrol and corrections officers do not have cellular phones, e-mail, convenient access to our intranet or a decent working radio system provided to them by the Department. Most people take it for granted that all of the officers on the Department have these things at their disposal. You may have even seen some patrol/corrections officers using cellular phones while on duty. Make no mistake about it — those are funded personally by that officer.

On a daily basis, patrol officers use cellular phones to call the Records Section in order to update a call reference a vehicle theft or recovery. Other times, they must inquire about a wanted person or conduct an NCIC record check, or update his or her supervisor concerning a dynamic situation unfolding minute by minute. Receiving or sending e-mail is not a regular part of most patrol or corrections officers' daily routine. Time afforded to use the LVMPD intranet is extremely limited or not available at all during the normal course of his or her shift. Furthermore, e-mail accounts are not normally set up for patrol or corrections officers within the Department e-mail system.

Lastly, the current radio system in use by the LVMPD is in sad shape. Problem after problem has plagued this radio system for years and when one problem is repaired, it seems another one rears its ugly head. There are many times the current radio system is a dangerous enemy instead of a useful ally, as it was intended to be.

With all that said, there is GOOD NEWS on the horizon! At a recent meeting with Sheriff Gillespie and Undersheriff Jett, some of these issues were addressed and a plan to replace the current radio system is on the way. Yes, we have all heard the infamous line, "the new radios are on the way" in the past. I can assure you our new top leaders are taking this situation seriously and have given us a timeframe to see this system in full operation! The new radio system is scheduled to make an appearance sometime in January of 2008. The Sheriff and Undersheriff assured us that the current radio system problems have been identified and that it is not cost effective to attempt to repair them this late in the game and had little confidence that the repair would be as effective as we need it to be. The new radio system is supposed to be a state-of-the-art system creating new capabilities and reliability. Additionally, uniformed officers should start seeing much of their paperwork replaced by a laptop computer sometime this summer. I sincerely hope that this new radio system is as good as it is supposed to be and that its debut goes smoothly and works effortlessly.

I can only wonder what it would take to find the funding to issue every patrol/corrections officer a cellular phone. No one can deny the fact that they are needed and used every day by 99 percent of officers now in their respective working environments. Maybe we could explore the idea of putting one in every patrol car or post. The benefit absolutely outweighs any negative aspect that it may create. The issuing of e-mail accounts to every full-time employee on the Department just makes sense. Every day, there is a plethora of information communicated by way of e-mail and many of us just don't have access to this. The current system of printing and posting or reading the e-mail at briefings just doesn't cut the mustard. Much of the e-mail is screened, not read or posted, or, in the event you may be absent, is missed entirely.

Good, effective communication starts by leveling the playing field for us all. The intranet is loaded with useful information but, due to the lack of computers at the substations or Detention Center and the lack of time to use them, much of the information generally goes unread. Patrol briefings are an attempt to disseminate some of that information, but that lacks in consistency and thoroughness.

I am truly excited about the new changes and upgrades to the coming radio system and the deployment of laptop computers in the field. I have every bit of confidence that Sheriff Gillespie is in tune with the needs of patrol and any attention that is needed will get addressed. The Sheriff has said many times before that "patrol is the backbone" of the police department and that he is willing to address the needs of this group as they arise. Right now, the "backbone" has a backache and I'm confident he is trying to buy us some aspirin. Hang in there, help is on the way!

Editorial Note: Mark Chaparian has been a PPA Representative for nearly two years at the Northwest Area Command and the Academy. Recently, Mark was brought up to the PPA office full-time on a TDY basis. He is currently handling the PPA briefings at each of the areas of the Department and he is also representing officers at Internal Affairs. Hopefully we will see more from Mark by way of his writing for the Vegas Beat. VB

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A SIMPLE GESTURE

Officer David Olive

There is a story that has always meant a great deal to me. It keeps me thinking the right way when I deal with people on a day-to-day basis. It is found in the original *Chicken Soup for the Soul*. The story is called "A Simple Gesture" and is written by John W. Schlatter. I think it is important for officers to realize what they stand for and who they are and not to spend too much time wrapping themselves up in "The Badge." I think that it is necessary for officers to keep their minds grounded and their thinking the right way, and for that reason I share this story.

"A Simple Gesture"

...everybody can be great ... because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb to serve ... You only need a heart full of grace, a soul generated by love. -Martin Luther King, Jr.

Mark was walking home from school one day when he noticed the boy ahead of him had tripped and dropped all of the books he was carrying, along with two sweaters, a baseball bat, a glove and a small tape recorder. Mark knelt down and helped the boy pick up the scattered articles. Since they were going the same way, he helped to carry part of the burden. As they walked, Mark discovered the boy's name was Bill, that he loved video games, baseball and history, that he was having a lot of trouble with his other subjects, and that he had just broken up with his girlfriend.

They arrived at Bill's home first and Mark was invited in for a Coke and to


watch some television. The afternoon passed pleasantly with a few laughs and some shared small talk, then Mark went home. They continued to see each other around school, had lunch together once or twice, the both graduated from junior high school. They ended up in the same high school, where they had brief contacts over the years. Finally the long awaited senior year came, and three weeks before graduation, Bill asked Mark if they could talk.

Bill reminded him of the day years ago when they had first met. "Do you ever wonder why I was carrying so many things home that day?" asked Bill. "You see, I cleaned out my locker because I didn't want to leave a mess for anyone else. I had stored away some of my mother's sleeping pills and I was going home to commit suicide. But after we spent some time together talking and laughing, I realized that if I had killed myself, I would have missed that time and so many others that might follow. So you see, Mark, when you picked up my books that day, you did a lot more. You saved my life."

You never know. It could be that one time that makes a difference. And it could go for everyone we deal with: suspects, PR, victims and even our partners in "The Badge." Thank you for taking the time to read this.

Dave Olive is a patrol officer, assigned to the Bolden Area Command, with the Las Vegas Metropolitan Police Department. VB

Visit our website at www.lvppa.com.
You can also contact our Webmaster
at webmaster@lvppa.com.



Police Squad

Dan V. Nolaad has circulated and forwarded to the proper authorities a petition that one of the squads of the State police be located at Las Vegas. The location would be an exceedingly favorable one owing to the reasonable cost of living, climate conditions, and its exceptional railroad facilities. Furthermore, owing to the complete absence of labor troubles here, there would be no ill-feeling toward members of the force such as would exist in some localities. This being the home of First Sergeant Hunter, it is not unlikely that the request will receive the consideration it merits.

Las Vegas Age
March 7, 1908



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BANK ROBBERIES COSTLY TO LAW ENFORCEMENT

Craig W. Floyd

It was a cold, rainy day in the City of Brotherly Love, when a silent alarm alerted police to a problem at a local bank on the morning of January 2, 1996. Philadelphia Police Officer Lauretha Vaird, a nine-year veteran of the department and a single mother of two young boys, was the first officer to respond. Two robbers, who had earlier posed as utility construction workers and forced several bank employees to open the bank vault at gunpoint, watched her from inside the bank as she approached. One of the robbers shouted, "Here comes the heat." His accomplice responded, "Don't worry; I'll take care of them." Moments later, Officer Vaird died from a single .38-caliber slug through the abdomen.

The gunmen fled without getting any money, but they left two of their weapons lying on the ground in front of the bank. Police traced the weapons and eventually captured the three men — a third accomplice was driving the getaway car-responsible for the robbery and cold-blooded murder of Officer Vaird. The shooter was sentenced to death and the other two accomplices received life sentences.

Officer Vaird, 43, left a positive impression on everyone she met, and all agreed that her boys and her badge were the two most important parts of her life. According to the records kept by the National Law Enforcement Officers Memorial Fund in Washington, D.C., Lauretha Vaird is one of more than 175 law enforcement officers who have been killed during a bank robbery or in pursuit of bank robbers. The first officers known to be killed by bank robbers were a father, Barry G. Griffin, and his son, Frank S. Griffin, who were both deputies with the Ray County (MO) Sheriff's Department. On May 23, 1867, the Griffins were both shot and killed by gunmen during a bank robbery and attempted jail break.

There were 40 law enforcement officers killed by bank robbers in the 1930s, more than in any other decade in U.S. history. The majority of those deaths occurred in the Midwest where infamous gangsters like "Pretty Boy" Floyd and John Dillinger and their gangs were robbing banks and leaving more than a dozen fallen officers in their wake. On April 16, 1931, Bowling Green (OH) Patrolman Ralph H. Castner was shot as he attempted to stop Floyd and his gang from robbing a bank. Patrolman Castner died a week later from his injuries, the first of six lawmen gunned down by Floyd and his gang.

In Allen County (OH), Sheriff Jess L. Sarber became the first of nine law enforcement officers killed by John Dillinger and his gang. On October 12, 1933, Dillinger was in jail and awaiting trial on bank robbery charges when a trio of gunmen broke into the jail to free him. Sheriff Sarber was beaten and shot to death. Dillinger, along with his gang, went on to murder eight more officers during his reign of terror before FBI agents killed him in a shootout on July 22, 1934.

Ultimately, it was tougher laws passed by Congress and a more aggressive law enforcement response to the bank robberies of the 1930s that led to a significant downturn in this crime category in the 1940s. Consider, for example, that after 40 officers were killed by bank robbers in the 1930s, there are no known cases of an officer being killed during a bank robbery or in pursuit of bank robbers in the 1940s. Detroit Detective Sergeant Joseph P. Husken died in 1943 of injuries suffered in a bank hold-up, but the incident in which he was injured occurred 22 years earlier in 1921.

After Congress passed laws in 1934 to make it a federal crime to rob a bank of the Federal Reserve System, and to transport more than \$5,000 worth of stolen property across state lines, the FBI and their agents became central figures in the effort to combat bank robberies. But that increased role came with a steep price. In fact, since the first FBI special agent, Wimberly W. Baker, was killed by bank robbers in 1937, there have been eight other FBI agents who met the same fate.

The bank robbery case which is often dubbed the "bloodiest day in FBI history" occurred on April 11, 1986, in Miami, Florida. FBI agents were conducting a mobile surveillance of two suspected bank and armored car robbers when a gun battle erupted. When it was all over, approximately 120 shots had been fired, the two criminals were dead, five FBI agents were wounded and Special Agents Jerry Dove and Benjamin P. Grogan had made the supreme sacrifice. The two most recent FBI special agents to be killed by bank robbers were L. Douglas Abram and John L. Bailey, who died in separate incidents in 1990.

In 2005, there were three officers killed nationwide by bank robbers. Columbus (OH) Police Officer Bryan S. Hurst was working security at a local bank on January 6, when a robber entered and shot him twice in the chest. In April, Pittsburg (CA) Police Officer Larry E. Lasater Jr. was shot and killed after pursuing and attempting to arrest two bank robbery suspects. In Chesapeake, Virginia, Police Officer Michael K. Saffran was shot and killed on October 8, 2005, during a high speed pursuit of a bank robbery suspect.

Anthony Johnson is another officer who saw his dream of a law enforcement career cut short. In 1981, Officer Johnson was sworn in as a member of the Cleveland Police Department. Tragically, though, on the morning of October 21, just four months on the job, Officer Johnson and his partner, John Myhand, were in their marked patrol cruiser near the National City Bank when a robbery alarm was triggered by a bank employee. The two officers raced to the scene and Officer Johnson jumped out of the car and peered through one of the bank's windows. He saw two men stuffing cash into bags. He called on his partner to radio for help, but before backup arrived, the bank robbers opened fire through the bank's glass doors. More than ten shots were fired. Officer Johnson, 22, wounded one of the thieves, but an instant later he took a bullet to the head and died that evening. He left behind a young wife, Tracy, and a seven-month-old son, Anthony Jr.

After the shooting, some questioned the fact that Officer Johnson was put on the street after only seven weeks of police academy training. But the presiding pastor at Officer Johnson's funeral put the matter in proper perspective, saying, "When a policeman takes training, he gets theory. He's not told of the animals he'll meet in the street."

Craig W. Floyd is Chairman of the National Law Enforcement Officers Memorial Fund. Visit www.nleomf.com for more information about law enforcement officers killed in the line of duty. Reprinted with permission of the author and AMERICAN POLICE BEAT. VB

The Las Vegas Police Protective Association:

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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.

NVPERS CONTRIBUTION RATES TO CHANGE JULY 1, 2007

By Constitution and statute, the Nevada Public Employees Retirement System Retirement (NVPERS) Board hires an independent actuary to perform actuarial valuations. While contribution rates are only set every other year, by policy of the Retirement Board, these valuations are performed annually. The Retirement Board adopted the annual valuation process in order to keep abreast of the assets and liabilities of the Retirement System, to measure trends, and to provide yearly detailed information to aid in the fiscally responsible management of the pension trust.

Contribution rates are adjusted on July 1 of each odd-numbered year if the contribution rate, as determined by the actuary, is not within a certain percentage of the contribution rate being paid into the plan. The Retirement Board remains dedicated to managing the volatility of the contribution rates, but the rates must be determined through the actuarial valuation process in order to maintain the fiscal integrity of the plan.

Based on the 2006 actuary, effective July 1, 2007, the contribution rate for regular members contributing under the employer pay contribution plan will be 20.50 percent. The contribution rate for regular members contributing under the employee/employer pay plan will remain at 21.00 percent. For police/fire members, the contribution rate for the employer pay contribution plan will be 33.50 percent and the contribution rate for the employee/employer pay plan will be 34.50 percent.

* Modified version of NVPERS newsletter, 2007. VB

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John Giatropoulos

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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 its 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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Look for registration forms to be available February 15, 2007

THANK YOU LETTERS

The family of Paul Dwaine McCuiston gratefully acknowledges your kind expression of sympathy.

Thank you for your kind expression of sympathy for our family. The flowers were beautiful. Your prayers and concern will warmly be remembered.

The Family of Paul Dwaine McCuiston

During a time like this, we realize how much our friends and family really mean to us. Your expression of sympathy will always be remembered. Thank you for the beautiful flowers and your kind thoughtfulness in our time of sorrow. Gibby and Jackie were wonderful.

The family of Wilma DiPalma (Andy, Dana, and Sal)

Dear Chris Collins,

As you may know, last week the President declined to re-nominate Judge Terry Boyle to the United States Court of Appeals for the Fourth Circuit. While he will doubtless continue to serve on the District Court, my understanding is that Judge Boyle will no longer be considered for promotion to the Appeals Court.

As I told my colleagues in the Senate during the consideration of this nominee, I've spent a great deal of my career working with law enforcement, and I have never seen local officers so united in opposing the nomination of a federal judge. To me, this spoke volumes and furthered my resolve to defeat Judge Boyle's nomination.

With this fight behind us, it is time to look to the future. As you are all too aware crime in America is rising, and federal support for local law enforcement has been decimated. To reverse course, one of my primary goals over the next several months is to restore federal support for local law enforcement. To this end, I will be introducing legislation to restore funding for the COPS hiring program and the Justice Assistance Grant, and I intend to pursue the creation of a Homeland Security Trust Fund to ensure that federal funding is set aside to support your efforts to combat crime and terrorism. You are the first line of defense — whether the threat is from global terrorists or the thug down the street—and I will continue to do all that I can to ensure that you have the resources you need to do the job.

Congratulations on your success in defeating the Boyle nomination, and I look forward to working together to advance the interests of local law enforcement throughout the country.

Sincerely,
Joseph R. Biden, Jr.
United States Senator



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TWO COPS SHOT

John Wills
Training Contributor for Officer.com

Our first inkling that something was terribly wrong came from a citizen and was broadcast city-wide over the police radio, "Emergency! Emergency! Two policemen have been shot at 81st and Morgan." Thus, an entire night shift of Chicago police officers learned firsthand that two of their colleagues were victims of a savage attack. When assist units arrived on the scene, everyone's worst fears were realized — Officers William P. Fahey and his partner, Richard J. O'Brien, lay mortally wounded on the cold, hard streets of the "Windy City." Officer O'Brien would die from his wounds shortly after arriving at the hospital; Officer Fahey died the following morning without ever regaining consciousness. Ironically, the two veteran cops had hours earlier attended the funeral of a fellow cop, Officer James Doyle. He had been murdered by a robbery suspect he was attempting to arrest.

The two murderers, the Wilson brothers, were no strangers to Chicago's finest. They had just committed a burglary when they were stopped by the two heroic officers. As the officers began to flesh out what they had, one of the subjects disarmed Officer Fahey and murdered him. He then shot Officer O'Brien. The two cons were eventually apprehended and sentenced to death. In a surprising twist of events, their death sentences were commuted to life in prison by then-Illinois Governor George Ryan. Years later, in a classic case of "what goes around, comes around," Ryan became a fellow convict of the two reprehensible brothers, having been convicted in federal court of racketeering and fraud.

Officer Billy Fahey was the brother of my sister-in-law, Casey Wills. He was a devoted husband to his wife Pat, and a loving father to Erin, Jamie and Krista. Billy was a good cop, but more than that, he was a decent, God-fearing human being. He is sorely missed by his family, friends, colleagues and community. His funeral, although beautifully orchestrated and executed by the city, was one of the more painful experiences that I can remember. As I stood there in uniform that day, the raw emotion and pain was evident and palpable. There was not one person in attendance that day that did not feel abject sorrow over the loss of such a beautiful child of God.

However, his spirit and those of all officers killed in the line of duty, live on through the National Law Enforcement Officers Memorial (NLEOM) located in our nation's capital. President George H. Bush dedicated the Memorial in 1991; it contains the names of more than 17,500 heroes dating back to 1792. These hallowed grounds are a testament to all those men and women who paid the ultimate sacrifice, and will never be forgotten.

If you have never experienced a line-of-duty death, it is hard to appreciate the profound impact that a memorial has on loved ones. The incident itself transforms your life in ways that sometimes you find difficult to discuss with

another human being. It is akin to looking at a beautiful quilt that has the middle square missing. The quilt still performs the job of keeping one warm, but its beauty has been diminished and will never be as it once was. After the initial trauma and shock subside, and the ceremonies and burial are complete, the well-wishers begin to dwindle over time, until finally you are all alone with your pain and mental torment.

There is an old adage that states "time heals all wounds." That may be true for some things, but when a loved one is inexplicably taken away, the soul never fully recovers. We do not choose to ever forget our heroes. On the contrary, we want to ensure that as a nation we honor those men and women that sacrificed their lives in service to their communities. What the NLEOM does for the families of slain officers is allow them to maintain a link with their departed loved ones. For a spouse or child to be able to view and actually place their hand on the name etched in that sacrosanct wall, is a spiritual gift that will be there for a lifetime. It is a tangible sign that somehow, some way, their loved one is still present in their life.

I recently spoke with Craig Floyd at the IACP convention in Boston. Craig is the Chairman and Executive Director of the National Law Enforcement Officers Memorial Fund (NLEOMF). He related to me that the National Law Enforcement Museum is scheduled to open in 2009. Visualize, if you can, a 90,000-square-foot museum with a "hands-on" classroom that will show the public just what it takes to be a cop. Some of the exhibits will include a driving simulator, judgmental use-of-force simulator, a typical locker room, roll call room, crime scene and much more. There is also a theater containing a 40-foot panoramic screen that will mesmerize and enchant visitors with stories about cops and their careers.

Laurie Baty, Director of Museum Programs, is excited about the challenge that she faces in building and outfitting this project. She told me at the IACP that the museum will be unlike anything we have ever seen, and that it will be the premiere source of information on law enforcement in the United States. Both she and Craig are traveling around the country raising awareness and funds to successfully complete the ambitious undertaking. Inasmuch as the museum is funded entirely by private funds, they seek both corporate partners and individual donors. If you want to help ensure that our "Heroes Live Forever," you can make an online contribution as an individual, or if you are in the private sector, become a corporate partner as Advanced Interactive Systems just did by making a donation valued at over one million dollars.

Groundbreaking for the museum is scheduled for 2007; the price tag for this glorious vision is \$80 million. I know that none of us became cops thinking that we would become rich. Indeed, many of us live from paycheck to paycheck and work second jobs to support our families. However, all of us need to sacrifice and donate whatever we can so that this dream comes to fruition. If you need any motivation to dig deep, I suggest you visit the Memorial. Take a walk down the "pathways of remembrance" and view the thousands of names of our fallen guardians; I guarantee it will send chills through your body. Do your part to honor our fallen angels who now walk their beats on the streets of heaven, finally out of harm's way.

"Do not let your hearts be troubled..."

--John 14:1

We will see them all again, safe at rest, having been given their eternal reward.


John Wills spent two years in the U.S. Army before serving 12 years with the Chicago Police Department (CPD). He left the CPD to become an FBI Special Agent, working organized crime, violent crime and drugs. John served as the Principal Firearms Instructor, Training Coordinator and sniper team leader in the Detroit Division for ten years. Before retiring from the FBI, he spent seven years teaching at the FBI Academy at Quantico, Virginia. He has taught Street Survival domestically and internationally, as well as supervised new agent training at the Academy. John is presently a field manager in the Training Division with Advanced Interactive Systems. He also owns his own business — LivSafe, teaching personal safety classes. John can be reached at jmwills@hotmail.com or (540) 226-9478. VB

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REPRESENTATION STATISTICS

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NOVEMBER/DECEMBER 2006 REPRESENTATION STATISTICS

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

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REPRESENTATION STATISTICS

(continued from page 35)

SEPTEMBER/OCTOBER 2006 REPRESENTATION STATISTICS

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

(continued on page 37)

REPRESENTATION STATISTICS

(continued from page 36)

JULY/AUGUST 2006 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
10/21/05	Conduct Unbecoming an Employee/Misconduct	80 hours w/40 hour option	40 hours w/40 hour option
NON-CONFIRMATION HEARINGS			
No Non-Confirmation hearings were held during the month of July 2006			
PRETERMINATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
12/01/05	Truthfulness Required at all Times; Conduct	Recommended for termination	Not terminated; no discipline; AOC Not Sustained
01/29/06	Neglect of Duty; Use of Force; and Truthfulness Required at all Times	Recommended for termination	Pending Hearing 08/17/06
ARBITRATIONS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
02/17/06	Truthfulness Required at all Times; Conduct	Terminated	Pending Arbitration 09/26/06
CITIZEN REVIEW BOARD COMPLAINTS			
Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
2	0	0	1
OFFICER-INVOLVED SHOOTINGS			
Date	Use of Force Board Decision	Inquest Decision	
04/28/06	Justified	Justified	
05/13/06	Justified	Justified	
06/3/06	Justified	Justified	
06/11/06	Justified	N/A - no death	
06/11/06	Justified	N/A - no death	
06/27/06	Pending Scheduling	N/A - no death	
06/27/06	Pending Hearing 08/16/06	N/A - no death	
07/04/06	Pending Scheduling	Pending CI Hearing 09/08/06	
07/06/06	Pending Scheduling	N/A - no death	
07/09/06	Pending Scheduling	Pending CI Hearing 09/29/06	
07/26/06	Pending Scheduling	N/A - no death	
INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS			
Declined/Cancelled	Represented	Total	
34	63	97	
ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
7	9	45	2

(continued on page 38)

REPRESENTATION STATISTICS

(continued from page 37)

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
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	

(continued on page 39)

REPRESENTATION STATISTICS

(continued from page 38)

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
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	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	



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