



LVPPA VEGAS BEAT

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

VOLUME 2 | ISSUE 4

November/December 2007

Season's Greetings

from the LVPPA

- More Money in Your Pocket** Page 6
Ironmen & Lower Standards Page 14
Police Dangers Increasing Page 17

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

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

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

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

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

SNCOPS – Southern Nevada Conference of Police and Sheriffs



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Executive Director's Message

DETECTIVE CHRIS COLLINS, EXECUTIVE DIRECTOR

The Financial Status of the LVPPA

This article may seem as if it should have been written by the Treasurer of the LVPPA, but as the elected head of the Association I feel it is my duty to let the membership know some of the changes that are being made. First and foremost, let me put two issues to rest right away. Despite any rumors you may have heard, the overall financial health of the LVPPA is very good. Additionally, in case you have heard otherwise, any member is welcome at any time to come look at the financial statements for the LVPPA to see this for him or herself.

As you may know, for the past 18 months or so the LVPPA has been moving in the direction of buying a piece of property and building the future home of the LVPPA. With the help of our financial advisers, we reviewed the Compiled Financial Statements for the LVPPA and set a budget for the new building at no more than \$7,000,000. There was no doubt in anyone's mind that the LVPPA could afford to take on this responsibility. Keep in mind we will not be financing the entire cost of the building, and we will have tenants who will be paying to lease space from us.

Because a review of the Compiled Financial Statements was already in progress, I asked the Executive Board and the Board of Directors to take a close look at the statements to see if there were any places we could potentially save money. After a long and careful look, we did find a few places to save a dollar

or two (actually a rather substantial yearly savings to our Association). I want everyone to understand that there has never been a concern that the monies of the LVPPA are in any way being spent inappropriately. This review was simply the Executive Board and the Board of Directors being fiscally responsible to see if we could save any monies and came at an appropriate time as we have a new Treasurer, Ken Lochner, taking over the money responsibilities from Fred Galey. As a result of this review, the LVPPA was able to find a way to cut a few corners and save approximately \$66,000 yearly. The biggest savings came from two areas: the first being a lower negotiated membership fee to IUPA (International Union of Police Associations) where we saved approximately \$45,000; the second being a reduction in size and the cost of printing the *Vegas Beat* magazine, which saved approximately \$35,000 yearly. Some of this savings (approximately \$14,000 annually) will be reinvested into our website in order to modernize and update it. The net result is the above mentioned \$66,000.

I hope you appreciate the efforts the Association's representatives have made in this regard. I personally appreciate all the time and effort the Executive Board and the Board of Directors have put into making these cost savings a reality. If you have any questions about the finances of the PPA, please feel free to contact someone on the Executive Board or the Board of Directors, and they will be happy to answer any questions you may have. **VB**

End of Watch

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

Name: Hans Janik, P#819

Rank: Police Lieutenant

Assigned to: Communications

Hired: August 21, 1972

Retired: 1996

Died: September 1, 2007

Name: Dennis Willie, P#1337

Rank: Corrections Officer

Assigned to: CCDC

Hired: May 14, 1976

Retired: March 4, 2005

Died: August 16, 2007

INSIGHT

Our intentions tend to be much more real to us than our actions, and this can lead to a great deal of misunderstanding with other people, to whom our actions tend to be much more real than our intentions.

— E. F. Schumacher

The Las Vegas Police Protective Association:

Celebrating 60 years protecting those who protect others.



Editing Use of Force Reports

DETECTIVE MICHELLE JOTZ

Assistant Executive Director

The process for completing Use of Force reports is generally something like this: There is a use of force complaint of injury, or injury. The officer determines that a Use of Force report needs to be completed. The officer recalls exactly how he or she became involved in the incident that resulted in the alleged use of force and reduces it to writing. That report, the Use of Force report, is then forwarded through the chain of command for review. That sounds simple enough, right? Not exactly.

Once that report goes to the supervisor for review, the supervisor is supposed to make any comments in the Supervisor's Investigation/Review section. It seems that some supervisors are actually making substantive changes to the officer's Details section and sending it back for the officer to change on the original. Recently, the PPA has noticed a disturbing trend in investigations relating to Use of Force reports. Internal Affairs has interviewed officers relating to Truthfulness in Reports and actually pulled the original drafts from the

hard drive of the computer, and the officer then has to explain why there are substantial differences in the different versions of the reports.

What would the PPA suggest you do? You have a couple of options. If you want to handwrite a draft of the Use of Force report and ask someone for assistance in reviewing your report, then you can do so. If you draft a copy on the computer and then make substantive changes, you had better be prepared to explain why those changes were made. Your supervisor has an area for his or her comments. The Details portion of the report is the section for what you, as the officer, recall happening. We would never suggest any form of insubordination, but a supervisor cannot direct you to make false statements in a report, and you are ultimately responsible for any documentation included in your details. Be prepared to articulate your actions.

If you have a use of force situation and are unsure how to proceed, you can always contact a PPA representative for assistance. **VB**

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More Money in Your Pocket for 2008

CORRECTIONS OFFICER THOMAS REID

Assistant Executive Director

It has been said that “death and taxes are inevitable.” For many Metro employees, they can add medical insurance and daycare costs to this quote. But there is an IRS-approved way to minimize the cost to you — it’s called a 125 Flex Savings Account (FSA) or “cafeteria plan.” The “125” refers to the section in the IRS code that allows you to have money deducted on a pretax basis to pay for health insurance premiums, out-of-pocket medical expenses and daycare expenses for kids and the elderly. The deduction limits are set by the plan administrator. Currently, you can withhold up to \$5,000 for out-of-pocket unreimbursed medical costs (UM) and up to \$5,000 for dependent daycare costs (DDC) during a calendar year.

As in anything the government allows you to do on a tax-free basis, there is a catch! These FSAs are a “use it or lose it” proposition. In other words, if you set aside \$3,000 each for UM and DDC expenses for 2008, and at the end of the calendar year you have \$500 remaining in each of the accounts, you must

find a way to spend it or you will forfeit the balance. The good news is that in 2005, the IRS authorized an optional 2½-month grace period that employers can use in their plans, allowing use of the funds for 2½ months after the end of the plan year.

Also, the annual contribution amount you choose must remain the same throughout the year unless certain qualifying events occur, such as birth of a child or death of a spouse. The IRS has also loosened the rules on what qualifies for out-of-pocket expenses. Besides the normal out-of-pocket costs that are allowed for dental, vision, pharmacy and doctor/hospital co-pays, now almost all over-the-counter (OTC) medication can be reimbursed. A look down the medication aisle of your favorite drugstore, and you can see that OTC medication can generally run anywhere from \$5 to \$20.

Another overlooked FSA component is DDC expenses. You can set aside up to \$5,000 pretax to help pay for daycare of your children or for elder care. DDC is also a “use it or lose it” proposition; however, figuring out the amount you spend on daycare expenses is fairly predictable during the calendar year.

Again, the government sets the rules on DDC. Here are the highlights:

- The person must be a qualifying child with a family-type relationship to you,
- Live in your household for more than half of a calendar year,
- Are 12 years or younger and or incapable of self-care,
- Spend at least 8 hours per day in your home, and
- Provide more than half of their financial support.

This is only a brief overview of DDC qualifications. Consult your tax advisor for a more extensive explanation.

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* FSA SAVINGS EXAMPLE:

| (With FSA) | | (Without FSA) |
|------------|--------------------------------|---------------|
| \$62,000 | Annual Gross Income | \$62,000 |
| -\$6,000 | FSA Deductions (calendar year) | \$0 |
| \$56,000 | Taxable Gross Income | \$62,000 |
| \$11,200 | * Federal, Medicare taxes | \$12,400 |
| \$44,800 | Annual Net Income | \$49,600 |
| \$ 0 | Cost of FSA Deductions | -\$6,000 |
| \$44,800 | Spendable Income | \$43,600 |

By using the FSA for anticipated recurring expenses, you convert the money you save in taxes to additional spendable income. That’s a potential annual savings of \$1,200.

** Based upon a 20% tax rate (18.55% federal and 1.45% Medicare deduction) calculated on a calendar year.*

The Open Enrollment period for the AFLAC 2008 FSA season is from November to December 2007. Deductions will begin in January 2008. If you are interested in the FSA, look for the AFLAC briefing schedule or contact Mr. John Innes at (702) 871-9997. **VB**



Where Do We Go From Here?

DETECTIVE DAVID F. KALLAS

Director of Governmental Affairs

On October 2, 2007, the Clark County Commission listened to proposed changes to the current format for how Coroner's Inquests are conducted. The usual suspects were in attendance criticizing the existing process. According to them, the current process is nothing more than a "dog and pony" show. Obviously, and admittedly, they have never had to point a gun at another human being and decide whether to shoot him or not. They also tried to persuade a majority of Commissioners to institute what they consider are significant changes that will lead to more faith in the system by our community. Ironic, considering that when the Association first agreed to talk with other "stakeholders" about this issue last year, we offered to conduct a poll to see how our community really felt. These same critics told us then that they knew that the poll results would show that a majority, and in my estimation an overwhelming majority, of the members of our community support the current process. OK, why are we here then?

As with anything else in life, you know that the squeaky wheel always gets the oil. Though these critics are not large in numbers they certainly are vocal and, with the support of our own version of the *National Enquirer* (the *Review Journal*), they do draw attention. Have you heard Gary Peck, executive director of the ACLU, talk? It's tough to get a word in edgewise. The press must also believe he is an expert in law enforcement tactics, because it seems like every time there is a questionable issue about law enforcement they ask for his opinion. Go figure! Regardless, as the hearing went on, additional comments were made by Judge Douglas Smith, D.A. David Roger, Sheriff Gillespie and Executive Director Chris Collins, letting the County Commis-

sioners know that the system is not broken, as the critics argued, but that in the spirit of cooperation improvements can be made without sacrificing the intent of the Inquest.

The Commissioners asked some relevant questions of both the speakers and their staff. Unfortunately, one of the Commissioners asked that her staff look into the possibility of another agency investigating the officer involved shootings and not use our own homicide detectives. Point being, she doesn't trust us to investigate our own. All of this being said after she discloses that she's a member of both the NAACP and ACLU. At the conclusion of the hearing, Commissioner Woodbury asked the staff to come back with a proposal to change the current process in three ways:

1. *Expand the definition of "interested parties"* to include grandparents, aunt, uncles, etc.
2. Have *Justices of the Peace* preside over the inquest instead of a "Hearing Master."
3. Allow questions that are submitted to the Justice of the Peace by "interested parties" (which includes Association Attorneys) *that are not asked of the witness (officer) to be read into the record outside the presence of any witness or jury.*

The critics wanted the ability to have a designated person (attorney) ask questions directly to the witness in front of the jury and then have the Justice determine whether it is relevant or appropriate.

It is expected that a final proposal from the County's staff, as directed by the Commissioners, will be presented to the County Commissioner for approval before Thanksgiving. That'll be something to be thankful for!

As always, stay safe. **VB**

AUGUST/SEPTEMBER 2007 REPRESENTATION STATISTICS

| LABOR MANAGEMENT BOARD HEARINGS | | | |
|---------------------------------|--|-----------------------------|----------|
| All. Violation Date | Alleged Violation(s) | Original Discipline | Decision |
| 11/9/06 | 4/102.00 Neglect of Duty 4/101.19 Truthfulness Required at all Times | Recommended for Termination | Upheld |
| | 4/102.00 Neglect of Duty 4/101.19 Truthfulness Required at all Times | Recommended for Termination | Upheld |
| November 2006 | SOP 09.08.02 General Housing SOP 09.14.12 Fraternalizing/ Consorting SOP 09.06.00 Searching Detention Facility SOP 09.09.00 Supervision of Inmates by Inmates | Recommended for Termination | Upheld |

(continued on page 16)



Chasing Stats or Solving Crime?

OFFICER MARK CHAPARIAN
Secretary

Every reporting period, the infamous CMS (Crime Management System) rears its ugly head and spits out statistical data that may help a particular area or may greatly damage the hard work many officers have done. Numbers, numbers, numbers! What do the crime numbers really mean? Frankly, the statistical data used to create special teams or for the deployment of officers is way off base with reality. Everyone knows that “bean counters” can manipulate numbers to reflect whatever projection or outcome they like. The products of CMS (and programs like it) are the *Saturation Team*, the *Hercules Team*, *Problem Solving Units*, *Police Athletic League*, *Directed Patrol Initiatives*. Where does the madness stop? The reality is that most of the work these units produce is good, honest, solid police work. The problem exists because these units and this system of operation are like chasing your tail because they are designed to “rob Peter to pay Paul.” You never win and rarely make a significant impact on the problem.

Crime is rising in Southern Nevada, and we need to get back to the basics. What happened to good old-fashioned police work? Why aren't our cops allowed to suit up and go do what *they know how to do best*? We continue to bleed our patrol squads thinner and thinner to the point that they cannot function as they are designed to. An eight-officer squad can easily be chopped down to a working three-officer squad when the Department continually takes people from them for this project or that. Does anyone really think these fancy stat-driven teams have made an impact on the overall welfare of our community? I challenge them to prove it if they do. As I have always been told on this Department, if you have a gripe, follow it with a solution. Below I offer some of the things that I believe we could use to better our manpower and tweak the system to become a more efficient, effective and productive police department.

CMS should be considered a *guide* to what is going on with crime numbers supporting crime stats. It is *not* an accurate, reliable or truly reflective source. A direct correlation between statistic information and reality cannot be reliably made.

Assembling teams of officers to arbitrarily saturate an area where CMS numbers indicate crime is occurring hasn't and will not ever be an efficient way to deter or solve crime on a Valley-wide scale.

Addressing crime problems without the direct, cooperative assistance of the city attorney, district attorney and judicial system is basically a waste of time and resources. Old-fashioned, hard politicking can solve this problem.

Unwillingness to spend money and resources to attack those who violate our laws and create an environment less than tranquil will always result in an uphill battle to achieve our goals.

Constant fear of liability and litigation, which has caused the creation of many cumbersome and overbearing policies, has slowly eroded the ability of officers to efficiently do their jobs and supervisors to use their discretion.

A simple back-to-the-basics approach is needed to instill confidence in the officers and the public that police business is serious, effective and sometimes not pleasant. Our officers need to know that “Mama Metro” has their back when situations get ugly.

Heavy, uniformed, proactive police presences in *all areas* of the Metro jurisdiction are what will stop, deter, prevent and lower crime unilaterally.

Stop creating and endorsing *specialized units* for every different aspect of police work. Large-numbered squads with multiple overlaps in scheduling that are able to handle most aspects of police work as it presents itself will impact

criminals in a very negative way. Creating the ability for able-bodied officers to handle calls and be proactive no matter what crimes are occurring will make us more flexible and able to handle situations rapidly.

Use voluntary overtime officers assigned to “power squads” that are assigned to their respective Area Command on higher volume shifts to prevent calls from holding and criminals from doing what they like to do.

Create minimum staffing levels for each squad and authorize overtime to meet that staffing requirement. *Do not* infringe on an officer's ability to take vacation, sick time or required in-service classes, as these events promote a more productive individual who performs at a professional level.

Revamp the way calls are created and dispatched to officers. Countless times, officers are ordered to respond to silly calls like “suspicious street sweepers” and “discarded suspicious trash” on the sidewalk. Sometimes “Mrs. Kravitz” needs to be told that she doesn't have a police matter.

Reconfigure patrol stations so that supervisors' offices are in front and civilian support staff is located in back. A sergeant should *always* be available and ready to deal with the public as they come into the stations for assistance. We must be the only police department that closes its stations to the public at night. Redirect much of the simple report calls to the station 24/7 and assign the cadets and PSRs (Patrol Service Representatives) to the stations for those reports.

Prisoner transport vans in the field should be plentiful. The less time a uniformed officer is at jail, the more time he can be fighting and preventing crime.

Create directives and procedural orders to *clearly* indicate to all other supporting employees that their role and mission on the Police Department is to *support and assist* commissioned officers in the course of their duties. An officer should never be on hold when phoning in a stolen vehicle, a missing person or inquire about a wanted criminal. **VB**

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INSIGHT

There is a gigantic difference between earning a great deal of money and being rich.

— Marlene Dietrich



Treasurer's Message

DETECTIVE FRED GALEY

LVPPA Treasurer, Trust Representative for the LVMPDEH&WT

Catastrophic Leave Donations?

I would like to give the information on how to file for catastrophic leave and let you know who would qualify for it. The catastrophic leave is in the LVPPA contract under article 11.5. Here is the actual article:

11.5 Catastrophic Leave. When an eligible employee suffers a catastrophic illness or injury, and the eligible employee has exhausted all accrued leaves as a result of the illness/injury, then the eligible employee may file a request for donations of leave with the Association.

The request must be accompanied by:

• A medical statement from the attending physician explaining the nature of the illness/injury and an estimated amount of time the employee will be unable to work.

• Evidence of the Bureau Commander's approval of leave of absence.

A committee appointed by the Association and the Department will review the request to verify the employee's eligibility to receive leave donations.

The Association will conduct the solicitation of donations and will be limited to an information-only solicitation, with no personal lobbying by employees. Solicitations will be conducted for 30 calendar days and all donations will be submitted to the Association on the provided form.

Donations can be made from the donor's bonus hours, vacation leave and/or professional leave. Sick leave cannot be donated. The minimum donation is four (4) hours. Employees must have a vacation leave balance of at least 40 hours after the donation.

The Association will forward donations to the Department Payroll Section, where the donated time will be converted to dollars at the hourly rate of the donor. The dollars will then be converted to sick leave at the hourly rate of the recipient. If any donated sick leave hours remain at the end of the catastrophic leave, they will be transferred to the Catastrophic General Fund Account (bank).

Bank hours, if any, may be approved by the committee on a matching basis, if needed (e.g., a solicitation for an approved employee nets 100 hours — after the 100 hours are used, the committee may approve up to another 100 hours from the bank, if hours are available). However, employees will be eligible to utilize up to 160 hours of bank time prior to applying the matching standards set out herein.

Eligible employees:

• The Catastrophic Leave Program is available to all collective bargaining unit employees who require a minimum of 80 hours leave.

• Employees must be off probation and/or at least be employed by the Department for six (6) months prior to becoming eligible for the Catastrophic Leave Program.

• Employees must meet the following definition of catastrophic illness/injury:

— "Catastrophic Illness/injury is an illness or injury that keeps an employee from performing the duties of their job (i.e., the employee is hospitalized, homebound, or is the primary caregiver to a member of their immediate family). The illness or injury cannot be a result of an illegal act, nor can it be intentionally self-inflicted."

— Employees with work-related Worker's Compensation claims are not eligible for the Catastrophic Leave Program.

When an employee utilizes this benefit, the employee will be required to reimburse the above described bank with accrued vacation at a rate of 1.5 hours per pay period. This reimbursement will be required for any hours utilized (donated

or banked) up to a maximum of 160 hours per incident.

The parties agree that should any problem or abusive practice arise, the parties will meet to make reasonable adjustments to facilitate the administration of the program or to eliminate these abusive practices.

Annotation: This section was modified in 2001 to allow 30 calendar days to solicit donations of leave time.

Annotation: Family Medical Leave provisions were removed from this article in 2001 because Department Procedure 5/101.17 covers how the Department applies the Act.

Annotation: Language was added in 2005 to increase self-policing provisions in the benefit and to limit abuses.

When a qualified officer needs catastrophic leave, he/she needs to write a letter to the PPA. Currently, the letter is going to me, as Association Treasurer. The letter needs to explain, in brief detail, why the leave is needed. The second letter needed is from your doctor. This is the doctor that says that you cannot work. His letter is about the same as yours. Under the HIPAA laws, you do not have to explain the exact illness or injury. You can if you wish, but when I send out the LVMPD_EVERYONE, it will say the following:

Officer PPA will be in need of leave time as he/she will exhaust all of his/her time in one week. He/she has a medical condition that will keep him/her out of work until sometime near the end of November 2007.

Once the letters are received, I submit both letters to Payroll and the three committee members vote to accept or deny. It is a rare occasion when a request is denied. I will then do an LVMPD_EVERYONE and wait for the requests to come in. The officer will get the first 160 hours without any donations and will pay the time back per the article. If the officer does not get any donations after the first 160 hours are used, then he/she will not be able to use the bank hours.

If you are nearing the end of the year and are going to be maxed out on time and going to lose it anyway, please consider donating time to the Catastrophic Leave Bank. You can do so by sending a completed Leave Slip to me at the PPA. In the Comments section, just write "Catastrophic Leave Donation" and fill in the number of hours you would like to donate. You don't have to write anything in the date lines.

I hope this has clarified the procedure for this type of leave. I can be reached at fgaley@lvppa.com. VB



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JOHN DEAN HARPER
Chief General Counsel

What to Do if You Are Personally Involved in a Criminal Matter

I struggled with the title of this article because there are so many different ways that our members could be “personally involved in a criminal matter.” I will discuss some of the ways in which you could be involved in order to give you a heads-up to then utilize the “what to do” part of this article. In addition, I will attempt to articulate the responsibility the Legal Office owes you in these situations pursuant to its “Duty of Fair Representation.”

The Legal Department is most likely to get involved in a situation arising out of a “false complaint.” These usually arise from a complaint of a sexual nature by a female inmate against a male corrections officer, or a female suspect and a male police officer or marshal who at some time was alone with the female. We also see complaints of excessive force that, if true, could arise to a criminal battery charge. The false complaints can also generate charges of “oppression under color of law” and possibly bring in federal investigators.

Unfortunately, we also see personal or off-duty conduct that becomes criminal issues. These vary but run the gamut from domestic battery, DUI and bad checks to stalking. These are generally the crimes that arise when one’s personal life is just not going how it should be.

The Association will get notified in a variety of ways regarding a member’s involvement in a criminal matter. Generally, the criminal matter is intertwined with an Internal Affairs matter. Under the Association’s Duty of Fair Representation, we represent our members administratively whether “in the course and scope of their employment” or for an off-duty caper. This representation is limited in that we will assist in non-termination grievances only through Step One of the CBA or through a Pre-Termination Hearing for a termination case. The case must be meritorious for the Association to continue to represent a member further at the Labor/Management Board or at Arbitration.

By “intertwined,” I mean that there exists even the slightest possibility of criminal action. If the member suspects this at all, he/she should immediately contact an Association representative and ask to meet with one of the attorneys in the Legal Department. What I have found is that our members tend to minimize the potential criminal implications of a situation. When in doubt, err on the side of caution and call your representative. At this point, do not voluntarily give any statements or provide any samples or evidence. We will sit down with you, pursuant to attorney/client privilege, and ascertain just what would be in your best interests.

At the initial meeting, the Legal Department will try to come up with a game plan. We will instruct you about your rights under *Garrity* and the fact that essentially anything you are compelled to testify about at Internal Affairs cannot be used

against you in a subsequent criminal matter. However, we will also advise you that the *Garrity* decision is slowly being chipped away and there is always the possibility that a judge may order the statements to be discoverable.

The game plan can consist of advice to the member from going to the IA interview and cooperating with the criminal investigation, to advising the member to resign and recommending a top criminal defense attorney. The latter situation falls into the category of “a job is the least of your worries” and “you need to make sure that you stay out of the hoosegow.”

I have found the issue of cooperating with the criminal investigators as one of the most problematic of my career with the Association. Initially, I advise all our members that the game plan can only be effective with the truth; if I receive “garbage in,” the game plan is only going to become “garbage out.” Herein lies the problem when facing a criminal matter: I have found that sometimes our members either believe that they are smarter than the criminal investigators or believe strongly that they did nothing wrong.

This is one of those times in your life when you have to not look at yourself as a peace officer, but as a citizen. I do not give a rat’s hind end if you are afraid of the perception of “not cooperating.” This is not an administrative hearing where you have rights about notice, disclosure and entrapment. This is a criminal case where your freedom is at stake and the criminal investigators are not bound to disclose evidence to you, or for that matter, even tell you the truth.

Contrary to what the public thinks, it is my experience that peace officers are rougher on other peace officers than the general public. Investigators are allowed to lie, and will lie to you about some evidence. They know that most peace officers get extremely offended when someone questions their credibility or veracity and will want to “set the record straight.” I am not saying to hide the truth; I am saying do not convict yourself by trying to explain yourself. You engaged in the conduct, so it is a matter of perception on whether or not it is criminal.

The point is that you do not have to cooperate. The state or the feds have the burden of proof of beyond a reasonable doubt, and you have the right to not be a witness against yourself. This may go against your principles, but sometimes that is the proper course. Remember, you turn into a number when the tables are turned on you. Your years of service, reputation and character tend to be forgotten when an accusation is made against you. When it is all said and done, you find out who your real friends are.

If the criminal matter arises out of the course and scope of your duty, the Association will offer you legal defense. If your conduct is clearly off-duty conduct, the Association will recommend criminal defense attorneys that have a track record of treating our members fairly and obtaining favorable results. During a trying time like this, discretion, judgment and patience are absolutely essential. **VB**

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Sheriff's Message

SHERIFF DOUGLAS C. GILLESPIE

The Southern Nevada Counter Terrorism-Fusion Center

The official grand opening of the Southern Nevada Counter Terrorism-Fusion Center (SNCTC) will be held on October 24. We will be able to showcase a building that houses members from local law enforcement, including the Las Vegas Metropolitan Police Department, Henderson Police Department, North Las Vegas Police Department, Mesquite Police Department, Boulder City Police Department, Nevada Highway Patrol, Clark County School District Police Department, Fallon Paiute-Shoshone Tribal Council and Moapa Tribal Council, as well as the Las Vegas City Attorney and Clark County District Attorney's Offices, Clark County and Las Vegas Fire Departments, and the Southern Nevada Health District and Regional Transportation Commission, along with state and federal agencies, including the Department of Homeland Security; Department of Emergency Management; Bureau of Alcohol, Tobacco & Firearms; United States Air Force; Special Investigations; Department of Aviation; United States Attorney General's Office; Department of Public Safety; and Department of Agriculture.

While the Fusion Center was developed to address the increased threat of terrorism, it also represents a growing trend in law enforcement: information sharing. Even as some hold onto the "good old days" of jurisdictional boundaries and information sharing on a "need to know" basis, the Fusion Center represents a fundamental shift away from this ideology. All the agencies in the Fusion Center have recognized that the only way to avoid the communication disconnects that occurred on September 11 is to make our partnerships a daily habit rather than a critical reaction.

The training and preparation for potential terrorist attacks have also opened the door for our Department and these agencies to collaborate on solutions to our day-to-day criminal activity problems. Criminals are not bound to jurisdictions or geographical areas. They don't consider what agency will be investigating their crimes, or whether or not they face local, state or federal charges. They simply commit their crimes many times knowing they can leave an area to escape arrest or prosecution. When agencies partner together, we gain the upper hand. Not only do we increase our investigative resources and manpower, we learn from one another about effective crime fighting and crime prevention strategies.

This is as true for the Fusion Center as it is within our own Department. We see it time and time again. A patrol officer makes a car stop for a simple traffic violation, he digs deeper and knows something isn't right. The officer calls a fellow officer because he recalls something from briefing a week ago. This officer remembers a detective is looking for the subject. The detective is able to interview the subject and gets the information he needs to solve a big case. That case leads to another suspect and the recovery of drugs and weapons, and so on and so on. The chain of events that begins with one officer taking the time to share information can be the catalyst for reducing crime in our Valley.

As the grand opening for the Fusion Center nears, it is a new and exciting time for law enforcement throughout the country. It should also be a reminder to all of us about the importance of our internal partnerships and sharing information. **VB**

IT'S NEARING "CRUNCH" TIME

KRISTEN M. KAZARIAN

No, not a deadline, a real crunch; you know, those exercises you need to do when you pack on the pounds over the holidays. But don't fret about being a little sluggish on the Beat this season. We've got some tips that will (if you follow them) help you stay away from the buffet table and closer to the walking path ... sort of.

First of all, we all know that yes, the desire for two slices of grandma's homemade apple pie (naturally topped ala mode) is not going away anytime soon. Unfortunately, during the colder season (that's Thanksgiving, Christmas, Hanukah, New Year's Day football games) is the time we crave comfort food the most. Our bodies tell us that we "need" comfort foods, those high in calories, starch and fat, to maintain our outer layer to keep us warm. That's really only for the animals (think: bears hibernating or horses foraging in open fields).

Here are some tips to help you get the holidays under control:

At the Start

- Don't starve yourself the day of the party so you can fill up on food that evening. If you eat normally throughout the day, you're much less likely to overeat at the party.
- The point of holiday gatherings is to celebrate, not to eat. Talk with friends and family or play a game of football instead of hovering around the table.
- Don't have a negative attitude from the get-go about overeating. Just go

to the festive party not with food on your mind, but getting together with family and friends.

- Another possibility is to bring your own low-fat healthy dish. This way, you'll have something you (hopefully) like that won't add to your waistline.

Choose Wisely

- Keep sodas and sugary drinks to a minimum. Go for water or iced-tea, which will help fill you up but not make you crash afterward.
- Don't load up at the buffet table. Keep portion sizes small by putting snacks on a small plate instead of a large one and limiting your trips to the buffet.
- Wait 20 minutes before filling that plate again. You'll often find that you're no longer hungry.
- Stay away from creamy dressings by going for the vinaigrette instead of ranch; the same for sauces — grab the marinara instead of the Alfredo for pasta dishes.
- Crunchy foods, like raw veggies, fill you up faster. Sample these before the main course(s), and you may not even want to eat that much afterward.

So, if you stick with a thin slice of that scrumptious homemade, double-crusted pie, and stay away from the crab puffs and pigs in a blanket, ne'er a worry will you have. The bottom line is, just watch what you take in. The best solution if you do over-indulge, is to get in a good workout the next day and/or eat normally the rest of the week. Having fun and eating what you want shouldn't be a worry, as long as it isn't a weekly occurrence. **VB**

COP STAGES

UNKNOWN

Fascination Stage: 1st through 4th year of law enforcement

For most officers, this is their first time outside of the middle-class bubble. They have never seen a dead body, never seen life-threatening injuries, never dealt with a family disturbance, never witnessed the squalor people call "living life" and never really understood the phrase "Man's Inhumanity to Man" until now.

Everything is new to them. You can identify them by the amount of fancy new equipment they carry: a 10 billion candlelight-powered flashlight, "state-of-the-art" holster, pens that write in the rain, a ballistic vest rated to stop Tomahawk missiles and an equipment bag large enough to house a squad of Marines. They love it, show up early for their shift. They work way past the end of their shift without even considering an O.T. slip. They believe rank within the Department is based only on ability and those in the upper ranks got there by knowledge and skill in police work only. They believe the Department runs with the same attention to detail and efficiency as Joe Friday on *Dragnet*. Everyone is dedicated and committed; everyone is competent; everyone is on the same page and working toward the same high-minded goals. When they finally go home to their spouse/significant other, they tell them everything they did and saw; they are wired up.

Some of the more "eaten up" purchase a police scanner at Radio Shack so they can hear the radio calls while at home.

Hostility Stage: 4th through 6th year of law enforcement

They now show up for work about two minutes before their shift, and they are hiding out about 30 minutes before the end of shift, writing reports so they can just throw them in the sergeant's inbox and leave ASAP. They have to get to their second job to earn money to pay for the divorce that is pending. Their spouse is no longer interested in hearing about all the gore and heartache. They get the "you spend more time with the cops than you do with me" speech. They now know how the lieutenant got those gold bars on his collar. They consider the FOP, the County and all brass to be as dangerous as any viper.

They gripe about everything, drink excessively, chase women and hate the public, politicians, media, etc. Those pens that write in the rain are no longer needed. Writing traffic citations can be a lot more trouble than they are worth, even on a nice day. To write one, or to write anything while standing in the rain, is a sure sign of an insane person.

Superiority Stage: 7th through 15th year of law enforcement

This is when cops are at their best. They have survived the changes in administration.

They know how the political game is played, both inside and outside of the Department.

They know whom they can trust and whom they can't. They have select friends within the Department and stay away, as best they can, from the nuts and bootlickers. They know the legal system, the judges, the prosecutors and defense attorneys and so forth.

They know how to testify and to put a good case together. They are usually the ones who the brass turns to when there is some clandestine request or sensitive operation that needs to be done right. These cops are still physically fit and can handle themselves on the street. They still stay around the station when needed, but have other commitments, such as a second job, a second spouse, a second boyfriend/girlfriend (sometimes both), etc. They have most of their friends outside of law enforcement now.

Acceptance Stage: 15th through ? year of law enforcement

Now the cops have a single objective retirement and pension. Nothing is going to come between them and their monthly check. The boss, the City (or State or County), the idiots around the station and the creeps on the street can all go to hell, because they could come between them and sitting on the beach. There is no topic of discussion that can't somehow lead back to retirement issues. These guys are usually sergeants, detectives, station duty or some other post where they will not be endangered. They especially don't want some young, stupid cop getting them sued, fired, killed or anything else that could cause them to lose their "beach time." These guys are usually hard to find when the "clusters" hit. They spend a lot of time having coffee, hanging around the station and looking at brochures of things they want to do in retirement. Then the retirement cop usually dies within the first five years of retirement, saving the system a bunch of money.

Of course, nothing is ever 100% true, but if you are a cop, were a cop or know a cop, you will certainly recognize some of the above statements as fact, either in your own career or in someone else's. Anything sound familiar? **VB**



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IRONMEN & LOWER STANDARDS

CORRECTIONS OFFICER KEN LOCHNER

Representative

I would like to start off by introducing you to 10 Ironmen the Department has, and then give you some background on the reason I would say they are Ironmen. Those men are: Pat Kelly, Doug Riffel, Gary Driscoll, Manny Gurule, Jacob Williams, Max Barrett, Rich Suey, Ed Maas, Gino Camelletti and Doug Perns. This is the 10-man team that will compete in the The Brass Challenge Race. Their team name is the Runaways and that's for a good reason. (There is also a two-person bike team competition.)

The Brass Challenge has some history. The Department and officers have chosen thorough competitive running to see who the best is for the last 19 years. The "Runaways" have set a high standard for this Department by winning this event for the last 15 years and winning the two-person bike team race for the last 13 years, along with the "Hammer the Valley" award. The race itself is just less than 40 miles, with some legs of the race being longer than others and some legs being substantially tougher.

After talking with these officers, you find that they have a love for, or better to say, a passion for running. They do this for many reasons: to stay healthy, to compete with others, to challenge themselves, and to represent the Division (mind you, that's DSD), for the camaraderie with the team and the other competitors and after the race is over, and seeing everyone at the awards/picnic that they haven't been able to see in a long time. Being able to compete at this level and dominate the field takes some time and dedication to the sport. They all run anywhere from three to six days a week at 5 to 8 miles a day. On the team, there are numerous runners that together have run more than 30-plus marathons over the years. Some of the team members have military backgrounds (Marines, Army, Air Force, etc.).

Over the last 15 years of the Runaways dominance, some of the names have changed on the team roster, but what they have done is amazing especially considering that the average age is over 40 years old and they're still kicking butt. I think what we need to look at is that four of the runners are on their 14th year and two of them are on 10-plus years. The rest of the team's experience varies with up to seven years. The standards when they came on were higher than they are now. If you have been on for any length of time, you can see the two tests have changed over the years.

Take a look at the current physical test requirements for Corrections Officer:

| | |
|--------------------|-----------|
| Vertical Jump: | 14 in. |
| Sit-ups: | 15 |
| Push-ups: | 18 |
| 300-Meter Run: | 77 sec. |
| 1.5-Mile Run/Walk: | 17:17 m/s |

Now take a look at the current physical test requirements for Police Officer:

| | |
|----------------------|--------------------|
| Jamar Grip Strength: | 80 lbs. |
| Sit-ups: | 32 |
| Push-ups: | 24 |
| 100-yard Dash: | 19 sec. |
| Bend-Twist-Touch: | 15 cycles, 20 sec. |
| 1-Mile Run: | 10 mins., 49sec. |

The two tests are not the same any more. We, as officers and as a union, fought too hard for parity with equal pay and the same physical testing. Corrections officers, whether at the command level or line officers, do investigations and arrests as well as dealing with the bad guys on a daily basis 24/7. Lowering the standards is a slap in the face, and at what cost? Just to bring up the number of candidates that test to get in? We need to ask ourselves what will change next or how much lower will the standard go.

There are some questions that come to mind with lower standards. At what point do officers need to stay healthy? How much more money is this lower standard going to cost our own Health Trust, with high blood pressure, diabetes, etc.? What about our annual physicals with the Heart and Lung Bill if we don't stay healthy? Along with the annual physicals, the corrective measures that are your responsibility to follow up on and return into the Department, what was done? I will leave you with this: The 10 Runaways team members are a great example of staying healthy; the lifestyle they live is what standard keeps them healthy and at the same time, helps them relieve stress and have a clear mind for work and for home. I will tell you personally that when you work out or run, you do feel better. **VB**

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RETIREMENTS

| | | |
|------------|-----------------------------|---------|
| 08/24/2007 | Douglas A. Nutton, P# 2938 | POII A2 |
| 08/29/2007 | Cheryl R. Williams, P# 4097 | PO II |

WHAT WOULD HAPPEN?

D. K. QUINN

The night was dark, so quiet and tranquil, when the shot rang out. I ran to the window knowing that the sound had come from the street below. A body lay there, so still, a puddle of blood forming beside his head, His wallet, for which he no longer had any need, was carelessly thrown beside him. I heard other people talking from their windows, yet no one ran to help. I waited for the sound of sirens; surely someone else had called 911? I waited, but the night remained silent.

It was almost closing time after much money had changed hands that day. The teller looked up, shocked, to find a large-barreled gun pointed in his face, Then at the note demanding his entire cash drawer be put into the bag presented. He did as directed, waited, then quickly pushed the silent alarm button under his window. He hoped that the robber would not turn around and shoot him. He waited for the police who would be coming any minute. He waited, the robber escaped, but no one came.

A crowd had formed around the candidate, listening intently to her speech. She would not get everyone's vote, she knew, but felt that her message was worth the effort. Loud voices broke into her thoughts, and angry arms waved from the back of the room. A group marched toward her on the stage, waving signs with hateful, personal attacks. They did not want her to speak; they wanted only to yell out their own slanderous message. She looked frantically for those who protect her right to free speech in a Democracy. Forced to run off the stage, she wondered why no help ever came.

She was six years old and had been allowed to stay overnight with her friend. They laughed and giggled until both became drowsy and fell asleep. Sleep did not last long when she dreamily felt something brush her thigh. A rough hand closed over her mouth, then touched her body in a way she didn't understand. She told her mommy when she got home and they cried together. Her mommy dialed the phone to report the bad man who had hurt her. They waited, and waited, still sobbing, but no one came.

It was a beautiful, April day for a drive up to the snow-covered mountains. Her husband was driving, too fast she thought, along with the others also in a hurry. Suddenly, she felt their car being shoved forward abruptly, without warning. Her husband quickly hit the brakes, but all the cars ran into each other like a wall of Dominoes. Unharmed but for bruises, shaking from the trauma, they gave thanks. They waited for the sirens, for the help to come and make sense of what had happened. They waited, shaking, but no one came.

We always expect, take for granted, or just assume that the police will come to our aid. Every day, every hour, every second aren't they waiting for our calls of help? But, what if they didn't come? What if they weren't there? What would it mean to us? Think about it. Will there ever be a time when we are not protected? How can we stop this from happening?

How can we be sure that the silence doesn't win?
That we won't wait in fear and that no one comes to help.

D. K. Quinn is an almost-18-year resident of Las Vegas who moved here from Lancaster, Penn. When asked why this poem was written, the following was the response: When we create something special, it is only natural that we want to share it with people who can most appreciate it. This month I was stopped by an officer and given a warning for a minor traffic error. Of course, I was happy not to be ticketed, but at the same time was annoyed because it seems like every day when I drive, hordes of reckless drivers put my life in danger with more serious infractions, yet they never seem to get caught. (Isn't that what everyone thinks?) In the meantime, I have a friend who is an ex-law enforcement officer from San Francisco. She threw the question at me as a challenge to see what I could do with it. "What WOULD happen if there were no police officers for even one day?" No one was more amazed than myself when this poem sort of fell out of me and into my word processor in a relatively short period of time. I guess you could say I was inspired.

After I was finished, I realized that my personal incident was really a good thing. It served as a reminder that I needed to pay more attention to details when I get behind the wheel of my car. My poem is my way of saying "thank you" to all of you who serve and protect me, even when there are times I wish I was invisible and it was the OTHER driver who caught your eye!

Editorial Note: Thank you, D.K., for contacting the LVPPA and allowing us to print your poem. VB

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.

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AUGUST/SEPTEMBER 2007 REPRESENTATION STATISTICS

| ARBITRATIONS | | | |
|--|-----------------------------|-------------------------|----------------------|
| All. Violation Date | Alleged Violation(s) | Original Discipline | Decision |
| N/A | N/A | N/A | N/A |
| CITIZEN REVIEW BOARD COMPLAINTS | | | |
| Dismissed | Referred to IAB for Review | Concurred w/IAB Finding | Pending CRB Decision |
| 0 | 0 | 0 | 1 |
| OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS | | | |
| Date | Use of Force Board Decision | Inquest Decision | |
| 8/22/07 | Pending Hearing | Justified | |
| 9/5/07 | Pending Hearing | Pending Hearing | |
| INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS | | | |
| Declined/Cancelled | Represented | Total | |
| 71 | 41 | 112 | |
| ACCIDENT REVIEW BOARD | | | |
| Excusable | Non-Negligent | Negligent | Rescheduled |
| 4 | 2 | 22 | 0 |

WHAT ARE WE DOING FOR YOU?

Normally, you would see the PPA statistics included at the end of Mark Chaparian's article as he is the Association Secretary, but his articles should stand alone as should this article. Our Executive Secretary, Laura Pavlowski, has compiled the statistics for your viewing pleasure. As we have also changed the format of the publication, you will also notice that we are no longer including statistics for the rolling 12-month period preceding this issue of the magazine. In order to give you thorough and up-to-date information, the statistics will be only for a complete two-month period as allowed by our publication deadline. Therefore, this issue's stats will be for August and September 2007.

Here is an explanation of what you are looking at. During the months of August and September, the PPA represented officers in three Pre-Termination Hearings. We were not successful in those hearings. There were no Arbitra-

tions. There is currently one Citizens Review Board Complaint that is pending a decision. As a benefit of membership, the PPA drafts responses to the CRB on your behalf (assuming you let us know that you received a complaint). We represented officers in two officer-involved shootings, including a Coroner's Inquest wherein the officers were determined justified. During the months of August and September, PPA Representatives represented a total of 41 people at either IAB or Bureau level interviews. A total of 112 interviews were scheduled and 71 of those were either rescheduled, canceled or declined. We also represented 28 members at the Accident Review Board.

If you have any questions about what we are doing for you, please give us a call at (702) 384-8692. **VB**

POLICE DANGERS INCREASING

CRAIG W. FLOYD

The recent senseless shooting of Phoenix Police Officer Nick Erfle is a horrific tragedy for his family, his Department and his community. Sadly, Erfle's death is not an anomaly but rather part of an alarming national trend: 2007 is proving to be one of the most deadly years for law enforcement in the past three decades.

According to preliminary data from the National Law Enforcement Officers Memorial Fund, Erfle's was the 135th law enforcement officer fatality this year. That compares with 97 officer deaths at this time last year, an increase of nearly 40 percent.

There has been only one other year in the past 30 when law enforcement fatalities were higher. That was 2001, when 237 officers died including 72 during the terrorist attacks of 9/11.

Especially troubling this year is the dramatic spike in fatal shootings of officers. They have increased almost 65 percent this year compared with the same period last year (56 in 2007, 34 in 2006). Unfortunately, police departments in the Valley have experienced this national trend firsthand.

Phoenix Police Officer George Cortez, Jr. was shot multiple times in August while investigating a forged-check complaint. In February, Officer Anthony Holly of the Glendale Police Department was slain during a traffic stop. And Erfle was gunned down after running a name check on a jaywalking suspect. In all three instances, officers were performing seemingly routine activities. And in each case, armed offenders simply opened fire, further illustrating just how unpredictable and dangerous police work can be.

So what is behind the spike in officer shootings? And what can be done to prevent them in the future? Unfortunately, there are no easy answers. Improved

safety equipment, especially the development of protective body armor, better training and improved emergency medical care, have all contributed to a dramatic decline in firearms-related fatalities among law officers since the 1970s. That is what makes the 2007 rise in officer deaths all the more puzzling.

One thing is certain, though. The best equipment, training and medical care in the world will not provide total protection for our officers. Law enforcement is a very dangerous profession, and every assignment is potentially life-threatening.

Making matters worse is a cold-blooded criminal element with no regard for human life. Just consider that six of the cop killers in 2007 killed more than one officer in their vicious attacks, and, as shocking as it may seem, 40 of the cop killers over the past decade were under age 18.

Ever since 9/11, officers across our country have been called upon not only to continue fighting conventional crime in their communities but also to serve as the front line in the war on terrorism here at home. These increasing demands on law enforcement have not always been matched with a comparable increase in resources. Policymakers at all levels of government need to ensure that the needs of our law enforcement officers are being met so they can effectively and safely serve us.

Amazingly, though, despite the dangers of the job and the mounting challenges they must face, more than 800,000 sworn law enforcement officers across our nation put their lives at risk each and every day to keep America safe.

We owe them all our eternal gratitude.

Craig W. Floyd is the Chairman and Chief Executive Officer of the National Law Enforcement Officers Memorial Fund.


Reprinted with permission from Craig W. Floyd. VB

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UNIFORM SERVICE

I know it is hard to believe, but, yes, that is your PPA Executive Board in uniform. Some of us had to search a little more than others to find all of the parts of our uniform, but, ultimately, we were all able to find them. This was September 11 and, like the rest of the Department, the PPA Executive Board was in uniform. **VB**



SUBJECTIVE TESTING

OFFICER DON EVANS

Promotional Systems and Scientific Measurement

This is a three-part series on subjective testing of our promotional systems and how it's measured. The first part introduces the current methodology:

On August 19, 2000, at approximately 1530 hours, a Police Officer prepares to take his oral board exam for the rank of Sergeant. He's confident; he's spent months preparing for the testing process. He's studied his policy and demonstrated his procedural knowledge with a passing score on the multiple-choice exam portion of the testing process. In that test, he had just passed the "cut-off" for progression to the next level of testing by a singular point. This fact doesn't deter him; however, the written test only counts for 20% of the total grade necessary to get promoted. The oral board counts for 45%.

Although affable, our Officer is considered by the majority of those he's worked with as only marginally competent, and perhaps a little less than honest in his dealings with others both inside and outside the department. He's been lucky though like the majority of supervisor/subordinate relationships, his supervisors have rarely handled calls with him. Moreover, he's always been likeable and never been in trouble. His annual evaluations, in any event, aren't mentioned or accounted for in the oral board and reflect "meets standards" anyway. He's fully qualified to be a Sergeant, in his opinion.

Indeed, the opinions of his co-workers don't deter our candidate in the least, or rob him of confidence. After all, the oral board is staffed with three people from other jurisdictions unaware of his performance on the Department. He has also carefully crafted his résumé, a résumé that covers an equally crafted career that spans assignments in primarily administrative details. As he enters the exam room, he thinks of his co-workers, their opinions of him and what they'll think when he gets his "stripes." For 50 minutes on this summer day in 2000, this Officer is the epitome of what a police supervisor should be in front of three strangers that have never worked with him and don't know him.

This scenario illustrates the weaknesses in our current promotional methodology. Three good days; this is what separates an aspiring Officer from the supervisory ranks in our Department out of a career generally consisting of several years. For those interested in testing for promotion, the current process consists of: an objectively scored written exam, which tests candidates' knowledge of policy and law; a subjectively graded practical exam made up of questions written by current LVMPD supervisors; and an oral board made up of the aforementioned three law enforcement officers from other jurisdictions, utilizing questions similarly drawn by LVMPD supervisors.

The three testing instruments are presented on three individual days over a two- to three-month period, with the result purported to be the theoretical supervisory aptitude each candidate possesses. By scientific standards, however, the current methodology produces a result that is far from certain, or objective. The current system is, by definition, a subjective process that does not comply with the scientific method. Though, there are alternative methods already developed that could be adapted to scientific methods, one of which will be outlined.

The Scientific Method and Current Promotional Testing Methodologies: Validity and Reliability

Scientific research requires that testing or research possess two very important characteristics: The research must be proven to be a true measure of the process or characteristic being researched, a characteristic known as validity; and the research must be able to consistently measure the process or characteristic being researched repetitively: a characteristic also known as reliability. Without these two dimensions being met, the research (or "test") is considered to be subjective by definition. Researchers in both "hard" sciences, such as chemistry, biology, etc. and "soft" sciences, such as psychology, sociology, etc. also make use of inferential statistics, specifically, sampling techniques. This process, based upon statistical science, consists of obtaining a

(continued on page 20)

WORKERS' COMPENSATION ISSUES?

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KATHRYN A. WERNER
GENERAL COUNSEL

November 2007

PPA Members:

We are concerned about the treatment our members are receiving regarding Workers' Compensation claims. If you feel that, in the last year, you have been treated in violation of policy, unethically or illegally, please contact Chief General Counsel John Dean Harper at legal@lvppa.com.

Thank you,

PPA Executive Board

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SUBJECTIVE TESTING

(continued from page 18)

“sample” of something and drawing conclusions to the “quality” or characteristics of the thing or behavior being sampled. In the case of promotional testing, the “thing” to be sampled would consist of the practical knowledge, work behaviors and supervisory aptitudes of the candidates (otherwise described as KSAs).

Validity

Within the context of scientific research, validity relates to the relevance of the samples taken to the actual process or characteristic being measured. In short, the testing methodology must be found to be an accurate measure of the thing to be measured, and not a measure of something else. Researchers, as a means of accomplishing the goal of test validity, have several methods at their disposal. Generally, these tools are selected based upon the underlying needs or circumstances of the thing to be sampled or tested, or the underlying question to be answered.

If the question to be answered is why something occurs, the researcher may opt to proceed with a laboratory research plan, which allows him to control the environment and isolate the variables he wishes to test for. In some cases, however, the researcher needs to answer the question of how a behavior is performed or what circumstances a behavior is performed under. These behavioral or performance questions are more practical in nature and, more often than not, require observation in the actual environment the population interacts with. In practical measurement cases like this, the presence of the researcher can, and often does, interfere with the population's natural responses to the environment; in other words, the research subject alters his responses in response to the actual testing method, and to the perceived “needs” of the researcher. This means that the mere fact the subject knows he's being observed alters his behavior and skews the practical measurement of that behavior. One means of overcoming this researcher bias is the use of unobtrusive measures (Eugene Webb, et al. 2000), which make use of “in the field” measurement methods that don't interfere with the subject's actual performance or activities during observation.

Conversely, the current oral board and practical exam methodologies attempt to examine potential promotional candidates in a sterile “lab-like” environment that does not approximate their actual performance in the field. Moreover, the candidate's actual field performance, arguably available in his annual evaluations, is not accommodated with the current process. Even if the annual evaluations were allowed to be examined, they would represent

a singular viewpoint on the candidate's performance that of the immediate supervisor, who in all likelihood has little, if any, actual contact with the officer during work shifts.

The lack of practical field measurement, the relatively sterile environment of the current oral board testing environment and the artificial presence of the researchers themselves (the three oral board graders) is, in effect, a scientifically invalid test of the candidate's aptitude for supervisory positions. It could be argued that the current system might be more accurately described as a test of the officer's ability to speak publicly, or to act, as the current system entails not practical measurement of ability in the field but the ability to verbally demonstrate hypothetical proficiency before these three unknown persons. The proof of this is found in the relatively wide distribution of current LVMPD managerial abilities (demotions, scandals, etc.).

In sum, our current promotional testing system does not comply with the validity standard required by scientific research and, by definition, is highly subjective. Measurement of cause-and-effect research questions (why), require lab study as a means of research control and variable isolation. Conversely, for a measurement of behavior (how or what) to be scientifically useful or valid, testing or research would have to include a practical and unobtrusive measurement of behavior in the field. It is this latter type of research which is, or should be, the goal of promotional decision-making processes, as it is practical aptitude and ability, rather than hypothetical ability demonstrated in a lab setting, which most influences success in any behavior including supervision.

Reliability

An additional condition of scientific examination is the iteration requirement, or the ability of the research to be independently verified by repetition, followed by the same result. In scientific research, this usually means repetition by a researcher independent from the first; however, this is often approximated by individual researchers by the use of repeated samples taken over time. The reason for this necessity for repetition is simple. Conditions can, and often do, change over time. Repetition of test results over time, therefore, approximates a more reliable result. For example: In chemistry, the lab environment may be contaminated, causing a skewed result for a singular sample. In psychology, cultural differences, physical illness or even mild sleep deprivation can cause marked changes in results between research populations in singular samples. Human behavior and performance, of which supervisory performance is a part, is no different. It can (and does) change over time. This fact, along with compliance with the scientific method, requires multiple samples be taken over time as a means of accurately gauging the effective performance of a research subject.

Within the context of the supervisory testing process, a scientific examination of aptitudes would suggest that the researcher observe (sample) the candidate's respective performance or aptitude levels multiple times over the course of their careers, or another suitably lengthy period. The current process, conversely, requires that an applicant appear to be a good supervisory candidate for a relatively short time in relation to their careers, or for approximately 50 minutes of a career lasting several years.

In the next Vegas Beat, we offer the statistical analysis portion of subjective testing in our promotional systems. VB

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—Richard Neustadt

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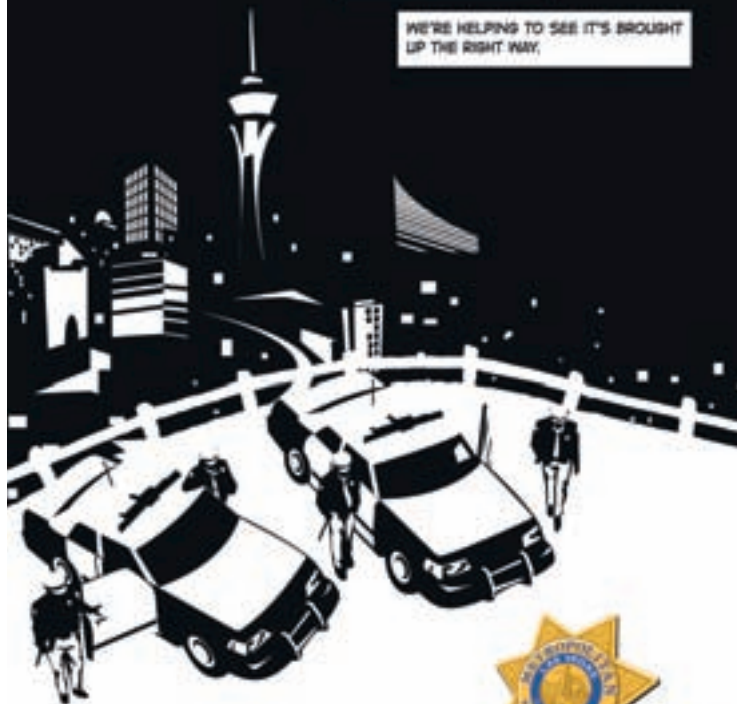
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CALENDAR

2007

- November 1** LVPPA General Membership Meeting (LVPPA office)
- November 2** Vacation Sellback deadline
- November 5-11** Bylaw ratification vote at PPA office (office open 24 hours)
- November 6** Election Day
- November 11** Veterans Day
- November 12** Veterans Day (observed)
- November 22** Thanksgiving (fourth Thursday in November)
- November 23** Friday after Thanksgiving
- December 5** Holiday Compensation Request Changes due in Payroll
- December 6** LVPPA General Membership Meeting (LVPPA office)
- December 7** SPA (Sheriff's Protective Association) Annual Christmas Party
- December 24** Christmas Eve
- December 25** Christmas Day
- January 1** New Year's Day
- January 3** LVPPA General Membership Meeting (LVPPA office)

THANK-YOU LETTERS

Dear Association:

Thank you very much for generously donating a total of \$50 to the Nevada Society for the Prevention of Cruelty to Animals (Nevada SPCA) in honor and loving memory of "Fred Mumpower." The gift is already being put to important use saving and protecting our community's animals in need and giving them the second chance at life and love that they so deserve! We hope that during this difficult time, it is of some comfort to you that animals' lives are being saved with this memorial gift.

Sincerely,
Jennifer Palombi
President

To Our Friends at the PPA,

This brings appreciations and many thanks to you. On behalf of my family, we'd like to express our gratitude to your during the loss of our mother.

Thanks,
John and Kathie Lybbert and family

PPA,

Thank you so much for the beautiful floral arrangement at my mother's funeral.

COII R. Spinoza, P#2809

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