



# LVPPA VEGAS BEAT

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

VOLUME 2 | ISSUE 5

January/February 2008

# BALDY BASH 2007



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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.

**"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**

## Changes to the Coroner's Inquest Process

For the past 18 months, LVPPA has participated in meetings aimed at addressing proposed reforms to the coroner's inquest process. These meetings came about after the ACLU, NAACP and other special interest groups complained to the County that the inquest process was broken and that the citizens of Clark County no longer had confidence in the system. At one of the very first meetings, LVPPA made it clear that we felt the coroner's inquest was working fine and that our Association did not believe the citizens of Clark County had lost confidence in the system. We then offered to pay to have a public opinion poll done to find out just exactly what the citizens of Clark County thought about the coroner's inquest process. In response, Gary Peck, on behalf of ACLU, admitted that 90-95 percent of the citizens would say they were content with the process as it currently is.

Despite this, for the next 18 months, we listened while representatives of the special interest groups told us how bad the process was and what changes needed to be made. LVPPA never believed any changes were needed, but, in the interest of being a good community partner, we agreed to accept two of the changes ACLU and others proposed. In one of the last meetings held, Mr. Peck stated that the two changes all participants agreed to were "meaningless"

and that if they were the only changes being made, we should just forget the whole thing. That statement struck me as odd because the two changes we had all agreed to were changes Mr. Peck had suggested in the first place. That being said, two different versions of the reforms discussed by the committee went before the Clark County commissioners for a vote on November 20.

The first proposal, agenda item #94, was the version LVPPA supported and the second, agenda item #95, was supported by special interest groups. At this Commission meeting, two statements were made that stuck in my mind: First, Mr. Peck again said if the commissioners voted in favor of item #94, we should just forget the whole thing because the changes were meaningless; second, former State Senator Joe Neal said something along the lines of: The public can no longer allow police officers to kill indiscriminately. I felt compelled to respond to Senator Neal, stressing to the commissioners that law enforcement officers do not kill indiscriminately. Rather, officers take the use of deadly force very seriously and hope that they will never be in a situation where they are forced to use deadly force. Like it or not, the public needs to know that when a law enforcement officer is required to use deadly force, it's usually a reaction to a suspect's action.

As a result of the vote taken November 20, these changes to the coroner's inquest process will be implemented: First, the Hearing Master will now be one of the elected Justices of the Peace, not one of the attorneys currently on the rotating list. Second, the questions that are submitted in writing to the Hearing Master, but not asked of the witness, will now be read into the record outside the presence of the jury.

All in all, it was a long and painful 18 months. There are some people I need to thank for their participation in these committee meetings — Sheriff Gillespie, LVPPA Counsel Kathy Collins and John Harper, District Attorney David Roger, Clark County Coroner Mike Murphy and, last but not least, Assistant County Manager Elizabeth Quillin, who was chairperson of the group. It was a pleasure to work with these and other individuals whose true goal was to determine if any changes were needed and if those changes would have a positive effect on the process. In my opinion, other members of the panel wanted to make changes to the coroner's inquest just for the sake of making changes.


As law enforcement officers, each of you should hold your head high and be proud of the dedicated service you provide our community. I believe the citizens of Clark County are behind you, so do not let a small number of the people or special interest groups make you think otherwise. As always, stay safe and fight the good fight. **VB**

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RETIREMENTS		
09/11/2007	Guy A. Cunningham, P# 2788	POII
09/22/2007	George Elliott, P# 2810	COII
10/15/2007	Kirk L. Sullivan, P# 3400	POII A2
10/18/2007	Eric S. Kruse, P# 2749	POII



# Cover Controversy

**DETECTIVE MICHELLE JOTZ**  
Assistant Executive Director

On November 28, the PPA office began receiving telephone calls about knit caps (commonly referred to as “beanie caps”). We were told that supervisors were not allowing officers to wear the knit caps to keep warm. Unfortunately, policy doesn’t specifically address the wearing of knit caps, but it does address the wearing of the LVMPD-issued baseball caps. I sent an e-mail that day to Deputy Chief Gary Schofield, addressing the concerns about officers wearing the knit caps in an effort to avoid being exposed to overly cold weather and to avoid potentially becoming ill and using sick time. It was only a short time later that I received a response from Chief Schofield advising me that we could submit our concern to the Dress and Appearance Committee.

I figured this was just another brushoff, as I had already been informed that they weren’t expected to meet again until January. I sent another e-mail to verify the date of the next meeting. I couldn’t believe that there was a meeting scheduled for November 30 and we (the PPA) were invited to attend to present our concerns about the knit caps. I drafted a memo with supporting documentation

to present to the Dress and Appearance Committee for the meeting.

At the meeting, after a host of other items were discussed, there was a very open discussion not only about the knit caps, but about the baseball caps too. There was discussion about the purpose for their use and appropriate utilization. Ultimately, the group came up with recommendations to the Sheriff for the use of knit caps with the winter uniform, but only in inclement weather. The group also outlined what inclement weather should be classified as. The Committee decision was that the baseball caps are intended to protect you from sun exposure, while the knit caps are intended to provide you warmth. The Committee was extremely receptive, and I was impressed by the open discussion and feedback that took place. Chief Schofield even went so far as to extend an invitation to the PPA to attend future Dress and Appearance Committee meetings. We are thankful for the opportunity to attend and be involved.

There has been a temporary administrative notice allowing officers to wear knit caps in inclement weather. **VB**



## John H. Hastings D.D.S.

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# LVMPD Employees Health and Welfare Trust

## CORRECTIONS OFFICER THOMAS REID

Assistant Executive Director

As we head into 2008, I would like to remind you that the Health and Welfare trustees are working hard to ensure you enjoy the best benefits we can provide. Early next year, the trustees and the health plan professionals will be sitting down to discuss strategic planning for the Health and Welfare Trust. We talk about many things in this meeting, but what is probably most important to members and their families will be possible enhancements to the health, vision and dental benefits. Also discussed will be the cost of your health care contributions. As you may remember, we did not increase any participant, dependent or retiree contributions for fiscal year 2007. If you would like the Trust to look at a benefit for next year, please contact me or any of these trustees: Fred Galey, Mike Snyder, Karen Keller, Kathy Suey, Paul Page, Dave Levins and Greg McCurdy.

## Communications

By now, all of you should have received in the mail your Fiserv Health CDs that contain the Summary Plan Description (SPD) for the Health & Welfare Trust and The Las Vegas Metro Employee Benefit Trust. These documents

govern the way each of the separate Trusts covers and reimburses you for medical and retiree benefits. These two Trusts are managed by two different groups of trustees. The CD provides a wealth of knowledge and can help you understand the benefits, and sometimes the limitations, of your health plan. As always, if you have any questions about the health plan, or if you need a copy of the CD or prefer a hard copy of the SPDs, please contact Fiserv at (800) 686-1395 or visit the local Fiserv Health office at 1050 E. Flamingo Rd., Suite E-329.

Another way we're reaching out to our health plan participants is through Fiserv Health site visits. These site visits, which started as a pilot program in November/December 2007, will continue in 2008. Representatives from Fiserv will be on hand to answer any questions you have regarding your health care or bills you have for services you received. They will have wireless laptops that connect to their main computer systems and can provide up-to-date information on the spot. The Fiserv Health site visit schedule will mirror the schedule that Hartford Deferred Comp does on a quarterly basis.

## Health Trust Bulletin Boards

In October 2007, the trustees approved the installation of Fiserv Health bulletin boards. Currently, Fiserv Health is finalizing information that will be posted on the boards for reference in regard to your Health and Welfare Benefit Plan. These boards are mostly in high-traffic areas around the different Area Commands and Bureaus. Please watch the boards for useful information related to your health plan.

## Keeping Us Up-To-Date

As is anything in life, if you do it once, you do it a thousand times. It's important to keep all of your personal information up-to-date in regard to your health plan. When Fiserv Health produces a mailing of 4,500 pieces to participants, it isn't uncommon to get back 300-400 returned due to incorrect or outdated addresses. This translates to an extra cost to the Health Trust in resending the mail and tracking down members' new addresses. (Extra costs to the Trust ultimately end up in extra costs to the member.) When you update your new address with LVMPD, you must also notify your health plan provider. The change of address can be submitted to Fiserv Health by mail or in person at 1050 E. Flamingo Rd., Suite E-329, Las Vegas, NV 89119, by fax to (210)558-2151 or via e-mail to amy.gonzales@fiservhealth.com (**must be sent from your lvmpd.com e-mail address only**). **VB**

# INSIGHT

Self-control and self-esteem vary directly: The more self-esteem a person has, the greater, as a rule, is his desire, and his ability, to control himself.

The desire to control others and self-esteem vary inversely: the less self-esteem a person has, the greater, as a rule, is his desire, and his ability, to control others.

— Thomas S. Szasz

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# Political Action: Get Involved

**DETECTIVE DAVID F. KALLAS**  
Director of Governmental Affairs

2008 is going to be a very busy year in politics. With the upcoming election of a new President and campaigns for Congress, State Legislature, District Court and County Commission, I thought it important to remind our officers of the Association's role and the need for you to be involved.

When I first became actively involved with our Association as a representative in 1997, I often wondered why a law enforcement organization needed a Political Action Committee (PAC) or needed to be involved in politics at all. It did not take me long to understand that if we weren't involved politically, we would never be part of the solution and would always linger behind as part of the problem. I say this because I have learned that there are hundreds of different groups in our community, the state and nationwide who take active roles through their Political Action Committees. Their roles and to some extent, influence, determine how their communities, states and our country are shaped. This was never more evident than during my time on our State Legislature in 2003, 2005 and 2007. During those times, I learned we were a medium-sized fish in a big pond. If there was any one thing that I learned during my time in Carson City, it is that in order to have any chance of being successful you must be active, constantly. The political culture in our community and our country supports the political structure, and the reality is that it's very unlikely to change. We must stay involved — and at the highest level possible.

I realize, as officers, it's often hard to understand that what we do on behalf of our community every day — we show up for work — isn't enough for some people. Unfortunately, the reality is that it's not enough. Whether you are an officer, teacher, nurse or firefighter, it's too easy for our elected officials to forget about us while others whisper in their ears. Not that there is anything wrong with others whispering in the ears of our elected officials, but in this day and age, those of us in public service, and especially public safety, are "under siege" from a variety of groups and individuals who think we "have it too good." Whether it's our salaries and benefits or our participation in the

Public Employees Retirement System, these so-called Watchdog groups, like the Chamber of Commerce and the Taxpayers Association, would like nothing better than to see our benefits eroded. Throw in the constant criticisms from our local version of the *National Enquirer*, the *Review-Journal*, and maybe you can understand how important it is for us to get our message heard.

Though most PACs are set up specifically to provide contributions to candidates they support, the Association's PAC is designed to meet with candidates for office, interview them and then, depending upon which office the candidate is seeking, either vote to endorse them or recommend to the Board of Directors that the candidate be endorsed. On occasion, the Association does make financial contributions. The main criteria that is used to determine if the candidate warrants our support is their history of supporting law enforcement issues in the past or their views on supporting law enforcement issues in the future. We realize that candidates may not always be able to support all of our issues, so we certainly take into consideration the totality of the candidate's background. We try to make this process as objective as possible but realize that our membership may not always agree with our decisions! All I can say is that we truly weigh all of our options before making decisions and try to endorse the candidates that do understand our issues.

As of now, our PAC is made up by the members of the Association's Executive Board. With the amount of time necessary to conduct all the interviews we do, it isn't reasonable to believe that other officers can make themselves available on a regular basis. If an officer has an interest in participating in the PAC or learning more about it, please contact me at the Association office at 384-8692, ext. 207.

As an Association, we can't emphasize enough the importance of the officers we represent to get involved with us during the upcoming elections. There are many incumbents and candidates who have shown a profound lack of support for what our officers do, how they are treated and how they are compensated. If we, as an organization, can't get our officers motivated to participate at a level never seen before, then we can and should expect the continuation of the aforementioned "siege"!

As always, stay safe! **VB**

## OCTOBER / NOVEMBER 2007 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
12/17/06	LVMPD Critical Procedure 6/014.00, Vehicle Pursuits	16-Hour Suspension	Reduced to Written

(continued on page 13)



# Bylaw Changes

**OFFICER MARK CHAPARIAN**  
Secretary

The Las Vegas Police Protective Association formed a Bylaw Committee early last year with the intent of reviewing and possibly modifying the Bylaws that our Association is governed by. Our team consisted of members of the Executive Board, the Board of Directors and PPA Legal Counsel. Many of the changes were what we call "housekeeping" changes, which included misspelled words, improper punctuation and outdated language or sections that had become obsolete or improper due to contract language or other mitigating factors. A list of concerns was kept with respect to the Bylaws during the course of the year. This list assisted the Association in better addressing problems that had arisen throughout the year. The Bylaws were each read thoroughly by members of the Committee. Much discussion was had concerning the proposed changes, and debates took place among the members of the Committee. Our Legal Counsel was very instrumental in assisting us when changes had to be made regarding the legal worthiness and justification of such changes.

The Committee met several times, from early 2007 and well into the spring. A copy of the proposed Bylaw changes was presented to the entire Board of Directors, and a petition was circulated to the members in order to allow the

Association to justify a vote of the newly drafted proposed Bylaw changes. The petition was successful in gathering enough member signatures to allow a vote to take place last November to adopt the new changes that the Association will operate from. The Bylaws were ratified in November 2007 with 52 members voting: 48 for and 4 against. The new Bylaws are readily available online, in the office or from your area Director. I would like to highlight some of the new changes I believe are significant and worthy of notice:

- *Honorary* members of LVPPA have no rights, benefits or privileges of any kind. (6.02)
- Retiree Directors do not vote on contract or Bylaw ratification. (6.06)
- Retiree members pay a one-time fee of \$500 for lifetime membership at time of retirement. (7.03)
- Members can choose our Association or another for contract and labor relations issues regarding representation, and still have costs and expenses associated with the appeal covered, providing the case is meritorious. (9.03)
- Board of Directors meetings will be held at least once per month, and general membership meetings will be held at least quarterly. (11.02, 10.01)
- Ethnic group associations who may sit on the Board of Directors are non-voting and must be LVPPA Association members in good standing. (13.08)
- Only qualified, able-voting members in good standing are eligible to be elected or appointed to the office of this Association. (14.02)
- Any member who wishes to be elected to Executive Director must be presently serving on the Board of Directors at the time of election, and must have two years of service with that Board. (17.01)
- Any Director who wishes to sit on the Executive Board must be compensated under the current LVPPA Collective Bargaining Agreement. (17.02)
- For the endorsement of the Office of the Sheriff, mail-out balloting will take place, and if a minimum of 51 percent of the ballots are returned, the majority of the votes will determine the candidate that will receive the endorsement. (19.02)

I hope this brings some better understanding of what occurred during the Bylaw modification process. If you need further clarification or have any other questions, please feel free to contact me, our office or any Director. **VB**

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# Member Spotlight

## CORRECTIONS OFFICER KENNETH LOCHNER

LVPPA Treasurer

## CORRECTIONS OFFICER DOUG PERNS

Representative

### Run one marathon in your life? How about 12 in 12 months?

That's the story I would like to tell you about one of our own, and a very humble person at that. Ed Maas was born on the West Coast in Victorville, California, to a family with three other brothers (one of which is his twin). He is the second oldest and, while in high school, was a long-distance runner and ran for his high-school track team. He has a beautiful and very supportive girlfriend and a daughter who have helped him achieve his goal of completing 12 marathons in 12 months. I sat down with Ed and girlfriend Tracie Malburg and asked them some questions that Doug and I put together.



*pasta and chicken for dinner. While I run, I carry an energy gel called GU that I take to keep the levels of electrolytes and other things (lamen) in my body at certain levels so my energy stays high like when I trained.*

**Q. What was the total miles traveled for the marathons that you ran, and the total miles that you ran in the marathons?**

*A. I traveled close to 30,000 miles and ran 314.4 miles in the 12 marathons.*

**Q. When you started this, did you have any sponsors to help with the financial end and if not, how much would you say you spent on the entire adventure?**

*A. No, I endured the cost on my own and ended up spending between \$11,000-\$12,000 with all the race entries, hotels, airfares and meals.*

**Q. What did you enjoy most about your 12-month marathon adventure?**

*A. The travel, with the different environment that you encounter, along with the competitors; the opportunity to compete with the different classes of competitors or levels of competition, and to learn the different styles; and to see runners there for the first time and then also the professional runners.*

**Q. What got you into running marathons?**

*A. I enjoy running, and there are individuals at work that encouraged me to run in marathons. I never knew that much about them until I started. I ran 5k's and 10k's before, but now, after running so many, I know more than I knew before I started.*

**Q. What did you enjoy least about your 12-month marathon adventure?**

*A. I would have to say the poor performances. You know, when you get the aches and pains, the stress from running so many marathons. Then the aches and pains that don't go away when you run so many, your body doesn't have the time to recover before the next race.*

## INSIGHT

The difficulties increase the closer we approach the goal.

— Goethe

(continued on page 15)



**KATHY WERNER COLLINS**  
General Counsel

## Truthfulness Required at All Times

For whatever reason, truthfulness allegations against officers seem to be on the rise within the Las Vegas Metropolitan Police Department. While the Association believes that these allegations are without merit, many are nonetheless proceeding to the discipline and appeal stages. This is unfortunate for a number of reasons. First and foremost, from an officer's perspective, there is a policy within this agency that if "you lie, you fly." In other words, if an officer has been found to be untruthful to Internal Affairs, the remedy from a disciplinary standpoint is termination, regardless of how long he or she has been employed by this agency and regardless of whether he or she has had a lack of prior discipline before the truthfulness issue arose. However, it is unfortunate, as it's very difficult to defend and combat a truthfulness allegation and therefore very difficult to win at either a pre-termination or arbitration hearing on a truthfulness allegation. The great rise in truthfulness allegations has prompted this article in an effort to educate all of you as to why employers have taken such a strict approach to dishonesty issues and what arbitrators look at in evaluating truthfulness cases.

### **4/101.19, Truthfulness Required At All Times, states that employees:**

"... have the responsibility to be truthful in all matters related to the scope of their employment and the operations of the Department. Failure to be truthful in any matter that impacts the integrity of the Department or its members is unacceptable behavior and will not be tolerated. Additionally, members formally noticed of official investigations conducted by the Department who are found to be untruthful during the investigations, or who are found to be untruthful in completing official Department documents, will be subject to termination. . . ."

Dishonesty is thought to be one of the most serious forms of employee misconduct that exists. Many cases that involve dishonesty fall within the broad category of theft. These cases range from the outright taking of property belonging to either an employer or a co-worker, to the falsification of documents for personal gain (i.e. false applications, false time records, etc.). In other cases, the dishonesty does not involve theft, but rather some act that compromises the employer-employee relationship of trust. In general, it is thought that employers have a right to expect loyalty from their employees, which includes the thought that employees should do their best to further, rather than inhibit, the best interests of the employer.

Specifically as it pertains to law enforcement, however, the duty of loyalty and honesty goes a step further. This stems from a United States Supreme Court decision in *Brady v. Maryland*, 373 U.S. 83 (1963). In that case, Brady and a companion were

both convicted of first-degree murder and sentenced to death in separate trials. At his trial, Brady admitted to participating in the crime, but claimed that his companion did the actual killing. At the trial, petitioner's counsel conceded that petitioner was guilty of murder in the first degree and asked only that the jury return that verdict with a sentence of life in prison but not capital punishment. Prior to the trial, petitioner's counsel had requested the prosecution to allow him to examine the companion's extrajudicial statements. Several of the statements were shown to him. However, the one statement in which the companion admitted to the actual killing was withheld by the prosecution and didn't come to petitioner's notice until after he had been tried, convicted and sentenced, and after his conviction had been affirmed by the Court of Appeals. In a post-conviction proceeding, the Maryland Court of Appeals held that the suppression of evidence by the prosecutor denied petitioner due process of law, and it remanded the case for a new trial on the question of punishment. This decision was upheld by the Supreme Court.

Following this case, it is now an accepted principle that the suppression by a prosecutor of evidence that would be favorable to an accused upon request violates due process, where the evidence is material either to guilt or punishment, irrespective of the good faith or bad faith of the prosecutor. Included in this concept is evidence of the veracity or truthfulness of law enforcement officers involved in the matter. As a result, if requested, a prosecutor must produce evidence that an officer has been found to be untruthful if such is the case. It is for this reason that law enforcement agencies nationwide have moved to a very strict approach in dealing with employees found to be dishonest. And as you all know, this agency is no exception.

As mentioned above, truthfulness allegations are difficult to overcome at a pre-termination or arbitration hearing. On the other hand, they are also difficult to prove by clear and convincing evidence, which is the burden of proof imposed upon the Department. In determining whether an employer has proven dishonesty and whether the discipline imposed is reasonable, arbitrators look at a number of factors. First, the employer generally must show that the employee intentionally engaged in the misconduct in question. Additionally, arbitrators usually consider an employee's motive for being dishonest. Where an employee is found to have intentionally been dishonest for financial gain or to avoid discipline on another matter, severe discipline is typically upheld. Arbitrators also often consider the effect that the dishonesty had on the employer's business or on the employee's fellow workers. Where the loss is minor, this may be considered a mitigating factor. On the other hand, arbitrators just as often reject this type of argument, concluding that the

(continued on page 17)

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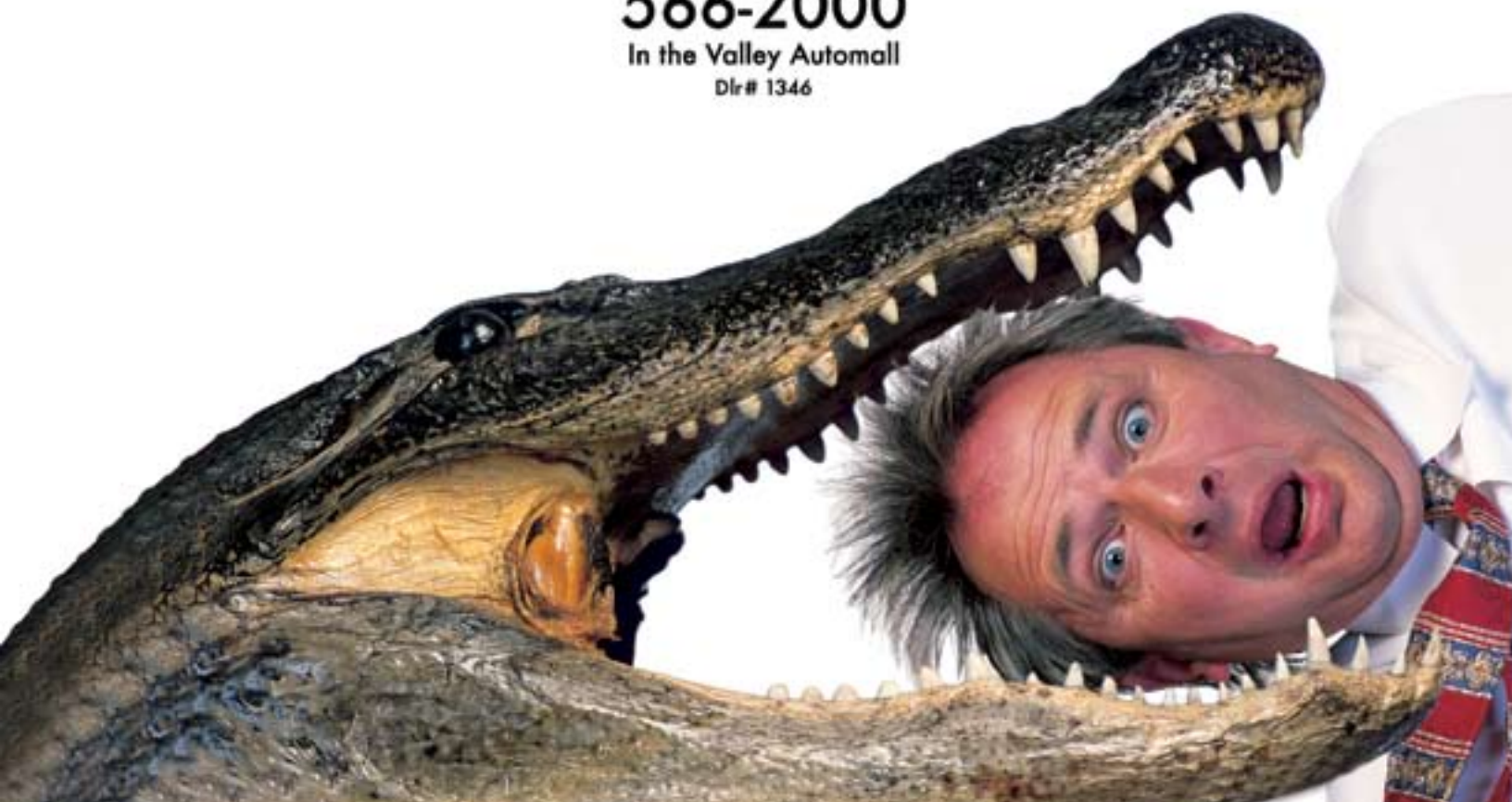
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# WE NEED YOUR HELP: POST RETIREMENT TRUST — BONANZA OR BUST?

**DETECTIVE CHRIS COLLINS**

Executive Director

Those of us who have been working here at Metro for at least five years will remember when LVPPA offered its membership a chance to join a Post Retirement Trust. This is the program that would help pay out-of-pocket medical expenses after retirement. At first, LVPPA considered starting our own trust, much like the one PMSA already had in place. LVPPA had an actuarial study done based on the total number of police and corrections officers covered by the Collective Bargaining Agreement in place at the time. The study concluded that with 2,162 officers, the trust could be maintained if each officer contributed \$75 each month or \$37.50 each payday for a period of time not less than five years but not more than 15 years (along with LVPPA contributing a lump sum of \$600,000). The study further contemplated that the monthly benefit would be \$300 each month, but the first payout would not be for five years after the plan inception. PMSA was provided a copy of the actuarial study done on behalf of LVPPA and, after some discussions with PMSA, it was decided it would be a better idea to join their trust rather than to reinvent the wheel. This also helped eliminate the problem of what to do when someone promoted out of our Collective Bargaining Agreement. It was at this time that Executive Board members of LVPPA started attending briefings to help explain how the trust would work.

You were told that each of you would pay \$75 per month for not less than five years, but not more than 15 years, in order to receive a \$300 per month benefit. During this time it's important to remember that PMSA membership was paying over \$100 per month with no limit on how long they would pay in order to receive a \$200 per month benefit. After attending as many briefings as

possible, LVPPA conducted a vote and the membership voted to join the trust PMSA had in place. Over a period of time, many people complained that they didn't want our membership in the trust. In an unprecedented move, a second vote was taken, and 92 percent of the people who voted again voted to stay in the trust. On June 25, 2002, LVPPA and PMSA EMPLOYEE BENEFIT TRUST entered into a Transition Agreement. Trustees were elected and things seemed to be going along smoothly. Little by little, problems began to arise. The trustees lowered the contribution requirement for PMSA members to \$75 per month and raised their benefit to \$300 per month. After these changes, the trustees again approved an increase in the benefit to \$350 per month. Yes, this time it was an increase in the monthly benefit for all trust members — too bad no member of our Collective Bargaining Agreement was yet vested.

If the trust could have afforded these benefits without our participation, why didn't they? I think it is clear these increased benefits for PMSA members were paid for by monies contributed by members of our Collective Bargaining Unit. To be fair, I must let you know that we should have seen the reduced contribution for PMSA members coming. In the minutes from the Board of Trustees meeting dated July 31, 2002, Ron Niemann, then Chairman of the Board, notes that the latest actuary report shows that merging the two groups in the existing trust is very doable with the reduced amount of contributions and the 15-year cap. He goes on to say that he has reviewed the numbers and, although there still may be some errors in the actuary data, the projections look good. These changes began to worry LVPPA and caused us to go back and review the original Transition Agreement. We found that the agreement had never been lived up to.

The Transition Agreement states that the monies contributed by LVPPA would be kept in a separate account. As of now, I can't find any documentation to show this was ever done. Secondly, it states that unless extended by the parties or replaced by a successor agreement, this Transition Agreement expires on December 31, 2002. Upon expiration of this agreement (without extension or replacement by a substitute agreement), the assets in the segregated account will be paid and/or transferred consistent with the Internal Revenue Code, including Section 501 and related authority, so as to maintain the tax-qualified status of the trust and LVPPA contributions. In no event shall such assets be paid to or be recoverable by the participating employer or labor organization. This agreement did expire on December 31, 2002, with no replacement agreement and, therefore, the monies contributed by LVPPA members should have been transferred and our own trust started. This is the fault of LVPPA for not following up on the Transition Agreement. I do not believe the trustees who voted for the mentioned changes and ignored the actuarial data provided by LVPPA have acted with your best interest at heart. I took this belief and went to a trustee meeting in fall 2007 and asked that some of these problems be fixed.

I was told by the trustees that they couldn't guarantee a 15-year cap. I asked for a letter to be sent to members of our Collective Bargaining Unit, explaining why the 15-year cap couldn't be put in place and to make sure the letter spelled out that this was a decision of the trustees and not LVPPA. To date, this letter has not been written. I can tell you that I think it's time for a shake-up in the trustees — they are elected by you, and I will not be casting my vote for any of the current trustees. Now that you have read all of this, you're probably thinking, *OK what help do you need?* I need direction from our membership. I see that we have three choices: Choice no. 1 is to do nothing and let things run their course. Choice no. 2 is to elect a new group of trustees who will give what you voted for in 2002. (I realize changes may have to be made but it should affect employees hired after 2002.) Choice #3 is for LVPPA to enter into litigation in an attempt to make the trustees live up to what was voted on and, if that can't be done, remove our monies from the trust. I don't believe choice #3 is the best choice. The POST RETIREMENT TRUST is a valuable benefit. It's time to get involved and make the trustees explain themselves and the decisions they make. The ball is in your court. What action, if any, do you want LVPPA to take on your behalf? **VB**



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**REPRESENTATION STATISTICS**

(continued from page 7)

# OCTOBER/NOVEMBER 2007 REPRESENTATION STATISTICS

PRE-TERMINATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
4/7/2007	CSR 510.2(G)(1) Conduct Unbecoming; LVMPD Regulation 4/101.19 Truthfulness Required at all Times	Recommended Termination	Upheld, pending Arbitration
4/7/2007	CSR 510.2(G)(1) Conduct Unbecoming; LVMPD Regulation 4/101.19 Truthfulness Required at all Times	Recommended Termination	Upheld, pending Arbitration

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
1	0	0	3

OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS		
Date	Use of Force Board Decision	Inquest Decision
8/22/07	Justified	Justified
9/5/07	Justified	Justified
9/24/07	Justified	N/A
10/7/07	Pending Hearing	N/A
10/19/07	Pending Hearing	N/A
11/29/07	Pending Hearing	N/A

INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS		
Declined/Canceled	Represented	Total
49	90	139

ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
10	6	42	2

# DOMESTIC DISTURBANCE CALLS: ALWAYS DANGEROUS AND SOMETIMES DEADLY

BY CRAIG W. FLOYD

When a woman called the Beaufort County (S.C.) Sheriff's Office on January 8, 2002, to say that her friend was being held by a man against her will, Lance Corporal Dana L. Tate, Sr. and Corporal Dyke "A.J." Coursen raced to the scene. The woman who placed the call later said, "I told them my friend needed help."

The woman inside the home, Kimberly Blake, had been physically abused by the man who had fathered her child. When Deputies Tate, 43, and Coursen, 35, arrived on the scene, the man hid in a bedroom closet with a high-powered SKS assault rifle. As they searched the bedroom, Deputies Tate and Coursen were each shot multiple times and killed. The man briefly escaped, but was soon found and ultimately sentenced to death — small consolation to the families of Deputies Tate and Coursen.

Beaufort County Sheriff P. J. Tanner reflected on the loss of his two deputies, saying, "These officers meant everything to this department, to the citizens of this county. They paid the ultimate price." He added, "A domestic call is probably the worst call an officer can get because emotions run so high."

The records of the National Law Enforcement Officers Memorial Fund (NLEOMF) tend to support Sheriff Tanner's assertion about the dangers associated with domestic disturbance calls. Since 1855, when New Haven (Connecticut) Night Watchman Thomas Cummins became the first officer ever to be killed on a domestic disturbance call, 546 other officers in the United States have suffered the same tragic fate.

Most recently, on September 8, 2007, three Odessa (Texas) police officers were shot and killed when responding to a domestic violence call where a woman had reported being hit by her drunken husband. Corporals Arlie Jones, Scott Gardner and Abel Marquez were attempting to gain entry into the home when the suspect opened fire, killing Corporals Jones and Gardner. Corporal Marquez was critically wounded, and he succumbed to his injuries four days later.

A look at the FBI's report on law enforcement officers assaulted and killed confirms the fact that no assignment poses more uncertainty and danger to an officer than a domestic disturbance call. More officers by far are assaulted or injured during domestic disturbance calls than any other circumstance. In 2005, 30 percent (17,534) of the 57,546 assaults on law officers occurred during disturbance calls, according to the FBI. The next highest category, "attempting other arrests," resulted in only 17 percent (9,602) of total assaults against officers.

In addition to the highly emotional state of the crime victim and assailant in domestic violence situations, alcohol or drugs are also often involved. In fact, of the 547 officers killed during domestic disturbance calls throughout history, alcohol and/or drugs were a contributing factor in more than one-third of those cases. One of those cases involved the shooting death of Las Vegas Metropolitan Police Sergeant Henry Prendes, 37. On February 1, 2006, Sergeant Prendes responded to a residence where a man was accused of beating his girlfriend with a stick. Sergeant Prendes was the first officer to arrive on the scene, and he was shot and killed by a man on drugs and armed with an assault rifle. The man would fire more than 50 rounds at Sergeant Prendes and other arriving officers before he was finally shot and killed.

On February 11, 2002, New York State Trooper Lawrence P. Gleason, 28,

responded to a domestic disturbance call and was interviewing the female who filed the complaint when the suspect arrived at the residence and killed Trooper Gleason with a high-powered assault rifle. He then murdered the woman, before committing suicide.

During the early morning hours of November 13, 2005, Dallas Police Officer Brian H. Jackson, 28, responded to a domestic disturbance call at a local residence. The suspect had threatened his ex-girlfriend and fired a handgun inside the home. When Officer Jackson arrived on the scene, the suspect fled and hid in a dark alley. As Officer Jackson approached, he was shot and killed.

Oxnard (Calif.) Police Officer John Adair was on patrol on October 7, 1980, when he received a domestic disturbance call. His wife was in the car with him as a "civilian ride-along." When he arrived on the scene, he left his wife in his patrol car and walked up to the house. While Officer Adair was speaking with a woman outside her front door, the woman's husband suddenly emerged from the house brandishing a handgun. The man started shooting immediately, striking Officer Adair, who, along with his partner, returned fire, killing the suspect. John Adair died soon after, and his wife witnessed the entire incident from her seat in the squad car.

Roughly three out of every four officers who died during domestic disturbance calls were shot to death, but there have been some unusual exceptions. On February 6, 2004, Orange County Deputy Sheriff Mariano Lemus, Jr., responded to a domestic disturbance call and was bitten by a suspect later confirmed to be infected with the Hepatitis C virus. Deputy Lemus contracted the disease and died a year later. In 1976, Medina County (Ohio) Deputy Joseph Baca responded to a domestic disturbance call and became involved in a fight with the suspect. Although he was not injured by the suspect, he did receive several bee stings during the struggle. The stings caused a fatal allergic reaction, and he died.

It was one in the morning on December 28, 1985. Meridian (Miss.) Police Officer Alma Walters, 29, had just arrived on the scene of a domestic disturbance call. She had been to the house before. It was the home of John Lanier, 29, and his 51-year-old girlfriend, Catherine Smith. Lanier had fought with Smith because she had hidden his vodka bottle. Lanier became enraged and pushed his girlfriend out of the house. Smith called police and Officer Walters responded.

Officer Walters told Lanier to go for a walk with her to cool off. Lanier testified at his trial that he had been drinking and taking drugs for 18 hours prior to his outburst of anger. When they got to the driveway a fierce struggle occurred. Officer Walters was beaten badly. Lanier took her gun and dragged her inside. Moments later a backup officer arrived, and Officer Walters bravely warned her colleague to stay outside yelling, "He's got my gun!" Lanier then took the gun, placed it at the back of Officer Walters' head and pulled the trigger, killing her instantly.

When asked to comment on the case a couple of years later, Meridian Deputy Chief Steve Thomas said, "Domestic disturbances have always been and still are the most potentially dangerous call for a police officer."

*Craig W. Floyd is chairman of the National Law Enforcement Officers Memorial Fund. Visit [www.nleomf.com](http://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 magazine. VB*



## MEMBER SPOTLIGHT

(continued from page 9)



**Q. Did you have a support group to help you over the last 12 months?**

*A. That would be yes. I have my girlfriend, Tracie Malburg, who helped with all of the logistics for the 12 marathons, as well as supporting me on the course for a majority of the races. My family members, including my brother, who encouraged me to keep going; and my little girl would stand on the course holding a sign and encourage me on to the finish. I have a lot of close support.*

**Q. The 12 marathons — how have they affected your body physically?**

*A. Near the end, the minor aches and pains grew from the grueling stress*

*of the marathons. During this time, I was running some races between the marathons so I never would get a chance to recover. From all the travel, working, all the different races, my body would never be in a recovery mode ... it was always on the go. It would come to the point when I was running that when your body hurts, say your knee, and in your mind you say, "No, you're fine, keep running." Well, at some point you have to listen to your body. With doing that many marathons, the minor things wouldn't go away so it was hard near the end and now I have to listen to my body so I can recover and get better but I am still glad I did it.*

**Q. When running, what do you think about?**

*A. I think about my girlfriend, my daughter, family members, finishing the goal of the marathons. I think about the things most important to me in my life.*

**Q. What do you believe, by running 12 marathons in 12 months, that you have accomplished?**

*A. Just a very good accomplishment that I set and was able to reach. I think everyone could do it if they wanted to, and if not, then if they wanted to at least do one, they could.*

During Ed's marathon races, he traveled to a total of 11 places. The following are the marathons and the locations Ed has participated in over the last 12 months: Las Vegas, Nevada (New Las Vegas Marathon Time: 3:14:09);

Washington, D.C. (Marine Corps Marathon Time: 3:12:11); Santa Clarita, California (Santa Clarita Marathon Time: 3:42:44); Phoenix, Arizona (Rock 'n' Roll Arizona Marathon Time: 3:14:01); Huntington Beach, California (Surf City Marathon Time: 3:23:53); Los Angeles, California (Los Angeles Marathon Time: 4:05:00); Boston, Massachusetts (Boston Marathon Time: 3:24:14); Cincinnati, Ohio (Flying Pig Marathon Time: 3:24:51); Duluth, Minnesota (Grandma's Marathon Time: 3:38:02); Calgary, Alberta (Calgary Marathon Time: 3:27:43); Edmonton, Alberta (Edmonton Centennial Marathon Time: 3:39:00); Maui, Hawaii (Maui Marathon Time: 3:49:29). As you can see, his times are fast, and he traveled from the East to West Coast and North to South — and everywhere in between.

When talking with Ed, you learn that he's a very humble person and doesn't look at his accomplishment as that big a deal, but as something that was a goal he set and was able to reach — with help from the ones he cares about and encouragement from co-workers.

Tracie told me a little story about a time they were in Boston. After the race, the runners were all excited about it and when she showed Ed a T-shirt from the Boston Fire Department, he thought that was the best thing there was.

What we find is that a small percentage of runners would take on this challenge and complete it. To have one of our own accomplish it says a lot of Ed and his values, and what he's able to accomplish when he sets his mind to it. When we all want something in life, we set goals and try to attain them, but we may fall short and not reach our goals. What we need to do is look at Ed and say, "Yes, we can!" We need to have the dedication to reach our goals and accomplish what we want in life. Ed is one of Metro's finest, both at work and especially for his accomplishment away from work. We would like to thank Ed for allowing us to spotlight his achievement.

Brass Challenge update: The Runaways from DSD took First on the open category for the 16th year in a row. They took First in six of the legs and "placed" in the other three legs, which means they posted top performance in every leg. On the two-men bike race, the DSD Rollaways took First and the DSD Rollaways II team took Second. So, once again, The Hammer of the Valley Award returns to DSD for the 14th year in a row. DSD ROCKS! **VB**



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# VOLATILITY, RISK AND RETURN

**JASON SOUZA**  
AXA Advisors

*Different asset classes tend to have different risks of market ups and downs. Asset allocation can help control this risk.*

Every investment carries risk. Even investments that carry a fixed rate of return are subject to inflation risk and interest rate risk. Volatility involves the risk of sharp ups and downs in the price of a security, and is also called “market risk.” Actually, most people are happy when their investments show upward volatility. It’s tough when there is downward volatility that losses occur. And flat markets are also a risk — it is more difficult to grow assets when there is no price movement. As a general rule, an investment’s return potential is usually correlated to that investment’s volatility. As the return potential of a specific investment grows, the likelihood that the investment could experience a loss of principal correspondingly increases.

## What Factors Have the Greatest Influence on an Investment’s Volatility?

Cash-based investments, such as money market funds, are considered the least volatile, while small cap and international stock funds are among the most volatile. Between these two classes are bond, large- and mid-cap stock funds and funds that combine characteristics from all of these classes. There is a trade-off — while money market funds have the lowest volatility, they also have the lowest returns. They also carry inflation risk, that is, the risk that future investment returns will not keep pace with inflation.

Because small-cap companies (less than \$1 billion in assets) are usually

young and thinly traded, they may be more likely to rise and fall sharply, which means potentially big gains but also potentially large losses. International stocks are volatile, not only because of the underlying value of the security, but also because of the risk that there could be changes in the economy of the country in which the company is located. They are also subject to volatility in currency exchange.

## Give Yourself Some Protection

To protect yourself against market downturns over the long-term, consider diversification among the different classes of investments. Of course, there is no way to completely eliminate the risk of loss, which can occur in the most diversified portfolio of investments. However, diversification protects your overall portfolio because different asset classes usually behave in different ways. Thus, while you may lose money in one type of investment, you may be gaining in another. The more asset classes in your portfolio, the lower the risk. \*

For help with allocating your portfolio to control risk, speak with your financial professional, who can explain different investment classes and help map out an investment strategy that closely matches your needs and situation. AXA Advisors does not provide legal or tax advice. Please consult your tax or legal advisor regarding your individual situation.

*Jason Souza offers securities through AXA Advisors, LLC (member NASD, SIPC), and annuity and insurance products through insurance brokerage affiliate AXA Network, LLC and its subsidiaries. GE-34727 (03/06) (exp. 03/08)*

*\*Source: Ibbotson Associates website, [www.ibbotson.com/education](http://www.ibbotson.com/education) (2006), *Asset Allocation Theory and Practice*. VB*

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# End of Watch

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

**Name:** David Shumate, P# 533  
**Rank:** Corrections Officer  
**Assigned to:** CCDC  
**Hired:** 1969  
**Retired:** December 30, 1994  
**Died:** November 3, 2007

**Name:** Joe Kemmler, P# 2750  
**Rank:** Corrections Sergeant  
**Assigned to:** CCDC  
**Hired:** June 18, 1984  
**Retired:** Actively employed  
**Died:** November 5, 2007

**Name:** Jason Maloy, P# 6529  
**Rank:** Police Officer  
**Assigned to:** Northwest Area Command  
**Hired:** October 6, 1999  
**Resigned:** December 7, 2006  
**Died:** November 12, 2007

**Name:** Angelo Pezzullo, P# 2283  
**Rank:** Corrections Officer  
**Assigned to:** Tucker Holding Facility  
**Hired:** November 24, 1980  
**Retired:** July 31, 2007  
**Died:** November 21, 2007

## LEGAL CORNER

(continued from page 10)

employee's honesty and trustworthiness are really what is at issue no matter how minor the loss to the employer. Yet another factor for consideration is the clarity of the rule and the consistency in which it is applied.

As just mentioned, intent is a critical component when employees are disciplined for such conduct, and is generally one of the first things an arbitrator will look for when evaluating a discipline case based on dishonesty. When there is clear intent to steal, defraud or lie, many arbitrators take a strict approach, concluding that if the employer-employee relationship of trust has been breached, no mitigating factors can or should lessen the penalty. And while progressive discipline generally is an element of just cause, when dishonesty is the issue, arbitrators usually don't require progressive discipline. This is why our policy "you lie, you fly" has withstood arbitrators' scrutiny.

As you all certainly know, the Department's rule on truthfulness is quite understandable and, in my experience, the "you lie, you fly" policy has been applied consistently since its implementation. So, while the factors noted above are mitigators, they are only minimally relevant in truthfulness situations you may face due to this agency's zero tolerance rule and the *Brady* decision referred to earlier. What I always try to stress to individuals I represent is that it is always easier to deal with an underlying allegation of misconduct, even if it occurred exactly as alleged, than it is to deal with the underlying allegation coupled with a truthfulness charge on top of it.

I hope this information gives you something to think about — and perhaps even helps you avoid making the mistake others before you have made. I'm always available should you have any questions about what is addressed here or on any other matter. Please don't hesitate to contact me. **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.

*Morgan Taylor*  
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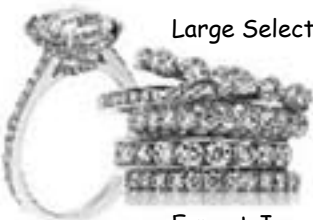
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Las Vegas Metropolitan Police  
Department  
Las Vegas Mini Grand Prix  
Las Vegas Motor Speedway  
Las Vegas Printing Press

# Baldy Bash



## STEPHANIE VRSNIK

On Sunday, October 21, 2007, the 6<sup>th</sup> Annual Baldy Bash was held at the Hard Rock Hotel & Casino. The Baldy Bash is Nevada PEP's premier fundraising event, which showcases Southern Nevada's finest collecting donations from the community to be a Baldy. This year, brave men and women from Las Vegas Metropolitan Police Department, Las Vegas City Fire and Rescue, Clark County Fire and Rescue, Nellis Air Force Base, Homeland Security, and Nevada Highway Patrol participated as Baldys. The Baldys solicited funds from co-workers, family and friends to raise awareness for Nevada PEP. Talented Liaisons Salon & Spa stylists performed the buzzing, as they have for the past four Baldy Bashes.

The event was a huge success! With 75 Baldys participating and more than 500 people in attendance, it was the largest turnout in Nevada PEP history. The Baldy Bash generated over \$52,000 of community support. These funds will help Nevada PEP continue to offer community-based support services for families of children with disabilities, including those who are at risk or who have serious emotional disturbances.

This year, for the first time, Nevada PEP was honored to have Mayor Oscar Goodman officially proclaim October 15-21 as Baldy Bash Week. LVMPD Lieutenant Craig Klatt from Bolden Area Command showed the true spirit of Baldy Bash Week by being the very first Baldy buzzed at his own command center. Channel 3

jumped in with the support of the community to do a live broadcast of this "pre-buzzing" event! The week continued when more new Baldys, inspired by Lieutenant Klatt's participation, signed up every day. Sheriff Doug Gillespie lent his support by putting out the "challenge" to the Baldys, which helped to get the record number of participating Baldys.

As the attendees began arriving at the Hard Rock on October 21, Nevada PEP was honored to have the privilege of Las Vegas Academy freshman Miss Kaila M. Leavitt performing beautiful harp music. The live performance was enjoyed by all. As Baldy donations were received, Citibank employees donated their time and professional accounting expertise to ensure that every penny was accounted for. The Baldy Bash kicked off when the LVMPD Honor Guard posted colors to prepare for the National Anthem, which was beautifully sung by Lieutenant Randy Sutton. The music inspired appreciation for our community heroes and their dedication to Southern Nevada. A reading of the Baldy Bash proclamation followed. Then, accompanied by the announcement "Let the buzzing begin!" and the traditional Baldy Bash song, Nevada PEP Board Chairman Sam Lieberman (2007 Honorary Baldy) was the first one buzzed. Kim Sherwood-Schofield has been our Master of Ceremonies since the Baldy Bash's inception in 2002. In her very personable way, she has put the Baldys at ease by interviewing and commending them for participation. She has continued to be on the Baldy planning committee and is always there to give support

# 2007

## It Was a Hard Rock Smash

to Nevada PEP. This year she helped us recognize Champion Baldys, participants who have been buzzed at the Bash for three or more years, in accordance with our new tradition. The 2007 Champion Baldys are Officer Tom Taycher, Captain Tom Hawkins, Sergeant Steve Custer, Sergeant Robert Raymond and Officer David Sacco. The dedication of these Baldys is truly something to celebrate.

Kids' entertainment at this year's Baldy Bash was a high point. The Baldy Bash is a family event, with "buzzing" and auction prizes for adults and fun activities for children. Special thanks to Mad Science, who performed exciting experiments. Mad Science's presentation has provided this favorite activity for our kids each year. Also thanks to Balloons with a Twist and Looney 4 Balloons clown and professional face-painting services (new this year) our youngest attendees had a ball. They smiled with delight as the clowns created balloon animals, and almost every child present had a design painted on his or her face. Also, through the Hard Rock Hotel & Casino, Save the Planet participated with an arts and crafts table. Volunteers from UNLV were on hand to entertain the kids and make the event run smoothly.

During the buzzing, Nevada PEP Governing Board Member Trish Leavitt made sure the raffle prizes and silent auction went off without a hitch. This year, our Top Male Baldy was Officer Tom Taycher and our Top Female Baldy was Officer Bobbie West. These honors were closely followed by runners-up Officer Richard Collins, Officer Mike McGrath, Dan Allred from Las Vegas Fire & Rescue and Sergeant Michael Nihei from Nevada Highway Patrol. These lucky Baldys, and many others, were appreciated for their efforts with the outstanding support of Southern Nevada's business community donations. Superb prizes for all the Baldys were raffled off, including Las Vegas Harley-Davidson merchandise, Tobin James Wine Cellars items and Lake Mead Desert Princess Cruises, just to name a few. Showing true community spirit, Top Male Baldy Officer Tom Taycher donated his fabulous prize of a three-day, two-night stay at a Hard Rock luxury suite and steak dinner for two at AJ's steakhouse. The delighted recipient was Nancy Burk, a veteran City of Las Vegas firefighter who has demonstrated her

courage and support by being a Nevada PEP baldy for the last two years. She plans to have her granddaughter share this special outing. We would like to thank everyone who contributed to the Baldy Bash. We live in an amazing community that truly pulled together to support Nevada PEP. Our utmost gratitude goes out to the Hard Rock Hotel & Casino's Save the Planet philanthropic committee for their support. Save the Planet donated the venue and the wonderful appetizers. Their help throughout the planning stages and on the day of the Baldy Bash was very professional, from the catering to the audio visual support. Also, an event as successful as this would not be possible without the dedication and hard work of the Baldy Bash Committee, who offered suggestions and donated their time. Trish Leavitt, our very effective and tireless event chairperson, made phone calls, dropped off solicitation letters, picked up donations and obtained sponsors. Sam Lieberman lent his expertise in obtaining sponsors and donations to show our appreciation for the Baldys. Liaisons Salon and Spa closed down for the entire day in honor of Baldy Bash Day. Representatives from their salon do the buzzing very professionally and lend their styling experience and wonderful community spirit to this event. Last but not least, Nevada PEP volunteers and staff did an amazing job doing whatever task was assigned to them, knowing that many hours of hard work were needed to make the Baldy Bash such a success. We so deeply appreciate your personal dedication to our continued mission — you have truly improved the future of Nevada's children.

Nevada PEP offers a special and heartfelt thank-you to our sponsors, without whom this event would not be possible. By providing opportunities to those who work to better the lives of children with special needs, you're not only honoring our community's heroes and first responders, but also supporting the fundraising that provides much needed services. We salute you and truly value the lasting partnerships we have formed. We extend our most sincere appreciation and recognition for the support you have given to this event and are proud to endorse your contributions as evidence of your amazing community spirit. Thank you! **VB**

# 2007

## Baldy Bash Sponsors

Judge Michelle Leavitt & Family  
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Nikki Lundberg (Mary Kay)  
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Zappos.com Las Vegas Marathon

\* sponsors as of print date

# SUBJECTIVE TESTING (PART II)

OFFICER DON EVANS

## Promotional Systems and Scientific Measurement

*This is second in a three-part series on subjective testing of our promotional systems and how it's measured. This part introduces the statistical analysis on the testing methodology:*

### Statistical Analysis

After obtaining the observations from research or testing, scientific research requires the statistical analysis of the data. The central limit theorem is the basis of this analysis, which states that the average of any quantitative measurement will conform to a standard "bell curve," regardless of the disparity in the individual observations. In other words, no matter how different the individual "scores" are, the average will result in what is known as a standard distribution. Analysis of the statistical result culled from the observational data, in relation to this standard distribution or bell curve, allows the researcher to draw conclusions as to the characteristics of the thing or behavior being researched. Observations that fall outside of this standard distribution (usually amounting to approximately .1 percent) are discarded, as they likely represent data points that are, for one reason or another, skewed or faulty.

Statistical analysis also results in the establishment of the probabilities for testing error, as a result of the limitations of the testing process. No testing process is perfect; the probability of a testing methodology error is known as either a type I or type II error. Type I errors occur when data that shouldn't be considered as falling within the acceptable range is included in the result.

Conversely, a type II error occurs when data that should be included within the acceptable range is excluded.

### Benefits of Inferential Statistics in Promotional Decisions

In short, using statistical analysis, multiple quantitative samples can be compared even if widely disparate scoring occurs, resulting in extremes of observation being either mitigated in the average or discarded for probable bias. Within the context of a promotional system using a quantitative system of grading multiple biannual 360 review and annual evaluation observations over time, results in extreme scores would be averaged into the overall grading process or discarded due to a probable rater bias (personality conflict, halo effect, etc.). In other words, the grading result would consist of the consensus or "averaged" view of the candidate's performance, referred to in scientific research as the "mean."

If administered over time, the testing result would equal the "agreement" of all the rater's observations on the subject's performance or aptitude for the studied timeframe. This results in a far closer approximation of objective performance or aptitude than does the current system, which uses far fewer observational viewpoints over a far shorter timeframe. This hypothetical system, in addition, could give the researcher the ability to forecast, within a specified range of probability, the chance of either choosing a person for promotion who wasn't qualified (a type I error), or de-selecting a candidate who would otherwise have made a suitable candidate (a type II error), a capability the current system doesn't provide.

(continued on page 21)

**Did you know that LVPPA members could save up to \$327.96 or more a year on auto insurance?**



You may already know that members of the Las Vegas Protective Police Association can get a special group discount on auto insurance through Liberty Mutual's Group Savings Plus® program.\* But did you know that Group Savings Plus offers many *other* discounts on both auto and home insurance? In fact, you could save hundreds of dollars a year on auto insurance alone. And you could save even more by insuring your home as well.

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\*Discounts and credits are available where state laws and regulations allow, and may vary by state. Certain discounts apply to specific coverages only. To the extent permitted by law, applicants are individually underwritten; not all applicants may qualify. \*\*Figure based on a March 2007 sample of auto policyholder savings when comparing their former premium with those of Liberty Mutual's group auto and home program. Individual premiums and savings will vary. Coverage provided and underwritten by Liberty Mutual Insurance Company and its affiliates, 175 Berkeley Street, Boston, MA. A consumer report from a consumer reporting agency and/or a motor vehicle report, on all drivers listed on your policy, may be obtained where state laws and regulations allow. ©2007 Liberty Mutual Insurance Company. All Rights Reserved.

## SUBJECTIVE TESTING II

(continued from page 20)

### Statistical Controls for Cohesive Subgroups and Rater Familiarity

Cohesive subgroups, according to social science research, tend to create a “consensus” viewpoint among the various members, creating a tendency toward homogeneity. The operational term for this phenomenon, in organizational theory, is “Groupthink,” or the tendency for a membership to affirm the group norms, mores and decision processes over time. In short, members within these groups choose, and affirm, each other. This natural tendency increases with repeated face to face interaction (Wasserman, et al. 1994) and, in some cases, results in groups that disregard organizational and even societal norms en lieu of their own (i.e. the Rampart scandal). This social effect also has the potential to create distortions in 360 review data over time and, hence, must be controlled for in the promotional testing methodology.

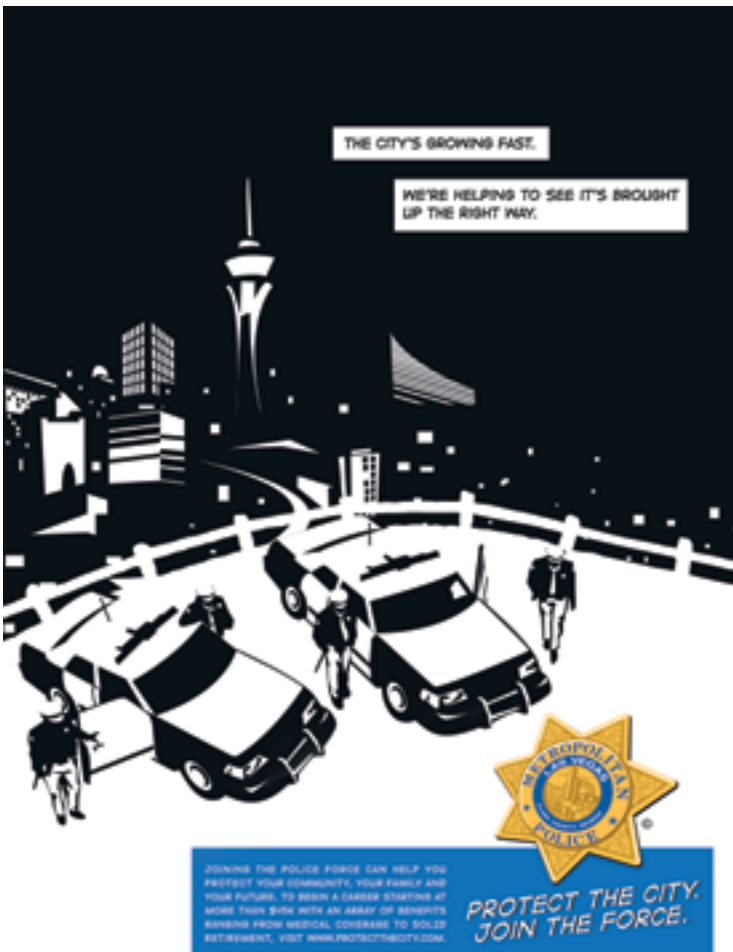
Ostensibly, as the variable to be controlled for consists of rater/candidate familiarity, which is a function of interaction over time, an observationally based promotional system needs to account for this effect. A statistically valid means of dealing with this potential for rater error could include *data point weighting*, which would attach decreasing weights to both multiple observations made by the same rater over a defined time period and observations made by a rater with a lack of familiarity with the test subject being rated (i.e. a new officer to the squad). The appropriate weighting, in turn, could be determined by the standard distribution of co-assigned employees in the population, with the group average (mean) functioning as an objective standard. In effect, this method would mean that the more the rater and subject *directly* rate each other over time, the less their individual observations would affect the overall data in their respective testing results. Conversely, the less a rater has experience with the subject being rated, due to less time in direct contact with the rated subject, the less weight is given to that particular observation.

The result of such a system would be the decreasing weight of the affected rating, represented by an individual observation or data point, in the respective testing instruments. This increases the relative weighting of the other less “influenced” observations within the overall 360 review data, ostensibly bringing the overall result closer to an objective assessment.

If you consider that rater assessments become increasingly more subjective with both a lack of familiarity and intimate familiarity, this weighting methodology makes intuitive sense. Scientifically, the more subjective the datum, the less it can be counted without skewing an overall testing result. Ostensibly, the potential for this type of rater bias to occur is identified by either a statistically extraordinary close association over time or a similarly unusual lack of association during the period of observation.

The controls proposed, in effect, compensate for the effects of social interaction and time, thus limiting the effect of both cohesive subgroups on testing results, and raters basing observations on limited information and contact with the test subject. To accomplish this, the weighting would revolve around a *department-wide moving average (mean)*, derived by statistical analysis, effectively representing the aforementioned agreement of all co-assignment periods within the population during a specified timeframe prior to the subsequent rating periods. This approach would result in a statistically and *scientifically valid* test result that would approximate the objective performance of the test subject to a far greater degree than the current promotional system. In Addition, this type of system would similarly be amenable to the probabilistic determination of type I and type II errors. Again, this is a capability our current system doesn't have.

*In the next Vegas Beat, we offer a hypothetical promotional testing system. VB*



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Department employees who refer applicants that successfully make it through the LVMPD academy will receive \$500 per candidate, provided they list the referring employee's name and P# on their initial application. See PO-40-06 for additional information. VB



# CALENDAR

## 2008

- January 1** New Year's Day
- January 3** LVPPA General Membership Meeting (LVPPA office)
- January 21** Martin Luther King, Jr. Day
- February 2** Groundhog Day
- February 18** President's Day
- March 6\*** LVPPA General Membership Meeting (LVPPA office)
- March 17** St. Patrick's Day

\* Recent Bylaw modifications have moved General Membership meetings to quarterly rather than monthly.

If you need to present something before the Board prior to a regularly scheduled General Membership meeting, please contact the PPA office to be accommodated.

# THANK YOU LETTERS

Michelle [Jotz, Assistant Director],

I just read the article in the PPA newsletter. Thank you for publishing it. I'm fairly confident that nothing will come of it, but it's refreshing to be heard for a change.

Thanks again,  
Don Evans



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## Discount Theme Park Tickets

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Knott's Berry Farm	One Day Ticket-Adult	\$41.95	\$24.00
	One Day Ticket-Child (3-11)	\$16.95	\$17.00
Legoland	One Day Ticket-Adult	\$57.00	\$39.00
	One Day Ticket-Child (3-12)	\$44.00	\$39.00
(Legoland tickets may be upgraded to a Two Day Ticket at Guest Services for an additional \$1.00)			
San Diego Zoo	One Day Ticket-Adult	\$33.00	\$29.00
	One Day Ticket-Child (3-11)	\$22.00	\$19.00
Sea World	Two Day Ticket-Adult	\$57.00	\$44.50
	Two Day Ticket-Child (3-9)	\$47.00	\$38.00
Universal Studios	Three Day Ticket-Adult	\$61.00	\$49.00
	Three Day Ticket-Under 48"	\$61.00	\$49.00
Wild Animal Park	One Day Ticket-Adult	\$28.50	\$25.00
	One Day Ticket-Child (3-11)	\$17.50	\$16.00

The listed "Gate Price" reflects one day admission only.

Tickets may be purchased in person at the LVPPA office located at 201 S. Las Vegas Blvd., Suite #200, during normal business hours. Acceptable methods of payment are cash or check. Credit and Debit cards are not accepted.

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

The LVPPA makes no profit from the sales of theme park tickets; however, our ticket costs are rounded to the nearest dollar.



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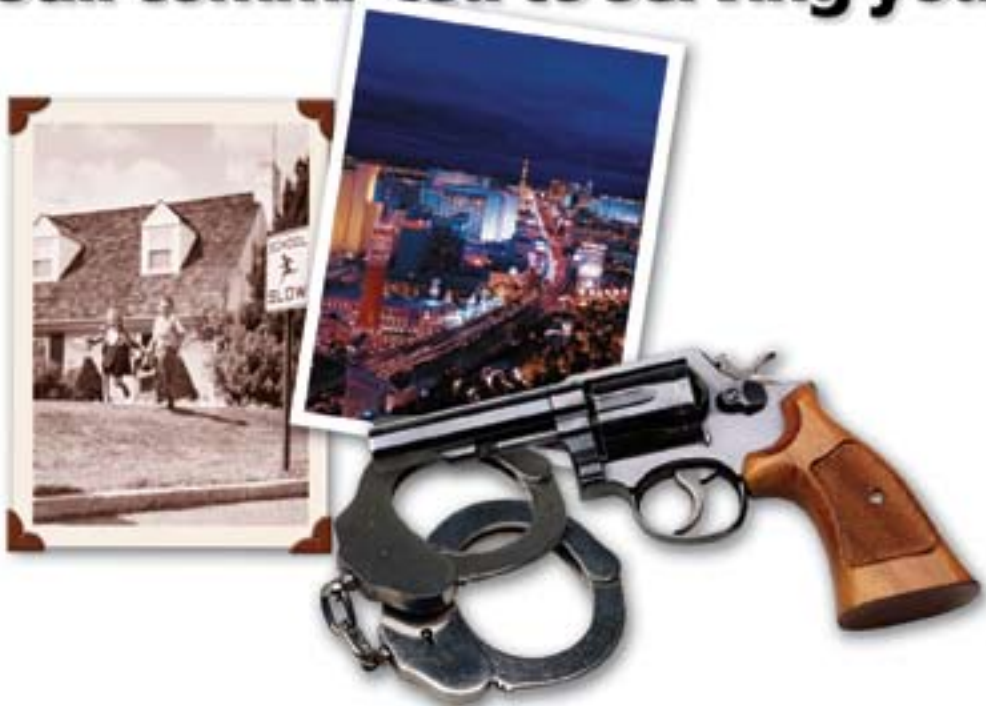
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