



# LVPPA VEGAS BEAT

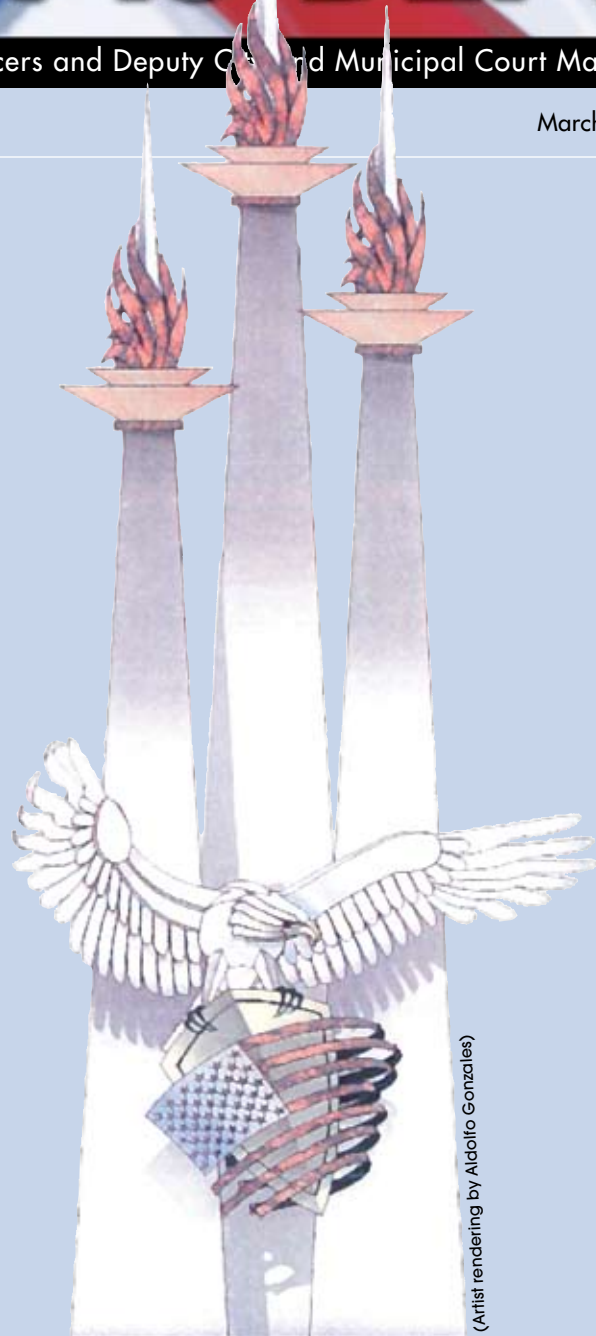
Representing Las Vegas Metro Police Department Officers and Deputy Chiefs and Municipal Court Marshals

VOLUME 2 | ISSUE 6

March/April 2008

## Southern Nevada Police Memorial Monument

(Page 17)



(Artist rendering by Aldolfo Gonzales)

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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**

## Do You Have to Participate in a Criminal Investigation?

The short answer is no, you have the same rights as any other citizen. Recently, some of our members have been contacted by various units within our Department asking that they come in to participate in giving a taped statement. As you may or may not understand, this made several officers very nervous. These officers began reaching out to the LVPPA for advice. They were advised that it was within their right to refuse to participate or to take some form of representation to the interview. It was not long after this advice was given that the LVPPA started receiving calls from various units asking why we were making their jobs difficult by advising these officers not to participate in the interviews. It also did not take long to figure out that the LVPPA was stuck in the middle of a no-win situation.

This would be a good time to explain to everyone exactly what the LVPPA's role is in situations like these. First, if you are involved in criminal activity, the LVPPA has no obligation to represent you. The LVPPA's obligation is to represent the officers covered under the Collective Bargaining Agreement when issues arise from actions taken or not taken during the scope of their duties.

The LVPPA Board of Directors looked at our policy and decided some small changes should be made. Under very strict guidelines, the LVPPA will provide a criminal attorney for one interview only. A member may be entitled to limited representation in a criminal matter in the following circumstances:

1. The matter is being investigated only in Clark County, Nevada;
2. The law enforcement agency investigating the matter has indicated that the member is the subject of the investigation, or the member believes he/she may become a subject of the investigation; and
3. The member has not been arrested, indicted or the subject of an information.

In the event the member is entitled to said limited representation, the member shall be entitled to consult with a criminal defense attorney provided by the Association and receive representation at one interview with the investigating law enforcement agency.

The LVPPA has signed a letter of engagement with criminal defense attorney Thomas Beatty. Part of our agreement with Mr. Beatty is that, in most cases, the interview would be able to take place in three working days. Mr. Beatty has always been a friend of law enforcement officers. In the past, he has represented our officers when their very freedom has been on the line. If you would like to see Mr. Beatty's résumé or a list of the reported decisions he has briefed or argued, please stop by the LVPPA office. I hope Mr. Beatty's services won't be needed very often, but we are certainly grateful he took us as a client and are looking forward to working with him in the future.


As always, fight the good fight and be safe. **VB**

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**INSIGHT**

People sleep peaceably in their beds at night only because rough men stand ready to do violence on their behalf.

— George Orwell



# Access to Your Personnel Files

**DETECTIVE MICHELLE JOTZ**  
Assistant Executive Director

Working in the PPA has forced me to continue learning about things that I never thought I would need to know, but you would be surprised what honestly affects you. There is a Department policy about **Employee Access to Files (5/101.41)** that reads (in part) as follows:

## Personnel Files

NRS 607, Section 2, requires that employees be given reasonable opportunity during normal working hours to inspect any records containing information used in determining the qualifications of that employee, as well as any disciplinary actions taken during that period of employment, including termination from employment. That does not include confidential reports from previous employers or investigative agencies, or any information related to criminal records or investigations, i.e., background investigations.

An employee who has been employed for more than 60 days, or a former employee who was employed for more than 60 days, may get copies of records upon payment of a fee equal to the actual cost to the department of providing

copies. This fee may be waived if individual copies of five (5) or fewer items are requested. Any current employee may review and upon request be given a copy of any document placed in his/her personnel file.

Upon termination of employment, the ex-employee will be allowed to inspect their official department personnel file, subject to the limitations above, for a period of 60 days after termination of employment. After the 60-day period has elapsed, inspection of those records is not permitted. During the 60-day period, a copy of the personnel file may be obtained upon payment of the cost of producing that copy.

If the employee contends that any information in the records is inaccurate or incomplete, the employee shall submit, in writing, that contention to the Director of Labor Relations. If the Director of Labor Relations finds that the contention of the employee is correct, the information shall be changed accordingly. In all cases, the Director of Labor Relations will notify the employee of the final determination and what action, if any, was taken.

No unfavorable comment or document may be placed in the file unless the employee has read and initialed the comment or document, or if the employee refused to initial, a notation to that effect is noted on the comment or document.

(continued on page 15)



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

**Attention: Las Vegas Police Protective Association Members!!!**

We are pleased to inform you that our dental office accepts your dental insurance Fiserv Health as payment in full. We are located on 9340 W. Sahara Ste. #202 inside The Village Square Shopping Center. We are looking forward to servicing you. **This offer is not a seasonal promotion, but a salute to our local MetroPolice Protection Employees.** Dr. Hastings office has a team of great people to serve you. They deliver personalized care to their patients utilizing the newest technology!

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# Keeping Everyone Up-To-Date

## CORRECTIONS OFFICER THOMAS REID

Assistant Executive Director

The other day, I needed the home phone number and address of a fellow officer. I looked it up in our LVPPA database and called the number listed, only to get a recording of: "This number is out of service or has been changed." No problem ... I called Metro's Communications Center and gave them all the information so they could verify who I was, and they provided me with the information in their database. I called and got a totally different person on the phone who didn't know any Police or Corrections Officers.

This is an almost-daily occurrence here at the LVPPA and other places around Metro. There seems to be a misconception that once you fill out LVMPD Form 29, *Employee Personal Information Form*, and turn it in, Metro sends this information out to all other organizations that Metro is contracted or associated with. This is **not true**. The employee is responsible for contacting each organization individually and updating their information. Below is a list of places that need changes of your address, phone number, marital status, dependent status and employment status. This list may not cover everyone but should be valid for most officers' needs.

**Who:** LVMPD

**Ask for:** LVMPD Form 29, Personal Information Form

**Where to get:** Any LEST, Administrative Assistant or the LVMPD intranet

**Who:** Public Employees' Retirement System of Nevada (NVPERS)

**Ask for:** Survivor Beneficiary Form or Change of Address Forms

**Where to get:** Call (866) 473-7768 or go to [www.nvpers.org/public/forms/FormsMbr.jsp](http://www.nvpers.org/public/forms/FormsMbr.jsp)

**Who:** Metro Employees Health & Welfare Trust

**Ask for:** Enrollment Change Form

**Where to get:** call (702) 413-1701 or (866) 868-5109

**Who:** Hartford Deferred Compensation

**Ask for:** Change of Beneficiary Form

**Where to get:** Call (702) 862-8296

**Who:** AFLAC

**Ask for:** AFLAC Accident Policy Change Form

**Where to get:** Call (800) 462-3522

**Who:** LVPPA

**Ask for:** LVPPA Group Life Insurance Change Form or Address Update

**Where to get:** Call (702) 384-8692

**Who:** SPA

**Ask for:** Member Update Form

**Where to get:** Go to [www.lvmpdspa.com/](http://www.lvmpdspa.com/) and print off member form/update information and fax to (702)452-1394 or 1,000 miler to Sergeant Henry Coker @ CCDC.

In addition to the above listed places, officers should update information on their life insurance companies, at banks, and for home and car titles. **VB**

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## INSIGHT

It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly; who errs and comes short again and again; because there is not effort without error and short-comings; but who does actually strive to do the deed; who knows the great enthusiasm, the great devotion, who spends himself in a worthy cause, who at the best knows in the end the triumph of high achievement and who at the worst, if he fails, at least he fails while daring greatly. So that his place shall never be with those cold and timid souls who know neither victory nor defeat.

— Theodore Roosevelt



# Political Endorsements

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

Much has been asked and said about how the Association makes decisions on which candidates to endorse and why. With the upcoming elections only months away, we have been inundated with requests for endorsements and, more importantly, “early endorsements” more than ever. It is almost impossible to interview all the candidates, and we shouldn’t. No matter what the Association decides, we realize that some of our members will inevitably disagree with our decision(s).

One of the foremost authorities on police labor organizations, Ron DeLord, founding president of the 17,000-member Combined Law Enforcement Associations of Texas ([www.CLEAT.org](http://www.CLEAT.org)), is publishing a book that includes information on endorsements. Below is a section that I thought would be informative to our members. It is important to know that our Association uses this same philosophy.

**The Cardinal Rule of Police Union Politics:  
“The Friendly Incumbent Rule”**

by Ron DeLord

“This rule should be the first part of the endorsement process that the union establishes. The Friendly Incumbent Rule simply states that as long as a previously endorsed candidate supports the union’s issues by an established benchmark (four out of five votes; a ‘B’ on the report card; voted for the pay raise or whatever), that candidate will continue to receive the union’s

endorsement as long as they run for that particular office, regardless of who runs against them. The candidate will only lose the endorsement when he or she fails the previously established union support test.

“The endorsement is not portable, meaning that if a friendly incumbent city councilman decides to run for mayor, he does not take the endorsement with him. He has to compete with the other candidates running for the mayor’s office. A new office means a new endorsement process.

“Why is this rule so important? Because the rule helps to establish the union as a dependable organization that stands behind its endorsement and supports those who go out on a limb to support the union on issues important to its members. Without the Friendly Incumbent Rule you can find yourself in the same situation a Florida police union recently did.

“In an open city-council race, this union supported a female who interviewed well and said she would support the union on the council. During her first term, she did just that and when she ran for reelection, the councilwoman expected to get the endorsement again in recognition of her work on the council.

“What she did not expect was for a retired police officer, and member of the union, to file against her. Since the union did not have a Friendly Incumbent Rule, the membership felt they had to support the retired officer, so he got the endorsement and she didn’t. In the subsequent election, the councilwoman crushed the retired officer and entered her new term as an enemy of a police union she considered ungrateful and undependable. You do not want to be viewed as fickle and unreliable, which is why that union now has a Friendly Incumbent Rule and your union should, too.”

Thanks for reading, and if you have any questions, please contact me at [dkallas@lvppa.com](mailto:dkallas@lvppa.com). Stay safe! **VB**

## WHAT WE DO FOR YOU

### DECEMBER 2007/JANUARY 2008 REPRESENTATION STATISTICS

| LABOR MANAGEMENT BOARD HEARINGS |  |                         |                             |
|---------------------------------|--|-------------------------|-----------------------------|
| All. Violation Date             | Alleged Violation(s)   | Original Discipline     | Decision                    |
|                                 |  |                         |                             |
| 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 |

(continued on page 21)



# Policy, Procedure & General Order Confusion

**OFFICER MARK CHAPARIAN**  
Secretary

How many times have you learned of a new policy, procedure or general order long after it has been in affect? It appears that our Department often seeks a solution to a problem by creating a new policy, procedure or general order. It seems that there are dozens of new policies and procedures coming out every month. If you are lucky enough to have access to Department e-mail and the intranet, you may have come across some of these new policies. Many of you are not afforded the opportunity to use Department e-mail and the intranet. Many of you do not receive hard copies of new policies and procedures in your mailboxes either. Make no mistake, you are all accountable for knowing what the new policies and procedures are, regardless of the lack of effort that the LVMPD takes to educate you on these. Depending on a patrol sergeant or lieutenant to consistently and effectively educate you on these ever-changing orders is inadequate and unreliable to say the least. Part of the problem is the sheer volume of new procedures, policies and orders that are generated every month. Time is not allotted for officers to sit, relax and log on to the intranet or their e-mail accounts to read and absorb the material they are mandated to know and required to perform.

The Internal Affairs Bureau allows no exceptions when they investigate and determine whether or not you or I have violated one of the hundreds of policies, procedures and general orders in Metro's Big Blue Bible. For those of us who aren't afforded the space, time or opportunity to use a Department computer to become educated on all the new material thrown at us, I would suggest the Department needs to find a way to make it happen. Traditional briefings at the stations could be transformed into a "self-serve" briefing and informative time when computers would be available for officers to use. A half-dozen computers at each station would be enough for each officer to use once a day for 10-15 minutes in order to log on, read their Department e-mail and view all the new information on the intranet. Printers should be available for those who choose to print a hard copy of something that may be complicated or lengthy. Supervisors could then communicate with their subordinates more effectively and easier by way of e-mail. Some will say this idea is too costly, too complicated

**"A half-dozen computers at each station would be enough for each officer to use once a day ..."**

and too time-consuming. Most new ideas are met with resistance and ridicule. At least this idea will meet the Department's goals (to educate and train) and keep officers accountable and up-to-date, which will inevitably keep them out of Internal Affairs and out of trouble!

Prior to this article going to print, our office has represented many officers who have been violating policies and procedures that have long been in Metro's Big Blue Bible. One policy in particular we've seen come up is 5/200.01, "Consent to Search." This policy is not new and has been around in its current form since March 2005. In a nutshell, this policy requires all of us to document a consent to search from a subject by way of a Consent to Search Form, a recorded audio, must be treated as evidence or orally, which must then be documented on an Officer's Report. Other stipulations apply, and I earnestly encourage you all to review this policy and understand it in its entirety. There are many more policies just like this one that you may or may not know about. I would certainly hope that the LVMPD would take any extra steps it can to allow the flow of communication to get to each and every officer, therefore keeping them out of Internal Affairs and much heartache to follow. **VB**



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# Treasurer's Message

## CORRECTIONS OFFICER KENNETH LOCHNER

LVPPA Treasurer

Back in June 2007, I was asked by Executive Director Chris Collins if I would like to come to the PPA on a full-time basis. I was really tempted knowing that there were a couple others who were asked the same question. I told him that I was definitely interested in the position. It was two to four weeks later when Chris presented my name to the Board to come up to work TDY for a 90-day period to see if I liked them and if they liked me.

Well, everything worked out and at the end of October/first part of November, the Board voted me onto the Executive Board as the new Treasurer. When I decided to run for the PPA Board as a representative, I did so because I wanted to learn about the PPA and make changes to the health insurance. After some time, I found that I could still help officers, and that it would take some time for the changes to take place with the health insurance. Knowing the time required to put in on your own and all the things that you need to learn — with Internal Affairs, health insurance, contracts, working with staff, and let's not forget, the politics — taking the job on the Executive Board as Treasurer, or any job on the Board, is one that you would have to **want** to do, and that is why I've taken it.

The people I work with on the Board are a great group of officers, starting with the Executive Director and moving on down, all holding the values and goals of the PPA foremost. Chris and I have talked since I came up full-time about an audit of the books with the change of leadership in the Executive Director and Treasurer positions. We are having an audit and hope to have it completed by mid-February. It's been a challenge the last five months, with Internal Affairs interviews still coming in, and preparing the 2008 budget with the new building included. We've added some new line items to the budget this year. Just so you know, the PPA is financially sound.

We still have investments in money markets, CDs and REITs. We continue to invest wisely to help the PPA grow stronger financially. In the very near future, we hope around the end of March or the first part of April, the new building will come on line and with our lease income, will offset some of the mortgage payment. So, it shouldn't be any more than we already pay to lease space. The only difference is that now the PPA (**you**, the members) will own the building. My goal, as time goes on, is to make the PPA better for the members and to be financially stronger every year.

If you have questions about the budget, or any other question that I can help with, feel free to call me. That is what we're here for. I'm at: (702)328-0896 (cell), 384-8692, ext. 221, and e-mail: [klochner@lvppa.com](mailto:klochner@lvppa.com). **VB**



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# The Differences “Down Under”

**JOHN DEAN HARPER**  
Chief General Counsel

My wife and I recently returned from a second trip to Australia. She’s from Sydney and loves to go back home to see family and friends. On our first trip, we took the younger kids and did a lot of the tourist attractions. We saw the Sydney Harbor Bridge, the Opera House and toured the Blue Mountains. We saw kangaroos, koalas, wombats, crocodiles and dingos. On this trip, we stayed exclusively with friends and family. I was able to live and socialize with some of the people of Australia.

Despite both of our countries being colonized by Great Britain, there are a number of significant legal, political, social and what I call “Attitudinal differences.” This article is not meant to be published as historical fact, so if I am off somewhat I apologize beforehand. Australia has a land mass that is approximately 80 percent of the United States, yet has a population of approximately 21 million people (by contrast, California has approximately 34 million people). Most of the interior of the country is desert, and the majority of the population resides in the coastal areas. In its entirety, the continent of Australia is the flattest and driest, and has the least fertile soil. However, the populated coastal areas are green, wet and lush.

First off, since Australia is in the Southern Hemisphere, the seasons are opposite ours. As I was leaving, spring was turning to summer, and the good people of Australia were planning for their boat trips, beach houses and fireworks for Christmas. It’s just hard to fathom Christmas in the summer. They also use the metric system, so you never know how hot or cold it is, or how much something weighs unless you’re familiar with the system. Additionally, they drive on the wrong side of the road — at least from my perspective. I was only almost run over four or five times. Supposedly, the water is supposed to swirl down the drain counterclockwise, but I never noticed that. The only trees that are native to Australia are evergreens, so they do not have a fall season. In fact, instead of the leaves falling, the bark on a number of trees peel and fall off. Also, the winds in the Southern Hemisphere move east to west, so weather moves in the opposite direction as it does here.

I am fortunate to have two Australian friends who practice law: Jason is a Solicitor and Frank is a Barrister. To the best of my understanding, Solicitors would be similar to our attorneys, yet their ability to argue in court is rather limited. Barristers would be akin to our trial attorneys. Jason represents a number of Australian “Copper” Associations, including the Federal Police based

**“Supposedly, the water is to swirl down the drain counterclockwise, but I never noticed that.”**

out of the nation’s capital, Canberra. Frank takes many of the police cases that go criminal or to the higher courts.

In general, there are some significant differences in our legal systems. There are no contingency fees. All Solicitors and Barristers must charge by the hour. Interestingly, in order to ensure that all people have access to the best Barristers, if a Barrister has the time, he/she must take any case presented to them for a standard hourly fee. Also, the Australians practice the English Rule, which requires the losing party in litigation to pay the fees and costs of the prevailing party.

According to my friends, the rights we take for granted in the Bill of Rights — Freedom of Speech, Freedom of Religion, etc. — aren’t codified but are “assumed” under the common law. Specifically, law enforcement officers do not have the protections we enjoy under NRS 289 (Peace Officers Bill of Rights).

Australia appears to be highly regulated and, personally, you feel a little less free than you are here. For example, drivers are subject to a comprehensive conditional license process which, at times, limits the top speed

**“What was most striking was what I call the ‘Attitudinal Differences’ I observed.”**

you can drive and disallows you to have an engine larger than six cylinders. Finally, after all that, you can get a regular driver’s permit. While driving, you’re subject to being stopped without probable cause. When leaving a shop, shopkeepers have the right to search your bags including your purse. For those of you who don’t feel safe without a gun, you’re out of luck. Gun permits are only given to civilians for limited reasons, of which self-defense is not a reason.

Politically, Australia is still at least ceremonially a part of the British Commonwealth and subject to the Queen of England, who is known as the Queen of Australia. Australians vote for their local councils, state officials and members of parliament via its own Senate and House of Representatives. The majority in the House of Representatives selects the nation’s prime minister.

Socially, Australians have universal health care. There are two systems, the public system, which costs nothing, and the private system, which costs approximately \$80 per month (because of the falling U.S. dollar, the Australian dollar is almost the same) and entitles you to obtain better care, faster. Additionally, they have a very high minimum wage, varying by occupation but averaging around \$15 per hour. I found that everything was expensive, especially food, housing, gas (petrol) and clothing. Beachfront property was especially expensive, rivaling California prices. Gas is over \$6 per gallon and a six-pack of beer is \$15.

What was most striking was what I call the “Attitudinal Differences” I observed. Australians display an incredible aura of friendliness, warmth and “laid-backness.” Having a logical mind, I have struggled to find out “Why?” (More on that later.) Australians spoke to me everywhere; store clerks, wait staff and bartenders seemed authentically happy to talk to me. I talked to more strangers on my trip than I do in Las Vegas over a year.

We spent Melbourne Cup Day at my wife’s cousin’s restaurant. The whole country cuts work and watches the horse race; women wear dresses and don hats or fascinators. Everyone drinks and bets on the race. Older ladies drink shandy (mixture of beer and Sprite) and all the men drink schooners of beer. I must have been asked by 50 people about my bets and, once they found out I was a “Yank,” they wanted to talk to me about the States. After the race was over, everyone danced to American late ’70s and early ’80s music.

We visited wine country in Hunter Valley, New South Wales, about 100 miles from the port city of Newcastle. It was striking — rolling meadows, streams, cattle and sheep. It was non-commercialized and made me think of what Napa and Sonoma must have been 30 years ago. Most importantly, the wine

(continued on page 19)



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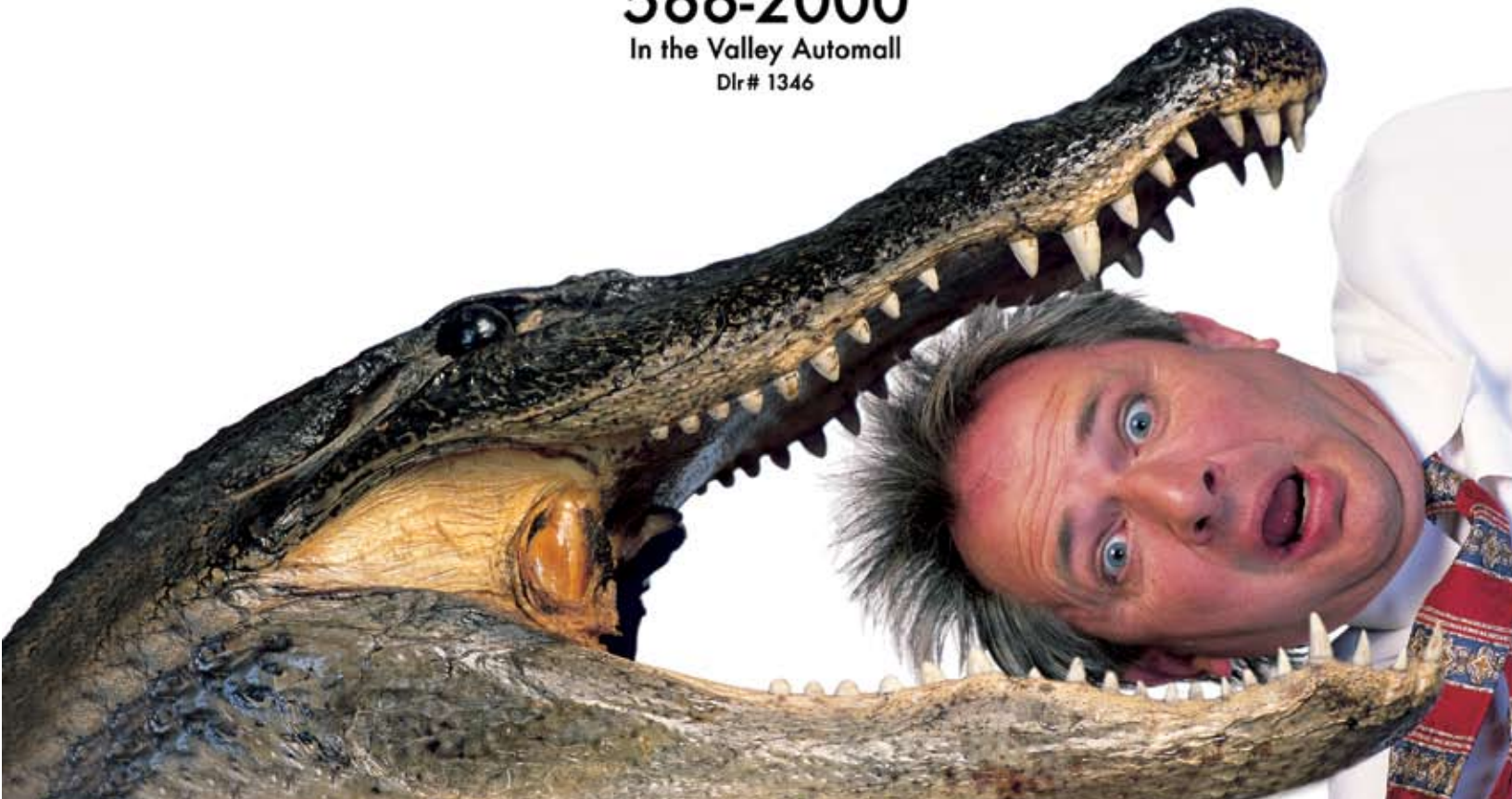
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# WORKING NIGHTS LINKED TO CANCER

CYNTHIA BROWN

American Police Beat magazine

A startling medical report with great implications for law enforcement officers makes a strong case that people who work through the night, or the “graveyard shift,” have a higher risk of developing certain kinds of cancer. The findings are based on research that discovered higher rates of breast and prostate cancer among people who go to work when everyone else is home sleeping.

The higher cancer rates don’t prove working overnight can cause cancer — there may be other factors common among graveyard shift workers that raise their risk for cancer. However, the findings are strong enough that [in February], the International Agency for Research on Cancer (the cancer arm of the World Health Organization) will add overnight shift work as a probable carcinogen.

Scientists suspect that overnight work is dangerous because it disrupts the circadian rhythm, the body’s biological clock, according to Maria Cheng, a reporter with the Associated Press.

The hormone melatonin, which can suppress tumor development, is normally produced at night. If the graveyard shift theory eventually proves correct, millions of people worldwide could be affected. Experts estimate that nearly 20 percent of the working population in developed countries work night shifts.

Cheng reports that among the first to spot the night shift-cancer connection was Richard Stevens, a cancer epidemiologist and professor at the University of Connecticut Health Center. In 1987, he published a paper suggesting a link between light at night and breast cancer. Back then, Stevens was trying to figure out why breast cancer incidents suddenly shot up starting in the 1930s in industrialized societies, where nighttime work was considered a hallmark of progress. Most scientists were bewildered by his proposal.

But in recent years, several studies have found that women working at night over many years were indeed more prone to breast cancer. Also, animals that have their light-dark schedules switched develop more cancerous tumors and die earlier.

Some research also suggests that men working at night may have a higher rate of prostate cancer. The studies mostly focused on nurses and airline crews, and many scientists say more studies among other professions have to be conducted before the findings are considered conclusive.

There are many people out there who doubt the results. They point out that the “probable carcinogen” tag means that the link between overnight work and cancer is merely plausible and that the list of “known” carcinogens is huge and includes things like alcoholic beverages and birth control pills.

Scientists believe having lower melatonin levels can raise the risk of developing cancer. Light shuts down melatonin production, so people working in artificial light at night may have lower melatonin levels.

Melatonin can be taken as a supplement, but experts don’t recommend it long-term, since that could ruin the body’s ability to produce it naturally. Sleep deprivation may be another factor in cancer risk.

People who work at night are not usually able to completely reverse their day and night cycles. “Night shift people tend to be day shift people who are trying to stay awake at night,” said Mark Rea, director of the Light Research Center at Rensselaer Polytechnic Institute in New York, who is not connected with the IARC analysis. “Not getting enough sleep makes your immune system vulnerable to attack, and less able to fight off potentially cancerous cells,” he said.

Confusing your body’s natural rhythm can also lead to a breakdown of other essential tasks. “Timing is very important,” Rea said. Certain processes, like cell division and DNA repair, happen at regular times. Even worse than working an overnight shift is flipping between daytime and overnight work.

A list of known and probable carcinogens from IARC and National Toxicology Program is on the American Cancer Society website: <http://tinyurl.com/2kl5ab>. Or visit the International Agency for Research on Cancer’s website at: [www.iarc.fr](http://www.iarc.fr).

Reprinted with permission from American Police Beat (January 2008). VB



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# Sheriff's Message

SHERIFF **DOUGLAS C. GILLESPIE**

I wanted to provide an update on a few systematic changes that have occurred over the past 12 months within the Risk Management Section, specifically the workers' compensation program. When I took office in 2007, I approved a plan to merge the Risk Management Section with the Health and Safety Section, based on research that was conducted as a result of the 2005 Matrix Audit. It was clear that in past years, the workers' compensation program did not receive the attention and resources to keep pace with the growth of the Department. My expectation was that each aspect of the program be evaluated and that processes be developed to make the program more efficient and user-friendly. There is still work to be done; however, updates that I am receiving show progress is being made.

The Department has self-funded our workers' compensation program since 1993. Budget dollars are projected and used each year to fund the expenses involved with medical care and administrative expenses involved with administering the claims. One of the expenses involved with workers' compensation is a contract with a third-party administrator. Probably the largest change last year was the move to a new third-party administrator, Tristar Risk Management. Tristar provides adjustors, who work with our

employees to coordinate all the administrative responsibilities involved with a workers' compensation claim. Staffing with Tristar has more than doubled from the previous administrator, but challenges still remain to achieve the efficient claim process I expect. I have heard loud and clear about the frustrations that have been expressed regarding the process and can tell you that progress is being made.

We all hope that we will never have to file a workers' compensation claim. The reality is that with the size of our Agency and the amount of work completed daily, there's a chance you could sustain an injury at some point in your career. That is why it's important that you to educate yourself about the process now. If you are injured on the job, it is essential that you complete the proper paperwork to start the process. Remember that you have seven days to file the claim and forward it through your chain to the Health Detail. In the event medical care is necessary, you must seek initial medical care within 90 days of the injury for a claim to be considered. These timelines must be met or the claim will be denied. I know much has been said about the process and what you may or may not be entitled to. The fact is, if you do not file the claim, it can not be addressed. It is inevitable that differences of opinion will arise and some folks may feel they are treated unfairly.

If you feel you have a dispute, there is a process in place that must be followed. If your claim is initially denied, you must follow the guidelines established within state law. This includes following the process stated on your determination letter for starting an appeal. This process has been established to provide an independent review of the facts of your case and determine if the denial was appropriate. You must follow this process if you disagree with your determination. This ensures that everyone has the same opportunity to present their case.

Moving forward in 2008, I look forward to the implementation of a medical managed-care program within the workers' compensation program. This program will provide contract doctors to assist in the coordination of your medical care to ensure that you get the proper care from day one of your claim. When you're sick or injured, I want you to have the tools and resources necessary to make a speedy recovery. We have a lot to accomplish, and I don't want unnecessary delays from injuries preventing you from accomplishing all that you set out to do in your career. Healthy officers benefit the Department, the community and most of all, those of you out there on the street.

Stay safe out there. **VB**

## End of Watch

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

**Name:** Joseph McDonnell, P# 31  
**Rank:** Sergeant  
**Hired:** 1955  
**Retired:** 1983  
**Died:** December 5, 2007

**Name:** Jay L. Boren, P# 62  
**Rank:** Lieutenant  
**Assigned To:** Detective Bureau  
**Hired:** May 21, 1959  
**Retired:** 1974  
**Died:** December 11, 2007

**Name:** Odis Willis, P# 210  
**Rank:** Lieutenant  
**Hired:** March 18, 1964  
**Retired:** April 3, 1992  
**Died:** January 2, 2008

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# SUBJECTIVE TESTING (PART III)

OFFICER DON EVANS

## Promotional Systems and Scientific Measurement

This is the third article in our three-part series on subjective testing of our promotional systems and how it's measured. This part discusses a hypothetical quantitative promotional testing system.

### A Hypothetical Quantitative Promotional Testing System

In consideration of the aforementioned comparative limitations of the LVMPD promotional testing processes, and in relation to those of more stringent scientific methodologies, the following quantitative system can be constructed: Utilization of an equally weighted mix of *statistically correlated biannual 360 appraisals, statistically correlated supervisory annual evaluations and objective (written) testing.*

The first two instruments, as a means of controlling for rater familiarity, would be subject to the aforementioned chronologically determined data-point weighting. For the purposes of obtaining a composite score, the mean of successive biannual 360 and annual evaluation rating periods would be obtained for a predetermined number of years of service prior to the testing process (i.e., five years), resulting in a "moving average" of these instruments from year to year. This result could then be added to, and averaged with, the objective test result, further gaining greater insight into the candidate's *effective performance and aptitude, aiding in the comparative process and increasing overall testing reliability.*

Subsequent tests for promotion would utilize the averaged data utilized to score the initial promotional test (i.e., the five years preceding the initial promotion), as well as the data accumulated between this initial promotion and the desired promotional test(s). This further use of statistical averaging over time, which would build upon past observations through various ranks and assignments, would allow for a greater number of "consensus" observations from a multitude of assignments throughout the organization and provide for insights into the *effective performance at the rank(s) below that desired.*

### Potential Outcomes

Such a system would result in several benefits for both officers and administrators, some of which include:

- Organizational politics would be mitigated as individual opinions of officer attributes are averaged into the result and obviously biased data are excluded.
- Results in averaged consensus, or "agreement," over who possesses the attributes necessary for promotion, resulting in a more consistent promotional system and better managers.
- The averaged, aggregate opinion of all raters is a relatively objective standard that would be difficult to dispute and easy to defend from an operational standpoint.

• The current promotional system is subjective by definition, and exposes the organization to considerable liability, both in the potential legal challenges to the results themselves and in the potential to select individuals not qualified for the position. The latter, in turn, opens the Department to the financial and intangible losses that may result from poor management (civil litigation, loss of personnel due to termination, loss of prestige, community trust, etc.). Conversely, the proposed system would arguably be as close to an "objective" view of potential aptitude as is *scientifically possible*, allowing for statistical quality control in the promotional decision-making process.

• Automation of the process using an online Likert scale or similar quantifiable instrument would make appraisals easier and less time-consuming than our current system of paper-based annual evaluations. Detailed contact report-type documentation, moreover, could also be included in such a system, if desired, in addition to the aforementioned quantitative portions.

• The proposed system could easily be adapted to include our current annual review and contact reports methodology, which includes the goal and objective setting/achievement elements necessary for a complete review and/or appraisal system.

• A 360 review/appraisal process utilizes observations from multiple sources: subordinates (if any), supervisors and peers. This increases the number of observations and viewpoints over time, increasing the testing accuracy and relative objectivity, as well as affecting alignment with accepted scientific methodology. *This type of 360 rating system, most importantly, is inherently practical in nature, as opposed to our current promotional system, and utilizes unobtrusive measurement concepts and multiple observations taken "in the field."*

• Ostensibly, this type of 360 review process gives line officers, as well as management, more say into who is (and who is not) promoted, while simultaneously mitigating personal prejudices in the promotional process. The result is an increase in officer "buy-in" to the promotional process and helps to fix organizational goals and values at the operational level, aligning everyone on the same "sheet of music."

• The effect of "groupthink," or the tendency to rate those who are more well-known to the rater in a close social environment differently than those outside the cohesive subgroup, can be controlled for statistically. Conversely, ratings based upon limited information due to a lack of familiarity with the rated subject are also controlled for. This is similarly a feature that the current promotional testing process does not have. As both the 360 review and supervisory annual evaluations are subject to such rater error, both instruments would utilize this control within the context of the hypothetical quantitative testing process.

• Utilizing current customizable 360 review systems from known vendors would allow the organization to outsource this promotional function.

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## ACCESS TO YOUR PERSONNEL FILES

(continued from page 5)

Although I was unable to find anything under NRS 607, I was referred to NRS 613.075 by Director of Labor Relations Mike Snyder. That section reads as follows:

### Records Regarding Employees NRS 613.075

*Inspection by person who is subject of records; provision of copies upon request; cost of copies; person permitted to submit written explanation in response to information in records and to challenge accuracy; limitations.*

1. Any person or governmental entity who employs and has under his direction and control any person for wages or under a contract of hire, or any labor organization referring a person to an employer for employment, shall, upon the request of that employee or person referred:

(a) Give him a reasonable opportunity, during the usual hours of business, to inspect any records kept by that employer or labor organization containing information used:

(1) By the employer or labor organization to determine the qualifications of that employee and any disciplinary action taken against him, including termination from that employment; or

(2) By the labor organization with respect to that person's position on its list concerning past, present and future referrals for employment; and

(b) Furnish him with a copy of those records.

The records to be made available do not include confidential reports from previous employers or investigative agencies, other confidential investigative files concerning the employee or person referred or information concerning the investigation, arrest or conviction of that person for a violation of any law.

2. An employer or labor organization shall allow an employee or person referred to submit a reasonable written explanation in direct response to any

written entry in the records of employment regarding the employee or person. Any such written explanation must be reasonable in length, in a format prescribed by the employer and maintained by the employer or labor organization in the records of employment.

3. An employer or labor organization shall not maintain a secret record of employment regarding an employee or person referred.

4. Upon termination of employment, an employer shall allow an employee to inspect his records of employment within 60 days after his termination of employment and shall, if requested by that former employee within that period, furnish him with a copy of those records.

5. An employer or labor organization may only charge an employee or person referred an amount equal to the actual cost of providing access to and copies of his records of employment.

6. The employee or person referred shall, if he contends that any information contained in the records is inaccurate or incomplete, notify his employer or the labor organization in writing of his contention. If the employer or labor organization finds that the contention of that employee or person is correct, it shall change the information accordingly.

7. No copies may be furnished to an employee or former employee under this section unless he has been or was employed for more than 60 days.

(Added to NRS by 1985, 1080; A 1997, 1024)

So, the question is: How does this affect you or me? Well, it comes into play when you refer to what is commonly known as the "Sunshine Law." Every state has a sunshine law, but some states have more liberal laws. If you resign or are terminated from LVMPD and request a copy of your personnel file, and then provide a copy of that file to one of those more-liberal states when you are applying for a job with their agency, that file could actually become public information. Just food for thought before you unwittingly provide a copy of that precious file to a state that may not keep your information as private as we might. **VB**

# UPCOMING CONTRACT NEGOTIATIONS

The PPA is preparing for upcoming contract negotiations for the Collective Bargaining Agreement (CBA). Our current CBA expires June 30, 2009, so you will be receiving surveys in the next few months in order to help us determine your desires for the next CBA. Please start thinking about what you would like to see in the next contract. If it isn't listed in a survey, it won't be an item that is open for discussion ... The squeaky wheel will get the grease!

# WHY MORE OF US ARE BEING KILLED: WHAT YOU CAN DO TO REVERSE THE TREND



**JOHN WILLIS**  
Training Contributor for Officer.com

As I write this article, the number of police officers killed in the line of duty in 2007 has increased almost 30 percent; 170 cops gone — end of watch. This coincides with a rise in violent crime, according to the FBI, after a period of 15 years in which we experienced a decline. Why the increase? What changes have occurred in our job in the way of training, deployment, equipment and weapons that have caused these deaths to increase? I think that there are several reasons why we are dying in higher numbers, but they are factors that we can change if we have the courage and fortitude to do so.

## Police as a First Line of Defense

Our police departments serve as the first line of defense against those who would disregard our laws and do harm to any of our citizens. There are, and there will always be, cretins among us that want what we have but are not willing to acquire those things in a lawful manner. These knuckle-draggers feel no remorse for their crimes; they have no conscience. These types need to be permanently removed from society. The court system has coddled these criminals for as long as I can remember, refusing to make them accountable for their actions. Instead, they have assigned counselors, and other social service types, to explain away the reasons why these Neanderthals have raped, robbed and murdered our families, friends and neighbors. Some of the imbecilic reasons these do-gooders come up with are so absurd that you almost have to laugh at them, or you would fall over in disbelief.

The community has handcuffed the police, rather than the bad guys, so that we fear repercussions from our leaders and legislators more than we fear going head to head with the law breakers. Policies that force the street cop to have to ask permission to use a Taser are a product of social engineers wanting “everyone to just get along.” Not having shields available in each car is indefensible. Why do we keep equipment locked up in trunks of supervisors’ cars or in equipment rooms at the station, instead of deploying them on the street? Why are we adopting policies that cause our first responders to hold back, rather than go in and take care of business? I can remember when the street cop responded to any call and handled it. He may have requested additional help or detectives, but he did it in the middle of the battle, not from a block or two away. At a time when criminals feel emboldened by a lack of punishment, and fear neither the courts nor us, our response is becoming increasingly encumbered by layers of bureaucracy and time-consuming policies.

## Excess Baggage

Our training is better than it has ever been. Our weapons, both lethal and less-lethal, are almost always appropriate for the situation at hand. Our men and women continue to be America’s finest — not backing down from any fight. But never before have they had to carry so much baggage! As I go around the country teaching use of force, there is a common theme that is evident when an officer explains why he either did not use deadly force, or

(continued on page 18)

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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**



# SOUTHERN NEVADA POLICE MEMORIAL MONUMENT

In May 2008, during the Police Memorial Ceremonies, there will finally be a dedication of a true memorial in Southern Nevada to honor the officers who have made the supreme sacrifice in the line of duty. Aldolfo Gonzales is a local Las Vegas artist who submitted his idea, and it was chosen from the many very impressive ideas in a competitive process to honor City, State and Federal officers. It is also designed to create a public awareness of the hazards of the law enforcement profession. The Southern Nevada Police Memorial Monument:

- Has three 21-foot spirals representing Federal, State and Local law enforcement agencies;
- Has three eternal flames on top of each spiral to honor those officers lost in the line of duty;
- Has a large shield representing the protective shield that law enforcement provides to all citizens of Southern Nevada;
- Has a large eagle representing the symbol of our freedom and the justice of our nation;

- Proudly includes the American flag to honor our country and those who serve and uphold the long-established traditions of law enforcement in America;
- Will serve as the focal point of our annual Police Memorial Day ceremonies in May to honor our fallen officers; and
- Will provide a tangible, long-lasting tribute to allow the citizens of Southern Nevada an opportunity to show our gratitude to those who choose to follow a career in law enforcement.

The Southern Nevada Police Memorial Monument is a community project to show the brave men and women of our law enforcement agencies just how much we appreciate their sacrifice. Your help is needed to fund this important project. The Police Foundation is a 501(c)(3) nonprofit, registered charity in the State of Nevada, so any donations are tax-deductible. You can make check donations to the Southern Nevada Police Memorial Monument Fund in care of: The Police Foundation, c/o Police Memorial Monument, 400 S. Fourth St., Third Floor, Las Vegas, NV 89101. **VB**

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| THEME PARK  | TICKET                      | REGULAR PRICE | LVPPA PRICE |
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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        | \$59.00       | \$41.00     |
|   | One Day Ticket-Child (3-12) | \$47.00       | \$41.00     |
| (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        | \$34.00       | \$29.00     |
|   | One Day Ticket-Child (3-11) | \$24.00       | \$19.00     |
| Sea World   | Two Day Ticket-Adult        | \$57.00       | \$44.50     |
|   | Two Day Ticket-Child (3-9)  | \$47.00       | \$38.00     |
| Universal Studios   | Two Day Ticket-Adult        | \$61.00       | \$49.00     |
|   | Two Day Ticket-Under 48"    | \$61.00       | \$49.00     |
| Wild Animal Park  | One Day Ticket-Adult        | \$34.00       | \$29.00     |
|   | One Day Ticket-Child (3-11) | \$24.00       | \$19.00     |

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.

## WHY MORE OF US ARE BEING KILLED

(continued from page 16)

he delayed using it: He thought about the legal repercussions. What would the newspaper do with the story? What would the community do to him if he shot someone? I even see this hesitation when using less-lethal weapons such as Taser and OC spray. As much as I explain how important it is to gain the upper hand; as much as I talk about action versus reaction, the prevailing attitude is that they will wait. It is mind-boggling that these otherwise fine officers will put themselves at risk for fear of what the people who they are ultimately protecting will think of them.

### Supervisors Not Cops

I am not sure at which level of supervisory rank this anomaly occurs, but my sense is that it begins at the position of lieutenant. This does not apply to all, as I personally know a watch commander in Nevada who spends more time on the street being a cop than spending time in the station. But generally at that stage, the management mindset begins to take precedence over being a cop. Things like manpower, timesheets, report writing, disciplinary hearings, etc. cause the supervisor to put being a cop on the back burner. This mindset becomes more evident as we go up the chain, and at each level the job of being a cop becomes inexorably conjoined with social work. Instead of backing a cop for subduing or shooting a thug, they abdicate their responsibility to their fellow cops, and try to assuage the phony and trumped-up outrage that some innocuous, self-proclaimed community spokesman spouts to any media type who will listen.

There are exceptions. Several years ago in the metro Washington, D.C., area, Police Chief Charles Ramsey and Assistant Chief Terry Gainer would prowling the streets of D.C. at night, putting thugs on the wall and responding to in-progress radio assignments. Talk about backing your fellow cops ...

### Warrior Cops

This may not sound politically correct, but we have to create and spread the mindset that our street cops are modern-day warriors. As such, they will sometimes need to be tough, demanding, overbearing and overpowering. They need to immediately dominate a situation and gain control. They have to be allowed to err on the side of a little too much force, rather than too little. The bad guys are used to a more laid-back-cop mindset now. They know that the cop fears the press and community more than they fear him. The creeps know that society will let them commit the same crimes over and over again, without having to pay much of a price (or none at all) for their behavior. In the process, if they hurt or kill a cop, it changes nothing. Cop killers are rarely put to death. Indeed, some become celebrities — writing books and having movies made about them that glamorize their wicked ways. And what of the cop that was maimed or killed? After two or three days of obligatory coverage,

the cops and their families fade into the background to fend for themselves and never to be heard from again.

### Change Starts With You

So how do we turn this thing around? We do it one cop at a time. We do it by being unafraid to say something that society has deemed “politically incorrect,” but we know to be absolutely right. We speak up about ridiculous PC classes that we are forced to attend on how to talk to certain segments of society so as not to hurt their feelings. We do it by not being afraid to ask tough questions of people on the street or for that matter, of our administration and community. The old axiom that states, “There are no atheists in foxholes,” is analogous to one that states, “There are no victims that are pro-criminal.” Until someone has become a victim of a crime, or a member of their family has suffered at the hands of a street thug, they will continue to wrongly assume that the criminal has more rights than the average citizen. If you don’t believe me, explain to me why it is necessary that we have programs such as “Victim’s Rights” and “Victim Assistance.” The reason is that we pay too much attention to ensuring that the criminal has every right and comfort afforded to him, while we harass, brow-beat, inconvenience, intimidate and otherwise embarrass the victims. It is unconscionable what we put these poor folks through, while ensuring that the criminal that has hurt, humiliated, and stolen from them, has enough to eat, is warm and has a proper defense to answer the charges brought against him.

We should all be outraged at this juxtaposition, but we have been conditioned to accept it as “the right thing to do.” I propose we begin to fight back in whatever way that we can. We have been led like sheep to the slaughter, afraid to say anything unpopular. In the process, we have given away much of the power that we had as cops. We simply drive around, afraid to assert ourselves, indeed, sometimes even afraid to defend ourselves for fear of what the morning’s headlines might say.

**Why are more of us being killed? Because we allow it!** Stay safe brothers and sisters!

*John Wills an ILEETA member, spent two years in the U.S. Army before serving 12 years with the Chicago Police Department (CPD). He left the CPD to become an FBI Special Agent, working organized crime, violent crime and drugs. John served as the Principal Firearms Instructor, Training Coordinator, and sniper team leader in the Detroit Division for 10 years. Before retiring from the FBI, he spent seven years teaching at the FBI Academy at Quantico, VA. He has taught Street Survival domestically and internationally. John is presently a field manager with Advanced Interactive Systems. He also owns his own business, LivSafe, teaching safety awareness classes, and he maintains a blog, Red State Papa. John serves as a judge for Law Enforcement Technology magazine’s Innovations Awards, helping to evaluate new products. He can be reached at [john@officer.com](mailto:john@officer.com) or (540) 226-9478. VB*



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## VEGAS BEAT EDITORIAL POLICY

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

## THE DIFFERENCES "DOWN UNDER"

(continued from page 10)

tasting was free and wasn't elbow-to-elbow. The pourers took time to explain the wine you tasted. I went to a beach called Stockton Beach that required a four-wheel drive to get onto the beach. Once there, it was about 10 miles of pristine sand and surf. I only saw four other cars on the beach. The sand went from the Pacific to about a half mile. I took a walk in the dunes and couldn't believe the sensational beauty and power of the natural ocean.

Nothing seemed to be as critical or needed as fast as it is here. When you ask someone when you're going to get something, when you're going to be served or when something is going to happen, you receive the standard, "In a bit." The food is out of this world; I have never had seafood that was as tasty. We had prawns the size of an arm that tasted like the sea and didn't require cocktail sauce. I ate salmon that melted in my mouth like butter. Apples were sweet and even the lollis (candy) tasted better. Even Chinese food tasted better than

any I had ever eaten. Finally, there was the beer. Australians laugh at Foster's — they treat it as we do Old Milwaukee.

What really made an impression on me was that the people routinely got together and ate, drank, laughed and talked. I didn't see all the drama I see on a daily basis here. Maybe it was because I was on "holiday" (vacation), but I think there was more to it. It reminded me of when I grew up in the '60s and '70s, when things were less complicated.

Getting back to why there is an Australian attitude ... I had a conversation with my wife about this subject. I told her we Americans are uptight and stressed because we are the greatest superpower the world has ever known, and because of our protecting the sea lanes, skies and space, Australia can ride on our coattails and relax. While not agreeing with me, she then pointed out to me that maybe Australia was the smarter country, because we were doing all of that and they were going to the beach, surfing, barbecuing and enjoying the differences Down Under. **VB**



## CALENDAR

### 2008

|                 |   |                    |  |
|-----------------|---|--------------------|--|
| <b>March 6*</b> | LVPPA General Membership Meeting (LVPPA office) | <b>April 19-20</b> | 24th Challenge Cup Relay Race (Baker, California to Las Vegas, Nevada (visit <a href="http://www.bakervegas.com">www.bakervegas.com</a> )) |
| <b>March 9</b>  | Daylight Saving Time begins                     |                    |  |
| <b>March 16</b> | Palm Sunday                                     | <b>April 20</b>    | Passover   |
| <b>March 17</b> | St. Patrick's Day                               | <b>April 22</b>    | Earth Day  |
| <b>March 20</b> | First day of Spring                             | <b>May 11</b>      | Mother's Day   |
| <b>March 21</b> | Good Friday                                     | <b>May 11-17</b>   | National Police Week, Washington, D.C. (visit <a href="http://www.nleomf.com">www.nleomf.com</a> )   |
| <b>March 23</b> | Easter  |                    |  |
| <b>April 1</b>  | April Fools' Day                                | <b>May 17</b>      | Armed Forces 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 so you can be accommodated.*

## RETIREMENTS

|            |                              |                   |
|------------|------------------------------|-------------------|
| 12/02/2007 | Coleen J. Humble, P# 2598    | COII              |
| 12/26/2007 | Thomas D. Thowsen, P# 1467   | POII (A-2)        |
| 12/26/2007 | James C. Vaccaro, P# 1480    | POII (A-2)        |
| 12/27/2007 | Michael K. Campbell, P# 3080 | PO Sergeant (A-2) |
| 12/27/2007 | Thomas J. Conlin, P# 1967    | PO Captain        |
| 12/28/2007 | Michael W. Hubbs, P# 1979    | COII              |
| 12/28/2007 | David P. Winslow, P# 2535    | PO Sergeant       |



## SUBJECTIVE TESTING (PART III)

(continued from page 14)

This would likely save money for the organization, and/or allow selections the opportunity to concentrate on other facets of selection. Indeed, as a means of fostering trust in the system, this function would likely *need* to be outsourced.

• Outsourcing such a system would also preclude activities that would tend to compromise the testing process, such as substantial differences in subjective grading teams, as occurred in this year's practical problem grading; the premature release of written exam answers, which occurred during last year's testing; and the premature release of oral board exam topics in a CMS meeting that occurred this year.

### In Summation

The federal EEOC states that a promotional testing system must "*demonstrate that its appraisal process is valid, that it is job related, and that it accurately measures significant aspects of job performance. The organization must demonstrate that the appraisal system is the best available method, that no other system is less discriminatory*". Our current "black box" promotional system, subjective in its methodology and ostensibly incapable of capturing practical measures of performance or aptitude, cannot claim to fulfill this requirement. The scientific method, conversely, requires that research actually be both valid and reliable. Validity means that the test must actually measure what it claims to measure: in this case, performance and supervisory aptitude. As supervisory aptitude is based upon practical ability, measurement must be accomplished "in the field," rather than in an obtrusive and artificial testing environment. Reliability means that the test must consistently show the same result. Reliability is often tested by utilizing multiple samples taken over time. Our current promotional system does not meet these two criteria and, by definition, is subjective.

The scientific method also utilizes statistical analysis, in the form of inferential statistics, which can be used to average observations and, hence, mitigate extreme or biased observations. Within the context of the testing

process, this results in the mitigation of either positive or negative personal prejudices. The use of a promotional process that makes use of 360 reviews over time, analyzing the results statistically, and controlling for subject and rater familiarity-based bias, would result in a far more accurate approximation of objective aptitude and performance than the current system, which makes use of limited numbers of raters during a *single rating session*. It would also result in the ability to approximate the testing error, which can't be done with the current system. As the testing result would represent the average perception of aptitude/performance over time, the result is, in effect, the "agreement" of all observations over time. Our current system, in contrast, is subjective, gives no statistical probability of error, and opens the organization to considerable liability.

*Don Evans has been a police officer with the Las Vegas Metropolitan Police Department for 14 years. He is currently assigned to Southwest Area Command Problem Solving Unit and has a B.A. in Social Science and an M.S. in Business Management/EMOC. VB*

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## DECEMBER 2007/JANUARY 2008 REPRESENTATION STATISTICS

| ARBITRATIONS                    |   |                         |                      |
|---------------------------------|---|-------------------------|----------------------|
| All. Violation Date             | Alleged Violation(s)  | Original Discipline     | Decision             |
| 11/9/2006                       | 4/102.11 Neglect of Duty, 4/101.19 Truthfulness Required at all Times | Recommended Termination | Pending Decision     |
| CITIZEN REVIEW BOARD COMPLAINTS |   |                         |                      |
| Dismissed / Alt. Recommend.     | Referred to IAB for Review  | Concurred w/IAB Finding | Pending CRB Decision |
| 0 / 1                           | 0   | 0                       | 5                    |

| OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS |                             |                  |
|--|-----------------------------|------------------|
| Date   | Use of Force Board Decision | Inquest Decision |
| 10/7/2007  | Justified                   | n/a              |
| 10/19/2007   | Justified                   | n/a              |
| 11/29/2007   | Justified                   | n/a              |
| 1/17/2008  | Pending Hearing             | Pending Hearing  |
| INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS     |                             |                  |
| Declined/Canceled  | Represented                 | Total            |
| 25   | 112                         | 143              |



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# THANK YOU LETTERS

Dear Chris,

I truly appreciate your support for my reelection campaign. I continue to believe that we can make a meaningful difference in improving the quality of life for the people of this great community. Please tell your Board and members how much I value your support and appreciate all you do for the people of our community.

Sincerely,  
Bruce L. Woodbury

---

Michelle,

I have been meaning to write my thanks to you and your fellow PPA reps. I am sure I speak for many officers when I say thank you all for rectifying this issue (reference knit caps). Although the final clearance is pending, it is relieving to know that we will soon be able to do our job comfortably and therefore, effectively. There is a positive vibe in our locker room at NEAC about how the PPA handled business, along with D.C. Schofield.

Thank you,  
Officer Fred Oliveri

---

To The Las Vegas Police Protection Association:

On behalf of Mike Richards and the family of Claude Richards, our sincere thanks for honoring my father (Mike's grandfather) with your kind words and beautiful floral arrangement.

Mike Richards, Terry Richards and the family of Claude Richards

---

We want to thank you all for your thoughts and support for Matt and his family. The flowers were beautiful. He is doing well. Looking forward to returning to work by April.

The Hall Family

---

Dear Mark,

On behalf of everyone at Opportunity Village, we extend our heartfelt thank you for your help in making the 2007 Magical

Forest "Jailhouse Lockup" a huge success.

We greatly appreciate you donating your time and name to be a part of this event. All of the money raised goes directly to the programs and services we provide at Opportunity Village to help enrich the lives of the very special citizens we serve.

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Our doors are always open, please feel free to drop by anytime. We promise a lockup-free visit and some of the biggest smiles from the people you have helped!

Kind regards,

Holly Spoor, Resource Development Director and  
Jack Sheridan, Director of Event Operations

---

Dear Tom Reid,

I just wanted to drop you a quick thank you note for the military supplemental pay correction. It was one of the best Christmas presents I received and definitely the most unexpected — and I am sure the other military veterans feel the same way. The money was put into my flight training fund to go toward earning my private pilot license.

With sincere thanks,  
Michael W. Murray, P# 9002





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