



LVPPA VEGAS BEAT

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See Page 23

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

VOLUME 5 | ISSUE 5

January/February 2011

A photograph of a courtroom interior, showing a judge's bench with a leather chair, a wooden desk, and bookshelves. The background features wood-paneled walls and a doorway.

Coroner's Inquest Hearings: THE BEGINNING OF THE END

See page 4 for advice



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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.

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Coroner's Inquest Hearings: THE BEGINNING OF THE END

As you may have heard, the County Commissioners have approved certain changes to the coroner's inquest process. Those changes include:

- **An appointed attorney (an ombudsman) to represent families of a decedent at a coroner's inquest.**
- **Allowing the ombudsman to orally question (cross examine) witnesses, including the officers, during the inquest proceedings.**

The PPA is advising that you have the right, as an involved officer, to assert your 5th Amendment right against self-incrimination and to not voluntarily participate in these proceedings. We believe that it is in your best interest to proceed in this fashion as these changes have made the process adversarial.

Please contact our office for further information if you are involved in an incident that will lead to an inquest. **VB**



Executive Director's Message

DETECTIVE CHRIS COLLINS, EXECUTIVE DIRECTOR

Communication is the Key to Success

The PPA is a service-provider business, and good communication with our customers/members is the key to success. I was told by a member the other day that he does not believe that the PPA does a very good job of communicating with the membership. When I asked him to explain this, all he could say was, "I never know what you guys are doing or what is going on." I found this very disturbing. The PPA attempts to communicate with our members in several ways. We print the *Vegas Beat* magazine six times a year and have it delivered to your homes. The articles in the *Vegas Beat* are written to keep you updated on the big issues we are working on. There is an ongoing open invitation to everyone to write an article for the *Vegas Beat* magazine; unfortunately, to date, very few people other than those on the Executive Board have written an article or even suggested a topic for an article. If the *Vegas Beat* magazine is somehow missing the mark, I encourage all of you to either write an article or call and suggest a topic you would like to see covered.

We also have a website and a web store. It is full of useful information as well as contact numbers for those of us working at the PPA full time. We get very little, if any, feedback on our website. Again, if you have taken the time to go to the website and found that it was not informative or helpful, we need to know that so we can fix the problem. I would hope that you would call and let us know if you think that any problems exist with the website and perhaps even provide suggestions about how to fix it. In addition to the website, the PPA recently created a Facebook account. I must admit that I don't know anything about "social networking" — I am one of the old-timers who does not have a Facebook account nor have I ever been on anyone else's. While I can't really speak to our Facebook account, others in the office may be able to answer your questions or address your concerns, if any, about our Facebook information.

We also send out e-mails to the membership. I recognize that while we have approximately 3,200 members, we only have 2,400 e-mail addresses, so not everyone is getting our e-mails. While that may not seem like a big problem, in the very near future it is going to be. We just held a Bylaw revision vote (in which less than 200 P# 7611 of our members voted). The majority of those who voted supported a change to how we will vote on future Bylaw revisions, Collective Bargaining Agreements and directorship positions. The votes will no longer be done here at the PPA office or by mail-in ballot; rather, they will be conducted electronically. The only way you will be allowed to vote on these important issues is if you have provided the PPA with a valid e-mail address.

Last but not least, the entire PPA Executive Board has cell phones that they answer almost anytime of the day or night. We all have phones on our desks that you can leave a message on anytime of the day or night. And if all else fails, we have e-mail addresses. The e-mails you send go to both our computers and our phones, so with the exception of someone being on vacation, there is no reason you should not get a timely response. We also attempt to communicate with all of you by attending briefings. I realize we miss some of you, but we do make the effort to come to briefings at least three times a year. We also have General Membership meetings four times a year. Everyone is invited to attend to listen or to bring issues to the Board of Directors' attention.

The dates and times of these meetings are sent out via e-mail to the membership and are published in the *Vegas Beat* magazine.

Now let's look at this from a different perspective. After all, communication is a two-way street. It is important that the membership communicate with the PPA. We can not address issues we are not aware of. If you have attempted to contact a member of the Executive Board and have received no reply, please let me know about that. I have instructed the entire group to answer all your questions to the best of our ability. Sometimes you may not like the answer we give, but as a member you deserve an answer.

As the elected head of the PPA, I am asking that you please contact me if the PPA or any member of the Executive Board or any member of the Board of Directors is not meeting your expectations. Don't be a person who just badmouths the PPA without giving us the chance to address the issue. I make you all this promise: The PPA will continue to communicate with you, our members, in the best manner we can. In return, I am asking for your help. Please let us know of the issues that are going on where you work and provide us feedback on how we are doing. If you have ideas that will make the PPA a better and more effective representative for you, please let me know. **VB**

Take Care of Our Own

Donate to the LVPPA Metro Charities to help the survivors of fallen officers. Proceeds go toward helping survivors' dependents attend college, purchasing holiday gifts and covering unforeseen expenses.

There are three ways to give:

- Purchase items from the PPA store at www.lvppastore.com.
- Sign up for payroll deductions (deduction form available at the PPA).
- Make a direct donation at the PPA office.

The LVPPA Metro Charities hopes you never need its help, but will be here if you do.



INSIGHT

Take calculated risks. That is quite different from being rash.

— George S. Patton, Jr. (1885 - 1945)



Membership Has Its Privileges

POLICE OFFICER MARK CHAPARIAN

Assistant Executive Director

Is your membership with the Police Protective Association important? Yes, in more ways than you may think. Your membership provides you with 24-hour protection from evils that you might not be aware of. The list of services available to you is long and well worthwhile to utilize when the need should arise. Listed here are just some of the services your Association provides (keep in mind this list is not exhaustive):

- Collective Bargaining Committee (negotiates our contract)
- Representation at Internal Affairs interviews
- Representation at Bureau level interviews
- Accident Review Board representation
- Assistance in writing and filing grievances related to discipline
- Representation at grievance meetings and hearings related to discipline
- Assistance in filing of grievances related to contract violations
- Representation at grievance hearings related to contract violations
- Assistance in filing of grievances related to workers' compensation issues

- Representation at hearings related to workers' compensation issues
- Representation at pre-termination hearings
- Representation at non-conformation hearings
- Representation at Civil Service Board hearings
- Representation at Citizen Review Board hearings
- N.R.S. 289 application and interpretation (bill of rights)
- Representation at officer involved shootings and in-custody deaths: (automatic call-out via P.B.X.)
 - A representative and an attorney respond to all officer involved shootings and in-custody deaths as your personal advocate and defense team.
 - A representative and/or an attorney participate in all follow-up interviews including:
 - Homicide
 - Use of Force Board
 - Coroner's inquest
 - Force Investigation Team (F.I.T.)
 - Critical Incident Review Team (C.I.R.T.)
- Limited sponsorship of sport activity groups or clubs
- Legislative representation in Carson City
- Life Insurance and AD&D policy

As you can see, the list is quite extensive and thorough. Unfortunately, most members need MANY of these services during their careers. Your Association coverage is much like your insurance policy on your home, car or health. It would be irresponsible for you to work for Metro without it. We are there for you when you have questions, need assistance or when you're hit with a potential career-changing or -ending allegation.

No one plans to get into trouble or turmoil at work, but let's face it, things happen whether we like it or not. Our jobs have become very dynamic and complex. We are expected to do more with less. We oftentimes work in pairs or teams. This is where additional danger comes into play. When someone else crosses the line or is accused of doing something wrong or inappropriate and we are associated with them via an event number, we are also questioned and put under the microscope. Frequently, all it takes to spark a "Statement of Complaint" is one person's opinion or one inadequate supervisor.

Your Association has experienced, dedicated employees to assist you night or day with one phone call. Our intent is to make whatever experience you are having a fair one, a quick one, and by all means, a legal one. N.R.S. 289 provides you with many rights and privileges. Don't think for one minute that anyone or any agency is going to look out for YOU or your rights before they look out for themselves. Your PPA is there to ensure YOUR rights are protected to the extent the law and our labor agreement provides.

Your Association has fought hard on your behalf in regard to our labor agreement. The PPA was instrumental in drafting our contract with painstaking effort to attempt to provide every police officer with a fair salary, benefits package and administrative process that is unbiased.

Together we are strong. When we fight for one officer on any given issue, we are fighting on behalf of everyone that comes after him or her. Our Association is what binds us together, keeps us in focus and sets the pace and direction that YOU, the members collectively decide. Promote our Association, become involved, help make us better and stronger. Remember, when it comes to our PPA, membership has its privileges! **VB**

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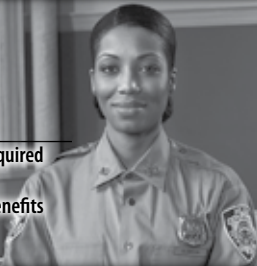
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Setting the Tone

POLICE OFFICER PAUL BIGHAM

Secretary

I am writing this article to raise an important issue that needs to be addressed. Those of you who read this can probably recount several times in your career, whether at critical incidents or merely on routine calls you were handling, when a situation you are involved in starts to turn south. As you know, this feels like steering an out-of-control aircraft carrier, and trying to get it turned around to get back on track.

As you all know, there are times when an incident has occurred and emotions are high, and in these stressful moments, a supervisor may start on a negative tone with the officers involved in the incident. Maybe this occurs because the supervisors don't have all the information in the moments just after the incident. Whatever the reason, unfortunately, this negative tone is often then relayed to the watch commander. Then naturally that tone is conveyed on up the chain of command. The next thing you know, SOCs get opened, or worse yet, relief-of-duty notices come out because someone has determined that the alleged offense may cause you to be detrimental in your current assignment.

Understandably, stress levels go up and the officer is left wondering if he or she is going to have a job when the whole mess all plays out. Even if it does work

out for the officer, and he or she is able to keep their job, don't you think that the officer may be a little bitter at the Department for the way it was handled? And do you really believe they will be as productive and into their jobs as they once were?

But it goes even further. This negative tone taken by the Department about a particular situation gets relayed to the public through the media. In some cases, an affidavit or other official information gets released anonymously to the media. Then the entire issue plays out in public through the television, the newspapers and radio. Our agency then takes another bashing from the haters of police. This may be "transparency" to some, but I personally believe that it hurts the reputations and brings down the morale of our Police Department and its outstanding officers. This Department should really be investigating how an official police document, such as the affidavit mentioned above, could have been released to the media.

I believe that addressing these problems starts with our supervisors at the scene. They need to step back and take a deep breath. They need to take in all of what has just happened. Maybe they are too close to what just transpired to be able to assess it objectively. Maybe a different supervisor, who does not immediately oversee the troops involved, should be evaluating what happened. Keeping an open mind to

(continued on page 12)



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The Importance of Unions and Collective Bargaining

CORRECTIONS OFFICER KENNETH LOCHNER

Treasurer

This coming year is going to be a very tough one for unions in the State of Nevada. The 2011 Legislative Session will commence in February. I'm sure you have all heard rumors that the State is anticipating a \$3 billion budget shortfall over a two-year cycle. We can only imagine the challenges that will create and how it might impact law enforcement agencies and their employees. We as a union are going to have to fight hard to protect PERS and collective bargaining because certainly our elected officials will be looking for ways to shrink that budget shortfall.

The Chamber of Commerce, along with other interest groups and certain officials, will be pushing its agenda to cut PERS and potentially other benefits that we currently enjoy. The message we have been hearing from these groups is that public employees are paid too much at the expense of the taxpayer. In addition, we have the Department to contend with; the Department has been holding to its position that all three unions need to give back again this year, and that personnel costs are too high. Last but not least, we will be facing a PERS increase

(2.75%) which is shared evenly between the employees and the Department. When you look at it this way, we really have two fights that we will be dealing with in the upcoming months, all of which are of equal importance.

The first fight is up in Carson City and will go on for four months. Our Director of Governmental Affairs, Michelle Jotz, will be leading the charge on our behalf with assistance and guidance from our Executive Director, Chris Collins. The second fight is going to be here at the contract table; this fight will be equally difficult this year. We have a "Contract Committee" that is comprised of some of our Executive Board members, some of our Board of Director members and at least one At-Large Association member. The Committee members will be fighting for every benefit possible for all members.

Our Association has somewhere around 2,550 members that we represent. The union is run on a day-to-day basis by our Executive Board that is made up of seven full-time officers (five police and two corrections); it is their duty to handle all PPA matters (i.e., IAB interviews, grievances, dealing with questions members may have, overseeing the PPA Charities, officer involved shootings, legislative issues, etc.). In addition, we have a Board of Directors that has representatives from most areas around this agency; these Directors attend General Membership and Board meetings and help with IAB interviews, when asked per the Bylaws, and pass along information from the meetings and the Executive Board to the members. We all fight for our membership's right to collectively bargain for the wages and benefits set forth in our contracts. We all work very hard to try and preserve our members' way of living, including your wages, benefits and future retirement. This coming year we will all be called upon to do just that — to preserve those things that support our P# 10100 family, our way of life, our future and our retirement. We as a union, including all of our members, need to stick together. We need to get those who are not currently members to join now, more than ever before, because there are people who want to attack our lifestyle, our benefits and our retirement. We need to stand strong together, otherwise one day we may wake up and find that there is no collective bargaining and there is no union fighting for our rights and benefits. If that happens, you can expect that you won't be receiving the pay or the benefits that you currently enjoy. Let's not let that happen. Let's stick together and grow stronger, and together, we can win these important fights. **VB**



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INSIGHT

Few men are brave by nature, but good discipline and experience make many so.

— Machiavelli (1469 - 1527), *The Art of War*, 7,

1521. fr. Ellis Farnsworth, 1762



We're Under Attack!!!

DETECTIVE MICHELLE R. JOTZ

Director of Governmental Affairs

Public employees are under attack, and **SURPRISE**, we are public employees! The upcoming session of the Nevada Legislature is going to prove incredibly intense for us. There has been significant discussion regarding changing our pension (retirement) from a defined benefit plan to a defined contribution plan. What's the difference? The difference is enormous!

BusinessDictionary.com defines a Defined Benefit Plan as the "Most common type of pension plan in which an employer sets aside specific sums of money (based on each employee's tenure of service, age and salary) for qualifying employees, in a separate tax deferred account. It is 'defined' in the sense that the formula for computing the employer's contribution is known in advance." What this means is that the Public Employees Retirement System (PERS) determines how much money is required to keep the retirement system funded and makes increases in required contributions as necessary every two years. This is where you hear the term "PERS increase." By statute, the employer must cover half of our PERS increases. Each time there has been a PERS increase, we have negotiated to have our portion of the contribution (our half of the increases) paid by our employer as outlined in NRS 286.425. This would normally have been raises that instead went to cover our portion of the PERS increases. What the public doesn't realize is that, between the employee and the PERS system, we are responsible for anywhere between 80 to 90 percent of the value of our own retirement (employee contributions plus investment returns). Under this plan, we are able to determine exactly what our retirement checks will be when we are eligible to retire.

The outcry is to change us to a defined contribution plan. **BusinessDictionary.com** defines a P# 14157 Defined Contribution Plan as the "Defined benefit plan to which an employee also makes a fixed contribution every month until retirement." This plan is similar to a 401(k). We would contribute a specified amount, but the retirement checks would vary based on market fluctuations and we would not be able to predict what our actual retirement checks will be.

What is missed in all of the media hoopla is the fact that we do not contribute to Social Security, and therefore, are not eligible to collect Social Security unless we have had employment before, during or after our employment here at Metro. I know a good chunk of folks hired onto Metro as soon as they graduated high school or soon thereafter and never contributed enough to Social Security to be able to collect a dime. In addition to that, even if you are eligible to collect Social Security because you worked that second job before, during or after your public employment, your benefit will automatically reduce by 66-2/3 percent. Your bonus for being a public employee AND having another job is that your Social Security benefit is cut by two-thirds!!

I have attended a truckload of meetings over the last couple of months about PERS and collective bargaining (our right to have a contract), and the fact that folks want us to lose that ability. Believe me, there are a bunch of people who want to see us lose our benefits and take pay cuts. February 7, 2011, marks the first day of the Legislative Session. We must be prepared for battle. **VB**

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New Year, New Challenges

DETECTIVE DARRYL CLODT

Sergeant-At-Arms

As we come to the end of 2010 and begin 2011, I think this is a good time to gear up and let you all know some of the upcoming important areas your union will be concentrating on in the year ahead of us. I think, first and foremost, the subject on everyone's mind is your contract. In the next couple of months here, we will go back to the table to start the negotiating process and come up with a new contract. As I am sure everyone can expect, it will be a difficult process this year more than ever, as I am sure the Department will cry "poor man" syndrome. It is way too early to try and predict what the outcome of the negotiation process will be, but make no mistake, it is your union's first and foremost job to get you what we believe you all have earned and deserve.

Another hot (or should I say "scorching") subject is the new CIRT Team, the FIT Team and the general procedures for officer involved shootings, not to mention, of course, the changes to the coroner's inquest proceedings. As it is looking now, all interviews with homicide will be 48 hours after the incident or will not be given at all. The incident will be investigated by the Force Investigative Team. These

are purportedly the best detectives in the Department, and I think they all came out of homicide. Then the CIRT team will conduct its part of the investigation. I had my distrust at first with this process, but it does appear to be a positive thing for the Department as a whole, and the officers who have participated in this process so far seem to be accepting of this new process. I plan to write a more detailed article for the next magazine on this topic alone.

Let's talk a moment about the changes that may or may not take place with the coroner's inquest. In a nutshell, the issue boils down to whether the changes will make the procedure an adversarial process, and by this I mean if an attorney is given the opportunity to cross examine the officer on the stand, then I believe that the smart thing to do is to not participate. If you are subpoenaed to appear, I believe it is in your best interest to assert your 5th Amendment right to not incriminate yourself. These are all issues that are being worked out as I write this, and our Association's position on this issue will be more defined as we see how the process actually unfolds and our final plan is put in motion.

(continued on page 17)

To All Las Vegas Police Protective Association

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JOHN DEAN HARPER
General Counsel

Odds and Ends for 2011

I get the feeling that I am not the only who thinks that the years go faster and faster. The wakeup call is that this year will be the 10th anniversary of 9/11. We all remember where we were when the Towers went down. What happened to that 10-year span? When you reflect on how fast that time period went, I guess the best we can do is try to make the future years better by taking precautions to make your career, family and health safe and secure.

I have tried to compile a few odds and ends that you may find helpful or noteworthy as we enter into what I promise will be an interesting year with contract negotiations for the Metro contract, contract negotiations for the City Marshals and a legislative session that needs to plug an approximate \$1 billion or more revenue gap.

Workers' Compensation

Even if you get a hangnail, fill out the Injury/Illness/Exposure report. Too many of our officers try to diagnose the injury themselves and too many times the muscle pull is more severe. Even if you never seek medical care and the pulled muscle heals, file your report within seven (7) days. Believe me, if you do not, no matter how clear it is to you that the claim was in the course and scope of your duty, it will be denied.

Citizen Review Board

The Citizen Review Board accepts complaints that, for the most part, are from the perspective of the Complainant and not favorable to you (which is one reason why I recommend that you keep a digital recorder in your pocket and turn it on at all times during suspect/citizen contact). From that point, the Board sends out a letter to you essentially asking for your version of the events.

The Board has not set the matter for a hearing, but is preliminarily screening the complaint. Therefore, please contact the legal office, and send us the notice. We will ask you to do a short write-up of the event and provide any Officers Reports, Arrest documents, etc. Then the legal office will respond on your behalf from our perspective (this way we keep you from making a statement that can later be questioned for inconsistencies with prior or subsequent statements).

When we respond in this manner, a large proportion of the cases never go beyond that stage. However, if you ignore the first notice you receive from the Board, it will be set for a hearing. Therefore, it is in your best interest to immediately notify the legal office of the complaint.

The Rest of the Story

I have lost count of the number of officer involved shootings and critical incidents that the legal office has responded to in my career, but figure it is around 280. The scenario is always the same for a media-created "controversial" incident. The officers involved are criticized for their actions by the media. The media or attorney craving media attention "find" witnesses who, despite never making themselves available to be interviewed by Metro Detectives, have a contradictory version of what really happened. The media and the media-craving attorney criticize the coroner's inquest process and the Department does nothing to defend the officers.

The coroner's jury finds the officers' actions justified and the media report the verdict. The media are then done, no follow up and no analysis, they merely move onto the next controversial story that sells newspapers or advertising time. What is never reported is the outcome if a lawsuit is filed. I found one outcome very satisfying.

In 2006, teenager Suave Lopez, a murder suspect who had threatened to kill witnesses, was fleeing custody and shot in the back by one of our officers. Prior to the coroner's inquest, the incident became a circus when the family hired a clown of an attorney named James Myart from Texas. The media ate up his theatrics. Ultimately, the inquest jury found the shooting justified, and it prompted a revision to the inquest process, allowing written questions to be presented on behalf of the decedent.

What was not reported was the outcome of the federal lawsuit filed by Lopez's family. The federal judge granted a summary judgment in favor of the Department and the individual officers. The judge found that there had been no constitutional deprivation of rights in that the use of deadly force was reasonable. All federal causes of action were dismissed and the court declined to accept the concurrent state causes of action. You can access that decision on our website at lvppa.com. Even better, the court later ordered that the plaintiffs had to pay the approximately \$180,000 in legal fees incurred by the Department. Funny, though, there was not one mention of this by the local media that we heard about.

The 2011 Legislature

Strap in for this session. The Chamber of Commerce and public employers are going after your benefits and rights with a vengeance. They have the media and the public on their side. Look for attempts to change PERS for future employees from a defined benefit plan to a defined contribution plan. Look for a bill pushing for labor negotiations to be conducted pursuant to the open meeting law. You will see an attempt to limit the conclusive presumption that heart and lung diseases were caused by your being employed for five (5) consecutive years.

(continued on page 17)

INSIGHT

Disappointment to a noble soul is what cold water is to burning metal; it strengthens, tempers, intensifies, but never destroys it.

— Eliza Tabor

SETTING THE TONE

(continued from page 7)

the fact that the investigation into what occurred is just getting underway, it might be wise to remember there is no need to rush to judgment, and that perhaps, one should not start off with the wrong tone when that first call goes out to the watch commander. In other words, it may be wise to avoid those “kneejerk reactions” that are made based on only part of all the information that will ultimately come out.

The Department needs to rely on those officers who are called upon to do the investigation into an incident that just occurred. Our officers are smart and able and well trained; they will do a good job, they will find out whether a situation was in line with policy or not and will respond accordingly. They will also find out whether an officer was wrong in his or her actions. That is what these investigators do and have been doing for much of their careers. And they were selected to perform these tasks by this Agency because this Department found them able and capable. But those investigations take time. One cannot accurately assess an incident without full information. These investigatory officers and detectives don't need the added pressure of having to hurry up with the investigation so that the Department can provide information to the public. I know we have some responsibility to the public to provide information, but I would hope it is not at the cost of providing incomplete and inaccurate information simply for the sake of putting something in the public's hands in the way of information. I would hope that we would provide our officers the benefit of the doubt that they acted appropriately unless and until alternative information is learned indicating otherwise.

The scenario set forth above creates great stress on our officers when it does not need to. Officers are left wondering why they should do things in their jobs that may be controversial when they are not going to get any backing from their supervisors or the Department. I predict that sometime soon (if it is not the case already) officers may become simply reactionary in their police work and not proactive, in the hopes that they may not find themselves in these controversial situations. I am certain that is a road we do not want to go down, but out of self-preservation, who knows, that may be where we are headed. **VB**



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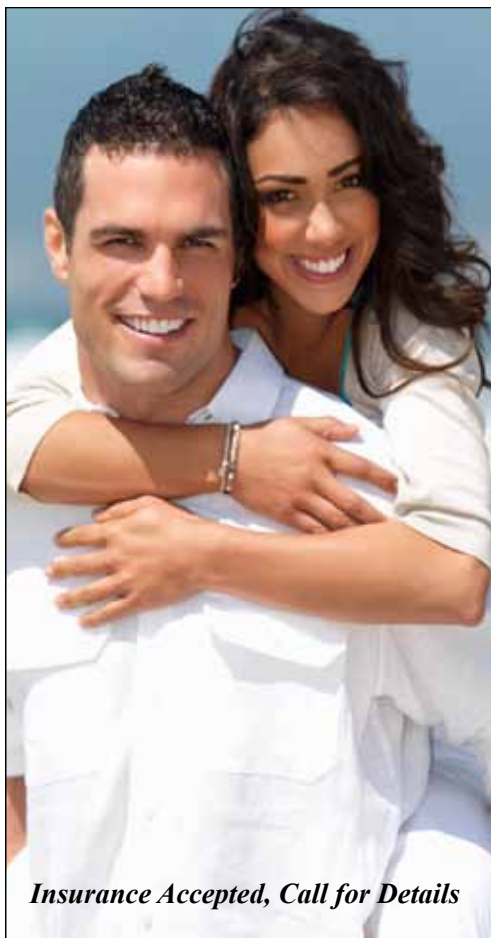
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Message from Your Executive Director and the Sheriff

EXECUTIVE DIRECTOR CHRIS COLLINS AND SHERIFF DOUGLAS C. GILLESPIE

As we look forward to the new year, we recognize that with the many changes in the way our agency is investigating officer involved deaths — not to mention the changes to the coroner's inquest process that were just voted into place by the County Commissioners — there is going to be some confusion as to what is an appropriate response from an officer involved in one of these critical incidents. We are writing this article jointly because while there are issues that we disagree on regarding how we would wish an officer to respond, there is one critical area in which our advice is the same.

Your Association and your Sheriff both believe that regardless of whether you choose to attend the coroner's inquest and regardless of whether you choose to give homicide detectives (now the FIT team) an interview at the time one of these incidents occurs, it is still vitally important that you at least give the first responding supervisor on the scene a Public Safety Statement.

The Public Safety Statement, which is again to be made to the first supervisor arriving on the scene, contains the following information:

1. The crime that occurred.
2. The type of force used.
3. The direction and approximate number of shots fired by the involved officer(s) and suspect(s).

4. The location of injured persons.
5. A description of outstanding suspect(s) and their direction of travel, time elapsed since the suspect was last seen and any suspect weapon(s).
6. A description and location of any known victims or witnesses.
7. A description and location of any known evidence.
8. Other information as necessary to ensure officer and public safety, and to assist in the apprehension of outstanding suspects.

Note that this Public Safety Statement does not involve providing information as to why an officer had to resort to deadly force. The statement to the initial responding officer should be brief; the idea is to convey information so that the crime scene can be protected, pertinent information can be recovered and investigators can identify involved individuals as well as witnesses who need to be located and interviewed.

While it is the Association's recommendation that officers not give a statement to the FIT investigators, we (Executive Director Chris Collins and Sheriff Gillespie) recognize the necessity of giving a Public Safety Statement. In the very moments after deadly force has been used, while the gun is still smoking and paramedics are yet to arrive, it is likely only the involved officer or officers who has the ability to relay vital information about the facts and circumstances of

(continued on page 17)

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What is a Corrections Officer Worth to the Taxpayers?

CAPTAIN DOUG HOOLEY

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In the last couple decades, I've heard people call corrections officers everything from "badge-carrying babysitters for adults" to law enforcement superheroes. Clearly, there is a wide variety of opinions on the value corrections officers provide to society.

Working in the public sector, it is necessary to show tax-paying citizens what they are buying with their tax dollars. Thus, in the name of accountability, it is important that a corrections officer justify his or her "worth" to the community, even when it seems obvious that protecting the public should have an extremely high value.

Oftentimes, our society expresses the value of a service in monetary terms. Use those terms, there is no way that any country can adequately compensate corrections officers for what they do — whether they're making minimum wage or \$40.00 per hour.

I've witnessed the contrast in attitudes about the worth of a CO among some administrative personnel over the years. One day, perhaps prior to union contract negotiations, the CO's skill set is seen to be no more than something like offering to "biggy-size" a meal, yet under other circumstances, like on awards banquet night, the CO is said to be unselfishly answering one of the highest callings known to humanity. It is with these varying attitudes in mind that I will attempt to assign a monetary value to what a CO does through a variety of methods:

The Babysitting Method

Inmates have said it to me. Family members and friends have said it to me. "Oh, so you are, like, a babysitter for adults, right?"

Really? Depending on the part of the country you live in, you can expect to pay pretty big bucks for daycare services, and unless you have a willing family member, good luck finding someone to watch your child in the middle of the night! So before you write off the idea of being a babysitter, think of how nice it would be to actually be valued as much as a babysitter. Using a babysitter pay rate of \$5.00/hour (which, by the way, is a gross underestimation), anytime a CO is working in an area where there is one officer for every 40 inmates, he or she should be making \$200 per hour. Without any other benefits added in, that would be an annual base salary of about \$420,000. Not bad, but don't count on it.

The Fear Factor Method

Do you remember the NBC show *Fear Factor*? On the show, contestants had the chance of winning \$10,000 if they would do things like eat spiders or let rats crawl over them. Now and then, someone would decide one of these nasty tasks was a little more than they could handle, even for a chance at \$10,000.

What do you think would happen if you approached the average citizen in your community and asked them how much money it would take for them to go to the segregation area of your jail where there is a naked, violent, 350-pound, mentally ill male intermittently screaming at the top of his lungs and laughing? The job of the citizen that you are asking, along with a couple of their friends, is to physically lay hands on this large inmate and move him to another cell. Did I mention that this inmate is also covered in his own feces and recently tested positive for Hepatitis C?

Do you suppose they would accept the challenge for the possibility of winning \$10,000? A million dollars?

Yet, this is just one of many such scenarios that a CO could face on any day they show up to work.

The Essential Life Needs Method

What if we were to assign value according to something like Maslow's hierarchy of needs? In 1943, American psychologist Abraham Maslow wrote a famous paper called "A Theory of Human Motivation," which proposed a hierarchy of human needs. Maslow visualized this hierarchy in a pyramid (Figure #1). At the bottom of the pyramid are our most essential, basic needs — physical needs like air, water and food. At the top of the pyramid is what Maslow calls "self-actualization" — things like morality, creativity and spontaneity. According to Maslow, once humans achieve one level of needs, they become obsessed with achieving the next level. "Safety and security," the thing that corrections officers provide, is placed at priority level number two, just above physical needs.

What if officers' paychecks reflected how much we value public safety according to Maslow's hierarchy of needs? Corrections officers would get the multimillion-dollar earnings that professional athletes, recording artists and movie stars are paid.

Of course, this alternative economy would never work because our culture prefers to live with the fragile veneer over the surface of what is really important. It takes events like September 11th to remind the masses of what our true needs really are.



The Line Item Method

What does the CO do for the community that could be included on the annual "bill" to taxpaying community members if a line-item approach was used? You know, like a hospital bill where every aspirin, procedure, bandage and bedpan are listed? What are the costs of doing business to the officer that they probably never even think about? What are the services that they routinely provide that are taken for granted?

Application

What good does it do to know the value of a corrections officer?

If you are a manager or supervisor, employees job satisfaction is directly related to not just their paychecks, but also to knowing that they are valued. Possessing the knowledge of how valuable officers are to society might just knock the law enforcement profession out of the top 10 list for suicide rates. Beyond this, maybe it would even improve the “moral problem” that is whispered of in facility hallways, and maybe even cause people to want to stick around rather than looking for employment elsewhere.

If you want to be a leader, start letting others know how valuable they are. No one wants to follow someone that doesn't trust them or places little value on them. Ask yourself, how do I treat things that I value greatly? The answer, of course, is that you take very good care of them. You treat them carefully and with respect.

Going Beyond

- The value of a corrections officer should show up when the Sheriff is justifying his budget to the County Commissioners.
- The value of a corrections officer should be so well known by the public that when they hear of one bad cop, they would know it is the exception and not the rule.
- The value of a corrections officer should be taken into consideration in determining how supervisors and managers treat their officers, and how one officer should treat another.

All of this being said, the value of a corrections officer should never be used for a sense of entitlement or for personal gain. If someone is using it this way, that person is in the wrong line of work.

We looked at why understanding the worth of a corrections officer to the taxpayers is of vital importance to the public, politicians, administration and to officers themselves. We then took a broad look at a variety of ways — beyond paychecks — to literally place monetary value on what it is that correctional officers do for their communities.

However, in order to effectively answer this question, we need to break down the job and look at it in detail. In other words, what would the correctional officers' annual “bill to the customer” — the taxpaying community members — look like if a line-item approach were used? What if we broke it down like a hospital bill where every aspirin, procedure, bandage and bedpan are listed?

What are the costs of doing business to the corrections officer that even they rarely think about? What are the services that officers routinely provide that are taken for granted?

Let's start with the annual personal cost of doing business for a corrections officer. Grab a sheet of paper and write down what you would charge (annually) for each of the following.

Not being able to eat at just any restaurants because many ex-inmates that don't like “cops” work in restaurants and they would just love to spit in your clam chowder:	\$
Running into recently-released inmates while out trying to have fun with your family:	
Getting phone calls or having people drop by who know you are a cop and think you can help get their husband/wife out of jail:	
Explaining (over and over) to your kids why you don't want your name in the phonebook:	
Having your wife/husband be afraid to leave the house because of your job:	
Seeing things maybe not even a proctologist would see — sometimes during a couple dozen strip searches a day:	
Hearing the “F” word used by one person more than 18 times per minute — in all suffix forms and even prefix forms:	

Collecting rotten, urine-soaked clothing with decayed flesh stuck to it from a drunken transient who has just vomited on him- or herself... then searching it:	\$
Having someone spit on you, bite you, or throw their body waste on you a couple times a year. Then waiting for the lab results to come back on your blood work after you have been exposed to blood-borne pathogens:	
Having someone threaten your life so often that you become callused to the remarks and routinely laugh about them:	
Having a proven criminal threaten to go to your house and burn it down and have their way with your wife/husband:	
Working eight hours in an area where someone has been smearing his feces everywhere:	
Being exposed to toxic chemicals brought into a facility on people who manufacture drugs for a living:	
Observing people's private parts as they provide a urine specimen — at a rate of up to 20 people per day:	
The risk of having someone pay money to have you killed, and explaining this risk to your spouse:	
Giving up your rights to work “normal” hours:	
Listening to very mentally ill people scream at the top of their lungs and rattle their cell door bars all night long while the rest of the County sleeps:	
Never feeling comfortable with someone behind you — on duty or off:	
Losing 17 years of your life expectancy:	
Being sued at least twice in your 20-year career:	
Always having to be careful about who might be following you home:	
Never walking into a public place without studying everyone's face for possible ex-inmate threats:	
Part of your daily routine is the possibility of fighting for your life — even on your “down” days:	
Working in a public job where you are constantly asked to do more with less while your salary is published in the newspaper:	
Being seriously assaulted on an average of at least twice in a 20-year career:	
Being lumped in with all of the bad cops in the Country, which tend to get the media's attention:	
Having anarchists threaten to “pick you off” in the parking lot at shift change:	
Having certain gangs take oaths to kill you and your coworkers:	
Being lied to as regularly as being told the truth:	
Knowing that 90 percent of the people you deal with in your life are anti-social deviants who don't respect what you stand for, don't want to be where you are making them stay and don't want to do what you are asking them to:	

(continued on page 16)

WHAT IS A CORRECTIONS OFFICER WORTH TO THE TAXPAYERS?

(continued from page 15)

Watching the same people fail and re-offend and go to jail for the 10th or 20th time — in other words, losing faith in people:	\$
Being expected to stay physically fit and keep your defensive tactics honed on your own time as part of your job throughout your entire career:	
Being expected to represent your employer 24 hours a day by keeping your life “unsullied”:	
Having a divorce rate 39 percent higher than the general population:	
Waking up in the middle of the night with pepper spray in your eyes or other sensitive areas:	
Experiencing the undying gratitude of the public as you are called a “f-ing pig” on your way out the door from work:	
Being in an occupation that consistently ranks as one of the highest in terms of rate of suicide:	
Subtotal:	

Annual charges to the taxpayer for what the CO gives up:

How high is your total so far? How much did you charge for losing 17 years off of your life span? It's tough to quantify not watching your grandchildren grow up — very sobering.

Beating the Odds

Before I get back to the annualized list of charges to the taxpayer, let me challenge you to beat the odds mentioned above through the following practices:

- Keep officer safety issues at the top of your priority list.
- Educate yourself about your enemy — stress — and learn how to manage it.
- Stay healthy: diet, exercise a lot, rest and recreate.
- Work on your marriage even when you think everything is going right.
- Raise your kids like you will never have a second chance.
- Most importantly, keep the center of your life outside of your occupation.

A young lady is able to sleep at night because the man who raped her is behind bars:	\$
A little boy has a father who has decided he needs to get serious about life now because of the counseling he got from a CO in jail:	
A man who just beat his wife is taken off the streets and held behind bars long enough for his wife to get to her parents' house:	
A young man who randomly kills a kind elderly grandmother is held behind bars, taking him out of society:	

A man stops selling drugs partly because of the mentorship he receives at the Community Corrections Center:	\$
A man who kills an infant by beating him against the wall is held in custody and kept from the opportunity of ever doing it again:	
A former prostitute, who looked at COs as mentors while in jail, gives up drugs and goes back to school, becoming a productive member of society:	
Not everyone in jail is a sociopath — the care and feeding of neighbors, family and friends who find themselves in jail:	
Preventing several dads, mothers, sisters, brothers, sons and daughters from killing themselves in jail every year:	
Preventing several dads, mothers, sisters, brothers, sons and daughters from taking drugs and drinking alcohol, at least temporarily, every year; giving them the opportunity to start over:	
Giving the community a sense of safety and security:	
Making the difference in society between anarchy and order:	
Always being there no matter the hour of the day or the day of the year:	
Subtotal:	

Annual charges to the taxpayer for what the CO does for the community:

The annual total value per corrections officer that I came up with using this method seven years ago was about \$750,000. Now that I am a grandfather, with only nine years of life expectancy left according to the statistics, I would double that amount.

Facing Reality

For someone like myself in administration, this subject is not popular to bring up around union contract negotiation time. However, as much as I believe COs are worth the money, I'm not suggesting here that corrections officers should be paid the figures that I suggest above. That would not be realistic and no economy on the face of the earth could support it. Further, my point here is also not to make anyone “feel sorry for” COs.

My point is simply to express the extreme good deal the tax payers are getting for their money and that there is no way to adequately compensate the professional men and women who sacrificially staff our correctional facilities every day.

About the Author

Doug Hooley started his career with the Lane County Sheriff's Office in 1988 as a Deputy Sheriff assigned to the Corrections Division. He is now a captain in charge of a 507-bed facility. He serves on numerous criminal justice teams and boards, including the Drug Court Advisory Board, the Children of Incarcerated Parents Committee, the Adult Offender Public Safety Coordinating Council Committee and the local Supervisory Authority Team. He served on the team that developed Lane County's evidence-based approach to adult corrections and participated in the development of the risk assessment tool Lane County uses to determine overcrowding releases. Doug was responsible for forming the Lane County Jail's Special Operations Response Team in 2006. VB

NEW YEAR, NEW CHALLENGES

(continued from page 10)

That brings me to the last concern or priority that we are concentrating on: Internal Affairs investigations. Let me start by saying that I was alarmed to see the path this Department has gone down over the past year. We have had between 800 and 1,000 Internal Affairs investigations this past year. I often wonder if we put that much effort into going after the real bad guys, the criminals in this valley, as we do our own. The Department will try to tell you that this process clears many officers of the wrongdoing they have been accused of. In reality, I believe we have so many investigations because the Department is afraid to hold people accountable, and by that I mean those citizens who file false complaints against our officers — rather than hold those accountable and liable for their false complaints, they are accepted and investigated!! That being said, my advice to you is this — you should document as much as you can on your calls for service so that later IAB will look at this and maybe not waste your time. Use your sergeants to help you deal with these people; your supervisors, if they are worth their salt as supervisors, should be able to stop many potential issues from ever becoming formal complaints that go to investigations.

That is essentially where we are heading as we look into 2011, and I look forward to the journey with all of you. In parting, I wish all of you a safe New Year full of challenges and rewards. Stay safe and never let “them” change why you chose this profession. **VB**

ODDS AND ENDS FOR 2011

(continued from page 11)

Additionally, though not directly aimed at you, the State will try to get its hand into the local P# 8774 governments' coffers again. The result will be that there will be less money for Clark County and the City of Las Vegas to pay your wages and benefits. In my opinion, this will be the most damaging session to public employees in history.

The PPA Charities

I know it seems contradictory after talking about financial gloom and doom to ask for money, but the Association is asking you to consider donating to the Las Vegas Police Protective Association Metro Charities (PPA Charities). This non-profit, 501(c) (3) organization contributes to the cost of college education for children and spouses of member officers who die in the course and scope of their duty. It gives Christmas and birthday gifts to the minor children of officers who die in the course and scope of their duty. The charity also donates money to youth sports and other charitable events.

You do not even have to spend more money. If you are giving money to a generic charity, like the United Way, consider the PPA Charities. One hundred percent of the money will go to the designated beneficiary. The PPA Charities has office space donated to it by the Association, and all time and services are donated. **VB**

MESSAGE FROM YOUR EXECUTIVE DIRECTOR AND THE SHERIFF

(continued from page 13)

the incident. The identification of suspects and their direction of flight is critical information for everyone's safety; in addition to protecting the unsuspecting public, it might prevent the murder of another officer or citizen by an unknown and undescribed suspect. In addition, not all rounds may have hit their intended target. It is possible that some errant rounds may strike and harm or even kill an innocent bystander or someone in a nearby structure. It is important to determine the direction of the errant rounds to ensure no one has been injured. Finally, it is important to preserve the crime scene. It is the evidence and witnesses that will help investigators piece together what transpired so that they may present the facts to the District Attorney. **VB**

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THANK YOU LETTERS

Dear P.P.A.,

President Chris Collins,

I was very upset at reading the trash the R.J. was spewing again in the newspaper about the board members shift differential and job classification pay. What you get paid is fine by me and if it's not enough, ask for more, because you REPRESENT the men and women of LVMPD. I have been a Union member since day one and it's comforting knowing that when the going gets tough the P.P.A. has our back. Is this an underhanded move at Union busting by taking a swing at our Professional Board. With all that has been going on this past year, the staff at the P.P.A. has been working very hard for the members of the Union. I would like to say thank you to each and every one of you. I trust in return you will make sure that you and your staff will do everything in your power to protect the benefits and our hard earned wages and to try to help us battle the looming inflation and derogatory remarks.

Thanks,

Officer David Borst #3579 CO II

Hello Chris,

Just wanted to take a minute and thank you and one of your guys; I'm speaking of Darryl Clodt.

My detectives also wanted to express a sincere 'thanks' to Darryl.

Your help and especially Darryl's during the last few difficult months has not gone unnoticed. I've known you both as friends, co-workers and now as representatives for my guys. I couldn't have picked a better team to help us.

As always, I'm impressed by Darryl's level of commitment and exceptional professionalism. Darryl has a rare drive to look out for what is 'right' and defend those who have entrusted him with their defense and reputation.

It went a long way for my guys to have someone with his experience as a detective and someone who knows the difficulties of working in the trenches. Darryl was not afraid to stand up when it was needed to defend the careers of these great detectives.

Again, I thank you both and we all look forward to moving past this unfortunate set of events.

Lunch or coffee on me anytime you are available.

Be safe out there,

Laz Chavez

INSIGHT

Always bear in mind that your own resolution to succeed is more important than any other one thing.

— Abraham Lincoln, Letter to Isham Reavis,

November 5, 1855

Visit our website at
www.lvppa.com.

You can also contact our webmaster
at webmaster@lvppa.org.com.

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.



CALENDAR

2011

January 17 Martin Luther King Jr. Day

February 14 Valentine's Day

February 21 President's Day

March 3 General Membership meeting

**General Membership Meetings are 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

11/27/2010 Greg Naglich, P# 4016 CO II

12/27/2010 Steven M. Eichberger, P# 2844 PO II

12/30/2010 John W. Hanover, P# 2946 PO II

1/3/2011 Michael J. Creel, P# 4453 CO II

1/31/2011 Richard Davis, P# 2521 PO II



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

THEME PARK	TICKET	GATE PRICE	LVPPA PRICE
Knott's Berry Farm	One Day Ticket - Adult	\$52.99	\$29.00
	One Day Ticket - Child (3 and up under 48" tall)	\$22.99	\$21.00
Legoland	Two Day Ticket - Adult	\$80.00 one day ticket	\$52.00
	Two Day Ticket - Child (3-12)	\$68.00 one day ticket	\$52.00
Magic Mountain	One Day Ticket - Adult	\$59.99	\$26.00
	One Day Ticket - Child (under 48")	\$29.99	\$16.00
San Diego Zoo	One Day Ticket - Adult	\$37.00	\$34.00
	One Day Ticket - Child (3-11)	\$27.00	\$25.00
Sea World	Two Day Ticket - Adult	\$69.00 one day ticket	\$58.00
	Two Day Ticket - Child (3-9)	\$59.00 one day ticket	\$51.00
Universal Studios	Three Day Ticket - Adult	\$69.00 one day w/2nd day free	\$59.00
	Three Day Ticket - Under 48"	\$59.00 one day w/2nd day free	\$59.00
Wild Animal Park	One Day Ticket - Adult	\$37.00	\$34.00
	One Day Ticket - Child (3-11)	\$27.00	\$25.00

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[1] Police Officers and Cardiovascular Disease, Kathy Vonk. 6 Aug 2007. Police One <<http://www.policeone.com/health-fitness/articles/1298369-Police-officers-and-cardiovascular-disease>> WEIGHT WATCHERS is the Registered Trademark of Weight Watchers International, Inc. Contact UMR at (866) 868-1395 for details on the LVMPD Wellness Benefit.

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WHAT WE DO FOR YOU

OCTOBER/NOVEMBER 2010 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARDS

	Hearing Date	Alleged Violation(s)	Original Discipline	Decision
	12/9/10	Neglect of Duty	16 hours	Reduced to 8 hours
	12/9/10	Auto Accident (6 or more)	40 hours w/o option	40 hours w/option

PRE-TERMINATION HEARINGS

	Hearing Date	Alleged Violation(s)	Original Discipline	Decision
	8/18/10	Theft	Terminated	Terminated; Appealed to Arbitration
	9/15/10	Truthfulness; Conduct Unbecoming	Terminated	Terminated; Appealed to Arbitration
	10/14/10	Conduct Unbecoming; Consorting; Truthfulness; Dissemination; Neglect	Terminated	Terminated; Appealed to Arbitration
	10/20/10	Truthfulness; Attendance; Malingering; Submitting Application for Leave	Terminated	Terminated; Appealed to Arbitration

ARBITRATIONS

All. Violation Date	Hearing Date	Alleged Violation(s)	Original Discipline	Decision
	7/29/10	Neglect; Conduct Unbecoming; Truthfulness	Termination	Pending P# 6003
	9/28-29/10	Felony DV	Termination	Pending
	1/12/11	Theft	Termination	Hearing not yet conducted
	11/20/10	Truthfulness; Conduct Unbecoming	Termination	Pending

CITIZEN REVIEW BOARD COMPLAINTS

Dismissed	Alt. Recommended	Referred to IAB for Review	Concurred w/ IAB Finding	Pending CRB Decision
0	0	0	0	3

OFFICER INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS

Date	Use of Force Board Decision	Inquest Decision
5/19/10	Pending	Pending
6/11/10	Justified	Justified
6/20/10	Pending	NA
7/10/10	Justified	Justified
7/15/10	Pending	NA
7/18/10	Pending	NA
8/25/10	Justified	NA
8/27/10	Pending	Pending
9/5/10	Pending	NA
10/11/10	Pending	NA
11/15/10	Pending	Pending
11/15/10	Pending	Pending

INTERNAL AFFAIRS SECTION AND BUREAU LEVEL INTERVIEWS

Declined/Canceled	Represented	Total
37	122	159

ACCIDENT REVIEW BOARD

Excusable	Non-Negligent	Negligent	Rescheduled
2	10	45	4


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*This issue contains TWO ways
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Giveaway #1: One **\$250** prize

1

Members who find the hidden  in this issue of Vegas Beat and register through www.LVPPA.com will be entered into a drawing for \$250. You must enter by Friday, February 11, 2011, to be considered eligible. Telephone entries will not be accepted. Visit our website for more details.

Giveaway #2: Five **\$50** prizes

2

We've hidden five personnel numbers within this issue of Vegas Beat. If your number is among them and you call (702) 384-8692 to let us know that you found it, you'll win \$50. If you didn't find your number this time, try again in the next issue where we'll hide five more!

Excludes P#s listed in Retirement and End of Watch sections of Vegas Beat

**Cash is great, but our giveaways aren't the
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Each issue gives you the latest information on

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- Upcoming events

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