



# LVPPA VEGAS BEAT

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See Page 2

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

VOLUME 7 | ISSUE 3

September/October 2012

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*SEE THE PPA'S ENDORSEMENTS ON PAGE 14*


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

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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.

**SNCOPS** – Southern Nevada Conference of Police and Sheriffs



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# Executive Director's Message

**DETECTIVE CHRIS COLLINS, EXECUTIVE DIRECTOR**

## National Association of Police Organizations Convention

This past July, Darryl Clodt and I had the privilege of traveling to Palm Beach, Florida, to represent the LVPPA at the annual National Association of Police Organizations (NAPO) convention. During the five-day conference, we had the opportunity to interact with police union and association leaders from around the country. Some of the stories we heard were unbelievable. While many think we have it bad here at Metro, most places have it worse. I can't tell you how many officers around the country have taken huge hits in their base pay. While we were there, the City of Detroit used a state law to invalidate the police union's contracts. Along with this came a 10% cut in their base pay across the board. Many of their other benefits were either cut or lost altogether. Although these cuts have since been blocked by a court, at least for the time being, you can see how the city intends to proceed. There was a city in New Jersey whose mayor used a financial emergency clause to invalidate the contracts of all city workers. The mayor then made the decision that all city workers would be paid minimum wage; this included police and fire personnel. This case is in court now as well. And as you certainly know, many of our brothers and sisters in law enforcement have seen their retirement benefits all but taken away from them.

None of this is fair, but more importantly, it is not warranted. Every police contract in the country contains not only the signature of the head of the union, but also the head of the respective police organization and/or some city or county official. Public employees are being made the scapegoat for all the financial problems cities, counties and states around the country are facing. The real problem is that during the boom years the cities, counties and states spent every dollar that came in and no money was saved. Let's take a look right here in our own city. The Las Vegas city manager gave her executive staff raises and while the City Council said it could not give her a raise, it did approve an extra week of vacation each year for her. Ironically, a week of vacation just happens to equal a 2% pay raise.

The people at the top are not suffering to the same extent as the people at the bottom. I want to share with you a short speech that was given at the NAPO convention by Palm Beach County Sheriff Ric Bradshaw. First, I have to tell you that when I saw a sheriff was going to speak I thought, "Great, just what I want to hear — somebody who is going to tell me how bad his budget is and how many cuts we as union leaders should take." Well, it turned out to be anything but that! I wish all police chiefs and elected sheriffs shared Sheriff Bradshaw's beliefs. Here is his speech verbatim, from start to finish.

*I wanted to take a few minutes this morning just to welcome you first of all to Palm Beach County. I was going to say "sunny Palm Beach County," but that is not happening right now. To give you a little bit of an idea about Palm Beach County: It is the largest county east of the Mississippi in the United States, land-wise. We have about 1.5 million people. The Sheriff's Office here is the fifth largest sheriff's office in the nation. We have a little over 4,000 employees, almost 6,000 volunteers and we do about 1.1 million calls for service every year. The budget is about \$484 million and, of course, at budget time, there is always some discussion about that. It's a large agency and it does a great job here in Palm Beach County. I hope the residents realize that because I'm up for re-election in August, so we are going to find out if they do or not.*

*The other thing I wanted to talk a little bit about is something that I am very passionate about. And it goes along with what happens at budget time, but it is also something that has been a trend here over the last few years in the nation, and it's about employees' benefits. You know, 30 years ago when*

*we started in this job, some of us, and even today, counties and cities and governments came to us and they made us a promise. They said, "You know what? We know that we are not going to be able to pay you what the private sector pays and you can probably go out and get a better job where you are not risking your life every single day. So we are going to give you good benefits. We are going to give you a good pension, you know, after 25 years because we know how hard this is on your body, we are going to let you retire and we are going to take care of insurance benefits for you. I mean good benefits, because we are not going to be able to pay you the salary that you can go out and get in the private sector." And we said, "That's good. We understand that. We can risk our lives for you every day for that."*

*So now what's happened? Times aren't so good. Tax bases have gone down. So you know what they're doing? They are trying to cut your benefits. They basically say, "You know what? We lied. Sorry. Even though you're out there every night while we are in the bed sleeping, you're risking your lives for us, we're just not going to do it anymore. Have a nice day." That's not right. So I have been trying to get the law enforcement executives to stand up along with the unions and say, "You know what? You can't do this to us. It's not fair. You want us to put our lives on the line, walk out that door every single day, look at our families, we may not come back and you want to cut our pensions. You want to cut our benefits because times are a little tough. We can't do that."*

*About eight months ago, I went to Cas [who is the leader of the West Palm Beach Officers' Association] and said, "You know what? I'm not going to take a chance on that happening. I've got civilian employees that aren't unionized yet. Come in. Put them in the union. I don't have a problem with that." That is the other thing I try to talk to police executives about, too. Why are you afraid of the unions? They want the same thing that you want. They want a good organization. They want fairness. And you should be able to deal with them. Yeah, you're right, we are going to disagree on some things, but that is normal. It's no different than being married. You disagree on some things there, too, but at the end of the day you resolve them. I don't kiss them and make up. But you know, we resolve our issues and that's what it's all about. If you're going to have a good organization, you need to work with the unions because people in police organizations that are leaders underestimate the value of morale. If you've got bad morale because you don't treat your employees properly and you don't stand behind them and stick up for their benefits, that translates into bad customer service. Especially when you are dealing with law enforcement officers who are carrying guns. I can tell you right now, the citizen complaints that I first, well, almost eight years ago now, had that were coming in there because of the deputies dealing with the citizens have gone to almost zero because when I took the agency over it had a morale issue. And with the exception of a very few, that morale issue doesn't exist. Now I'm not saying it's peachy keen all the time, but I can tell you this: They know that I will stand behind them. They know that I will work with the union. They know that I will stand up for their benefits. And that's what every other police executive in this nation should realize and do at this point and time.*

*As Cas told you, you're going to be out and about. It's a big county; 90% of it is a great place to be. There are some places that are not a great place to be. I'm sure you'll be able to tell the difference. The bottom line is whatever you need, we will certainly be there to help, along with Cas. Have a great time here and thank you for what you do.*

I hope reading the words of Sheriff Bradshaw show you, as they did me, that not all "MANAGEMENT" is against us. As always, be safe and fight the good fight. **VB**



# Trust Updates

## POLICE OFFICER MARK CHAPARIAN

Assistant Executive Director

As many of you know, I am a Trustee for the Las Vegas Metropolitan Police Department Employee Health and Welfare Trust (Health Trust) and a Trustee of the Employee Benefit Trust (EBT). I am excited to be able to tell you some really great changes have occurred with both of these Trusts which will benefit you, me and everyone involved with these Trusts.

Allow me to begin with the Health Trust. Since the Health Trust was created about 12 years ago, it has been run by contracted professionals with the oversight of appointed trustees. When I became an appointed Trustee some four years ago, I soon realized that we needed a full-time, dedicated person who works for the Trust with no outside interests. As the years passed, we became more and more sophisticated and complex in creating benefits for our members and watchful of dollars potentially wasted. The job of a trustee became increasingly more difficult and inefficient as a part-time position. Clearly, we needed a person who had experience, education, drive and knowledge to guide us, keep the contracted professionals on task and serve the members with solving complications they may encounter when utilizing our health benefits. After much debate and wrangling, we made the decision to find such a person. This was exciting as well as challenging for all of us, as this position had to be created and defined from scratch. Needless to say, we found our person. Kelly Taylor will be joining our Health Trust as its very first employee and her title will be Health Plan Director. Kelly comes to us with vast experience, knowledge and education in the field of health care and our local market. Her job is primarily going to be to make our plan run more efficiently and effectively for the members and the trustees. She brings a breath of fresh air to our plan and I have confidence she will become an asset that we will all benefit from.

Next, I want to touch on the Employee Benefit Trust. We are financially sound and driven to sustain our goal of financial assistance today for current retirees, as well as for those well into the future. We constantly evaluate and challenge ourselves to become better and stronger. With that self-evaluation, it became clear that we felt we could do better by changing our financial advisor. We jumped through all the painstaking processes in

order to comply with our due diligence to the Trust and the members we all represent. We searched high and low to find the best financial advisor who would be a good fit and understood our goal, our concerns and our culture. We needed to find someone who was trustworthy, proven and competent. I'm proud to announce we found that person. Ken Lambert of Peavine Capital Management was recently hired as our financial investment advisor for the EBT, replacing UBS Financial Services. Ken has managed money for the Nevada Public Retirement System for many years and has an impeccable record of financial success with growing money and reaching goals given to him. I feel very confident that Ken will become an asset to the EBT and assist us with reaching our goals and objectives.

With all the negative reports internally, externally and within the media recently, I found it refreshing to bring you some positive news that will affect all of us. As your Trustee, I will continue to push forward for positive change and improvement. Building sound, sensible and reasonable platforms and goals for both the Health Trust and Employee Benefit Trust are what drive me to work harder and smarter for you and every member I represent. We are all sailing on one large ship and each of us has much at stake. **VB**

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# Preventative Care: Screenings for You and Your Family

## CORRECTIONS OFFICER THOMAS REID

Assistant Executive Director

### A Little Effort Can Add Years to Your Lives

Preventative care is one of the most important steps you can take toward achieving a long, healthy lifestyle. As commissioned officers of the LVMPD, we receive annual screenings primarily during our required annual physical as part of the Nevada Heart/Lung legislation. Although the tests that are performed during this physical are geared toward the screening requirements of the Heart/Lung bill, these tests do not cover other important preventative care and health screenings that are recommended based upon factors such as your age, gender, current health and family history.

One of the first things you and your family can do is establish a relationship with a primary care physician (PCP). These doctors have a wide range of experience treating a vast array of illnesses and can serve as a source of information in directing you to a specialist, if you or your family need more specialized care. Remember that seeing a PCP costs you no co-pay and is paid by your insurance at 100%. PCPs include family practice doctors, OB-GYNs, pediatricians, physician assistants (P/As) and nurse practitioners (N/Ps) that work alongside these providers. Conversely, seeing a specialist costs you a \$25 co-pay for each visit.

The second thing you can do is get a comprehensive annual physical or other preventative screening. This annual physical should be a family affair and all members should have one. This should include the Metro officer that already gets a physical exam through their active employment with LVMPD. The Health Trust allows PPO-provider routine exams, preventive services and immunizations at 100% without a deductible or co-pay. These tests can include annual physicals; mammograms; DEXA scans, which are bone density scans; pap smears; colonoscopies; PSA tests; well-child care visits; and smoking cessation office visits.

Recently, our Health Trust asked our paid professionals, Buck Consultants and UMR, to look at our 12,500 plan members and tell us if they are taking advantage of the preventative care and annual screenings our Health Trust provides. The results were not good. As you can see below, our members lag behind what the national goals are for a health plan:

Disease State/Screening	National Goal	Under Our Plan
Breast Cancer/Mammogram	70%	29.6%
Cervical Cancer/PAP Smear	90%	34.5%
Heart Disease/Cholesterol Test	80%	30.1%
Colon Cancer/Colonoscopy	50%	11.9%
Prostate Cancer/PSA	40%	36.9%

\*Percentages are from UMR claims data only.

Last month, the trustees received a report that showed 6 out of our top 20 medical claims were due to a cancer diagnosis. Please get the regular screenings you are entitled to.

If you or your family needs help or more information on the preventative care or screenings that our Health Trust offers, please call UMR at (702) 413-1701. **VB**



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## INSIGHT

Politics is civil war carried on by other means.

— Alisdair C. MacIntyre (1929-)

After Virtue: A Study in Moral Theory, 1981



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# Horses and Inmates

## CORRECTIONS OFFICER SCOTT NICHOLAS

Secretary

I was recently reminiscing about my days of raising horses back in New York. I thought about the different daily tasks associated with raising show horses and how similar my job as an officer working at CCDDC had been. I know everyone is going to pucker up and think I'm being mean and calling the inmates animals, but I'm not. I guess maybe the horses could be offended though.

This was how my day went on the farm, so I'll let you be the judge. First thing in the morning, I would walk through the stable and check on all the horses. I would make sure that their stall walls were secure and there wasn't any damage to the stall. I would check their water cups and the water line, I would check and make sure the door was secure and locked and I would check the bars in the front of the stall to make sure they were secure (security check/walkthrough).

The next thing on the chore list was to feed the horses. Many of the horses had some type of special diet or needed some special feed (chow time/diet trays).

I would continue my day with getting the horses out for their exercise; some horses wouldn't get along with the other horses, so they had to be exercised alone. Most of the horses would be put out in big groups — these horses would get out for extended amounts of time and roam around for most of the day without any problems. The horses that needed to be exercised alone only received a small amount of individual time out and then had to return to their stall for most of the day (general population/house and exercise alone).

We were a large operation; breeding and training were large parts of our operation. Customers would leave their horses with us to be trained for horse shows or bred with one of our national champion stallions. Sometimes the owners of these horses would stop in to see their horses and check on them, mostly because they missed them (visitation).

Horses required regular checkups from our veterinarians. Horses often needed medical attention because of injuries or illnesses or required medicine each day (med pass/sick call).

Running a large horse facility had many challenges, and one of them was keeping the facility maintained and equipment running, so if something broke and we couldn't fix it, we would have to call in someone who could (maintenance on deck).

Every once in a while one of the horses would get out, either through a weak spot in the fence or someone would forget to lock the stall door. They never got too far and we always got them back where they belonged (escape).

When I was very young, I learned that some horses were friendly and could be trained to do just about anything you asked them to do without too much resistance. On the other hand, other horses were very belligerent; these horses would kick you, bite you, charge you and try and hurt you no matter how good you were to them and how much you tried to be nice to them. We even tried giving these horses extra attention, sometimes even trying to bribe them with apples and sweets like cubed sugar, but these horses rarely changed no matter what you did (classification/STB/max).

Hmm, see any similarities? I hope you all smiled while reading this. I was trying to keep it on the lighter side. Be safe. **VB**



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# Use of Force Board ... or Is It More Than That?

## POLICE OFFICER PAUL BIGHAM

Treasurer

There have been a lot of changes within this Department over the last few years. Many of our officers have seen and felt these changes that have occurred. Now here comes yet another: The Use of Force Board and how it works. There was a time when these Use of Force Board presentations were done by the Homicide Unit. The Homicide detectives who had actually investigated the shooting did the presentation to the Use of Force Board. Their role was more defined regarding the actual force that the officer or officers used at the time of the incident or OIS, as they were the ones investigating the entire matter.

Then a new entity came into existence — the Critical Incident Review Team, or CIRT. CIRT's task is to look at a critical incident or OIS to determine whether any deficiencies in training exist and whether any policies were potentially violated. This entity was created, we were told, so that we as an agency could learn from mistakes made and grow from the things we found we did well in these incidents. Again, we were told that the discovery of mistakes was to be used as a training tool so that all officers could learn to do certain things better. We saw some of the mistakes CIRT discovered incorporated into subsequent training scenarios. And I will be the first to admit that this has helped us — no doubt about it. Early on, we were all skeptical about the CIRT interviews, but we were reassured that CIRT was not in

the discipline business. After several OISs and the interviews that followed, we all relaxed a bit about CIRT and went with the flow.

Now we've entered a new era of a new Use of Force Board. This is a far cry from the "old" Use of Force Board — it is a critical review that includes an analysis of the use of force and much more. The Board is now tasked with a critical review of all decisions made and executed at the scene (as well as what occurred away from the scene, as a few supervisors have found out). For those who have never been before the Use of Force Board, let me tell you who is on the Board. The Board itself includes four civilians who reside in our jurisdiction; a training captain or lieutenant; a Department member, usually from the rank of captain; a peer officer; and the Chairman, currently Assistant Sheriff Moody.

We are always told that the civilians are an important component of the review board for transparency reasons. OK, we get that; we have nothing to hide. The problem we see is that during this critical review, how are civilians truly able to critique our tactics or judge compliance with our policies? This is where I believe our officers have a legitimate issue with this system. Let the Board look at the moment of the use of force. Let them render a decision as to the use of force being either Administratively Approved or Disapproved. Then thank the civilians for their time and have them leave the room. Then and only then do we need to get into tactical decision-making by our officers and supervisors that day. Officers are offended that their decision-making is being armchair quarterbacked, so to speak, by civilians with no training or related experience. I submit that it is time to separate these two very different inquiries and not have them be part of the same Board.

There are now new dispositions that can come out of the Use of Force Board. No longer will the Board's decision as to the use of force be either Justified or Not Justified. Now there are five dispositions that could be administered after the hearing. In short, they are:

1. Administrative Approval: No recommendations. Reasonable use of force under the circumstances based on information that the officer had at the time.
2. Tactics/Decision-Making: This finding considers that the tactics employed were less-than-satisfactory and/or minor decision-making issues need to be addressed.
3. Policy Violation Not Directly Related to Use of Force: This recommendation covers a range of policy violations.
4. Policy/Training Failure: Outcome was undesirable but did not stem from a violation of policy or failure to follow current training protocols.
5. Administrative Disapproval: The Board concluded that this use of force was not justified under the circumstances and violated Department policy.

One more thing to keep in mind is that now discipline can come out of the new Use of Force Board and, in fact, has. **VB**

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## INSIGHT

I was told that people did not like negative ads. So I didn't run any. I lost.

— Bob Dole (1923–)

Describing his race for the Republican presidential nomination against George Bush on *Nightline*, television news program, on November 10, 1988





# Why Have PUBLIC EMPLOYEES Suddenly Become PUBLIC ENEMIES?

## KIRK HOOTEN

Director of Governmental Affairs

It wasn't too long ago that I was sitting at a cookout in the neighborhood being laughed at for having chosen civil service and the meager salary and benefits associated with it. My neighbors who enjoyed the friendly ribbing were all private sector or self-employed earners who were making money hand over fist during the economic boom of southern Nevada's glory days. The valet and his wife, a cocktail waitress, were each making well over \$125,000 a year; the crane operator and his wife, an escrow officer, were each making well over \$200,000 a year; and low and behold, we all knew the self-made millionaire real estate agent or insurance agent who was lining their walls with gold during the housing boom. Hell, even the landscapers, pool cleaners and strippers were earning more than the men and women in public service in our valley.

We were the fools. We were the simpletons who were selling ourselves short, settling for small, calculated raises and the promise of a secure petty pension. Everyone around us was laughing at us and planning their lavish early retirement. Fast forward to today and none of them are still in the neighborhood! None of them are even still in town, but most importantly, none of them are chiding me for my choice to enter public service. Well, I guess the old saying "He who laughs last laughs loudest" might now apply. Typically, I would relish having played it smart and having lived the real-life "Tale of the Tortoise and the Hare." It definitely appears that my father's saying "Slow and steady wins the race" was accurate. The saddest part is that now that the entire world economy has collapsed and, very specifically, our own Nevada economy has collapsed over the last several years, we PUBLIC EMPLOYEES have now become PUBLIC ENEMIES.

We have no time to enjoy our position; we have no time to reflect on making good choices — we have to defend ourselves! Now that the private sector has self-destructed, they are taking aim at and blaming us. Suddenly, we are crafty financial wizards who systematically planned the demise of the national economy. Suddenly, we are financial geniuses who knew that a stable retirement benefiting our family was somehow a difficult choice to make. Suddenly, everyone envies what we have and wants to take it from us. Suddenly, we are overpaid and over-compensated. How quickly things change!

Nobody cared about the salaries or pensions of the public employee until their little house of gold collapsed. Now, big business, conservatives and reformists have banded together to create misinformation, hype and the largest red herring in history by attacking public employee pensions and benefits. We have seen significant attacks in Wisconsin, Ohio, Florida, New Jersey and, most significantly, California. Our big neighbor to the west has seen some of the most aggressive and shameful pension reform for public employees

(specifically police and fire) in San Diego and San Jose. The changes in these locations border on criminal.

All the national focus on public employees and reform signals that we cannot stand silent or passive in this fight to preserve our Nevada PERS system as it currently exists. We need to aggressively educate our legislators and the general public with the truth. We have lost much of the national debate and fight an uphill battle with uncooperative media in our state and county.

In the coming months and significantly in the upcoming legislative session, much of what you enjoy as a public employee will be under attack. PERS; PEBS; the ability to collectively bargain, as defined in NRS 288; and your Peace Officer Bill of Rights, NRS 289, have been singled out for reform by conservatives. Think tanks funded by billionaires are behind the national campaigns and have model legislation in every state trying to gut your benefits and rights as organized labor.

Often our members scratch their heads and wonder what their dues go toward. The legislative involvement is one of the significant but behind-the-scenes aspects of membership and participation. Take the time to understand the broader issues and you will see the tremendous value in a collective voice and see the impact that your support and membership have on your profession. This will be evident as we expend significant resources this year and beyond in defending your well-deserved rights and benefits as a PUBLIC EMPLOYEE. **VB**

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# NAPO: How Does It Assist the LVPPA?

## DETECTIVE DARRYL CLODT

Sergeant-At-Arms

The National Association of Police Organizations (NAPO) is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action and education.

Founded in 1978, NAPO is now the strongest unified voice supporting law enforcement officers in the United States. NAPO represents more than 2,000 police units and associations, 241,000 sworn law enforcement officers, 11,000 retired officers and more than 100,000 involved citizens who share a common dedication to fair and effective crime control and law enforcement.

This July, I had the distinct honor, along with your Executive Director, Chris Collins, to attend the annual convention in Florida. It was a busy and interesting event. This is generally when all the big stakeholders in NAPO get together to share what is going on in their respective states. This is most important at this place in time, as you all know the challenges we are facing currently.

It was alarming to hear what is taking place in cities like Detroit and Phoenix, just to name a few. In Detroit, the powers that be have gotten together to basically say they are not honoring the current contract that the police officers in Detroit have negotiated and ratified; in other words, the city said, "No more contract; here are your new working conditions — like them or quit."

In Phoenix, a group of haters has gotten together to find a loophole in the state laws which put a grinding halt to the Phoenix police union by saying that the police department cannot pay the officers on full-time release to the union with taxpayer funds. Can you imagine what would happen here if we as your union were forced to stop working for all of you? Do you think your working conditions would get better or worse? Do you think the administration would not take drastic measures against you?

It was also interesting to learn that it was NAPO that pushed for certain funding for Byrne/JAG grants that this current administration enjoys.

As always, we will work and fight for each of our members we represent, both locally and nationally. Until next time, be safe and if we can be of service, do not hesitate to call us. **VB**

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## CONGRATULATIONS

TO THE CONTEST WINNERS  
FROM THE LAST ISSUE!

### Hidden Symbol Contest (\$250)

Katherine Miller, P# 8560

### P# Contest (\$50)

Millard Walt, P# 9165

David Milewski, P# 9678

Kevin Strobeck, P# 3638

Frank Harris, P# 12940

Richard Hart, P# 7527



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# Police-on-Police Violence

## RORY NESLUND

Director of Communications

For the first time in many years, we have seen a major reduction in police officer fatalities. This year, the saddening deaths of police officers are down 41% over this time last year. The fallen officer numbers fell from 111 at this time in 2011 to 66 this year. We can attribute that to many things. Training, tactics and solid officer safety are only a few. This brings me to a point that has concerned me for many years. In years of working in plainclothes and undercover (UC) assignments, I have had the unfortunate opportunity to see some situations that could have become seriously violent and potentially deadly for officers. I am talking about police-on-police encounters, otherwise known as blue-on-blue confrontations. Let's not have another statistic that can be avoided.

This agency has grown by extravagant numbers over the past decade. The days of everyone "knowing" everyone are, for the most part, over. There are times that I walk through a briefing room or bureau somewhere and don't recognize more than a face or two. This can be a key factor leading to blue-on-blue incidents when plainclothes or UC officers have an encounter with a uniformed patrol officer. There is a good chance they may have never seen each other. Even if they have, there is a slim chance of recognizing them in a volatile situation.

Concerns about officer safety are always centered on the important day-to-day things such as tactics, training and equipment. Topics of how to park and approach on your routine call, vehicle pursuits, foot pursuits and less lethal devices are commonly talked about. A discussion that does not seem to take place often but needs to be addressed is the police-on-police, or blue-on-blue, encounters. These are situations where a plainclothes or UC officer becomes involved in a dynamic situation and the result is a uniformed patrol officer being dispatched to help or, in some cases, just being in the right place at the right time. We all need to take a second and remember those days in that P# 7560 patrol car waiting for that alert tone of a high-priority event. As the tone erupts, the details can be as limited as "male subject with a gun." We don't sit and wait for the full details of the call; we turn on the lights and siren and are en route. The updates are not coming in a timely manner and you arrive only knowing that there is a man wielding a gun. As you arrive, you see a man with a gun, people screaming and a chaotic scene. Do you know if the man with the gun is a "friendly" or not?

Agencies around the country have experienced a large number of this type of incident with the unfortunate fatal outcome of an officer shooting an officer. Because of this, New York's State Association of Chiefs of Police (SACOP) conducted a survey of its membership. Combined numbers of multiple agencies indicated that the types of police-on-police violence they experienced were

primarily off-duty officers at 83%, which was followed by undercover (UC) officers at 50% and plainclothes officers at 42%. Any way you look at it, these numbers are way too high.

Although there are systems in place with code words, colors of the day, etc., to identify the UC or plainclothes officer, they don't always work. There are a few simple things that can be done to avoid a negative outcome. The plainclothes or UC officer cannot assume that the uniformed patrol officer knows who you are. Be ready to submit to the challenges of the patrol officer. Remember that there is a good chance that officer responding does not know who you are. To them, you are just another crook trying to get one over on them. The plainclothes/UC officer needs to be non-confrontational to the arriving officers. This may mean you have to control how you react to the arriving officers. Be aware of your movements and actions. Do not be threatening, provoking or confrontational. The following is a simple list of things to consider whether you are the UC or the arriving officer.

The plainclothes/UC should consider doing the following:

1. Verbally identify yourself.
2. Follow all commands of the arriving officer.
3. Do not present a weapon or point it at the arriving officer.
4. If asked for badge or ID, present it in a slow, controlled manner.
5. Remain still.
6. Be ready to be treated like a suspect until who you are is verified.

The arriving officer should consider the following:

1. If possible, challenge from cover.
2. Challenge from a tactical advantage to give time to evaluate the subject's reaction.
3. Clearly identify yourself in a loud, clear voice with direct, clear commands.
4. Ask to see a badge or ID, or ask a question that only an officer would know.
5. Make sure you are completely satisfied that you are dealing with another officer before coming out of your tactical advantage to take further action.

With all that said, remember that these encounters are going to be in the most dynamic and volatile situations for the responding officer and the UC/plainclothes officer. Both parties should be very cautious and be very deliberate and forthcoming in their words and actions. Although I referred to mostly plainclothes and UC officers, this also applies to off-duty officers as well. Remember to always be safe out there! **VB**

## INSIGHT

Our people are slow to learn the wisdom of sending character instead of talent to Congress.

— Ralph Waldo Emerson (1803-1882)  
Journal, May 8, 1844

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**KATHY WERNER COLLINS**

General Counsel

## Your Right to Representation

I recently spoke to you via video about your right to representation, which you may have seen by now. This article will reiterate in somewhat more detail the information conveyed in that video. Your right to representation during a disciplinary interview stems from a 1975 Supreme Court case, *National Labor Relations Board v. J. Weingarten*, and thus this right to representation for employees covered by a collective bargaining agreement is commonly known as the *Weingarten* rule. In that case, the United States Supreme Court ruled that denying an employee the right to representation during a disciplinary interview violated the National Labor Relations Act.

The right to representation derived from this decision has been codified in our state Peace Officer Bill of Rights, NRS Chapter 289. NRS 289.080 states that:

*[A] peace officer may upon request have two representatives of the peace officer's choosing present with the peace officer during any phase of an interrogation or hearing relating to an investigation conducted pursuant to NRS 289.057 [which is an investigation in response to a complaint or allegation that the officer has engaged in activities which could result in termination, demotion, suspension, reduction in salary, a written reprimand or a disciplinary transfer] including, without limitation, a lawyer, a representative of a labor union or other peace officer.*

Your right to representation kicks in at any time you “reasonably believe” that an interview will result in disciplinary action. The trigger here is your belief, not that of the Department, be it your chain of command, Internal Affairs, the Critical Incident Review Team, the Office of Employment Diversity, the Accident Review Board, those conducting interviews of witness officers to an officer-involved shooting or anyone else. The Department can assure you that no discipline is going to result, which would then dispense with the need for or right to representation. However, short of this, and so long as your belief is reasonable and not simply some unfounded anxiety that discipline may result, you have the right to and in fact should request to have a representative present.

This right to representation is triggered when your chain, Internal Affairs, etc., is asking questions or eliciting information orally and, arguably, when it is seeking information in writing as well. Certainly when a written document or report will ultimately be used in an ensuing investigation that could lead to discipline, you should be entitled to a representative to assist you in the preparation of that report should you so desire.

Representation does not occur automatically. You have to ask whoever is seeking information from you to have a representative present. In the context of Internal Affairs, the Office

of Employment Diversity and interviews conducted by the Critical Incident Review Team, this is easy. Notices of these interviews are sent to both you, as either a subject or witness officer, and the LVPPA. That Notice expressly states, “You are afforded certain rights under NRS, Department procedures, and/or your collective bargaining agreement, including representation during the interview.” Once the LVPPA receives that Notice, someone from our office is to contact you and ask if you would like to have a representative accompany you to your interview. If you do not hear from our office within a couple days of your interview, please call us. Someone will be with you throughout your interview and if you are in the unfortunate position of being a subject officer, that representative will work with you throughout the course of the investigation and any subsequent appeal process that may occur.

In other contexts, however, representation is not necessarily so automatic. If you are called to appear before the Accident Review Board, a representative is present on the days that Board convenes and will be there to assist you. The Board is generally open to allowing the representative to appear and this just makes sense as the Board can and often does impose discipline. Similarly, if you are a witness in an officer-involved shooting, the Force Investigation Team from Homicide will compel you to provide an interview. Again, they have always been open to allowing a representative, an attorney or both to represent the witness officers in those interviews. In the event you are ever in a situation either before the Accident Review Board or the Force Investigation Team or, for that matter, Internal Affairs, the Office of Employment Diversity or the Critical Incident Review Team, and find yourself without a representative, know that generally you are in a situation in which discipline *could* result. If you feel that is the case in your situation, you have the right to representation and should request that the inquiry not proceed until you have a representative present.

Perhaps the most difficult arena is when you are questioned by someone in your chain of command, most likely your sergeant. Obviously it is not unusual for your sergeant to ask about events or issues that have come up throughout the course of a shift or sometime in the recent past. And I would assume that as a matter of course you are inclined to freely respond to those inquiries. I would urge you though to consider what you are being asked about and, again, if you reasonably believe that the matter may result in discipline (or at least an allegation that if substantiated would warrant discipline), you should ask to have a representative present before you proceed to respond. Keep in mind that this does not imply that you did anything wrong — it simply means that questions are being asked which indicate that an allegation has been made that, if true, would result in discipline.

I hope you all find this information informative. As always, don't hesitate to contact me if you have any questions. **VB**



# Sheriff's Message

SHERIFF DOUGLAS C. GILLESPIE

## Developing Our Leaders

“Leaders aren’t born, they are made. And they are made just like anything else — through hard work. And that’s the price we’ll have to pay to achieve that goal, or any goal” (Vince Lombardi, Hall of Fame Coach of the Green Bay Packers). That quote from the famed football coach and leader, which was adopted by our Advanced Training Section, epitomizes our focus on developing our leaders for tomorrow’s challenges.

I spoke a bit in the last article about leadership and what it meant to the continued success of this organization. I shared my thoughts about the qualities and conduct I think a leader should exemplify and how individuals should conduct themselves as representatives of this organization. As I thought about the subject of leadership, I felt there was more to be said regarding what we do as an organization to develop our leaders.

There are numerous definitions for leadership, but at its simplest, it is the ability to influence others to achieve goals. A leader must exhibit a commitment to empowering others. A leader must also be respectful and receptive, but willing to make tough decisions without hesitation. A leader must be willing and have the confidence to take calculated risks, speak out against the status quo and step forward to take responsibility and show initiative when needed. At the core of leadership is the attribute of credibility, usually earned by demonstrated behavior and actions.

Much has been documented about the importance of leadership in bringing about change and achieving organizational objectives. We regularly hear the argument that strong leadership is needed, particularly in tough times. I agree with that argument and firmly believe we have an obligation to develop our leaders and put them in a position to be successful. The development of a successful leader is a process that takes time, effort and desire. Doing well on a promotional exam does not ensure leadership success. Instead, it is simply the beginning of the developmental process, cultivated over time through experience, education and training.

The Las Vegas Metropolitan Police Department offers leadership development training for both commissioned and civilian supervisors. We are constantly evaluating and implementing training courses, both in the classroom and online, focused on developing our employees in supervisory positions into becoming effective and efficient leaders.

Our Advanced Training Section offers core leadership training that is progressive and focused on challenging our supervisors as they promote through the supervisory ranks. For example, newly promoted sergeants receive training specifically conceived for first-line supervisors, which affords them the opportunity to discuss and examine innovative ideas and concepts concerning supervision and leadership. Training is also available that covers topics such as Developing a Personal Philosophy of Leadership, Leading Others, Organizational Leadership, Ethics and the Challenge of Leadership Presentation.

Training for lieutenants utilizes the above training and builds upon that with additional courses such as the Lieutenant Management Program and Nevada POST Management Training, which exposes students to understanding the differences concerning management and supervisory responsibilities at a lieutenant’s level. Continued training is also available to captains and above through such programs as Northwestern University’s Executive Management Course, the Southern Police Institute Chief Executive Leadership Course and the Nevada POST Management Program, just to name a few.

Leadership development training is also available to our civilian supervisors as well. Civilian supervisors attend a majority of the same courses

available to commissioned supervisors, as well as additional training specifically designed to address civilian issues and concerns. Some topics include Accountable Leadership, Communication Skills, Decision-Making, Conflict Resolution and many other important and impactful subjects.

In my opinion, one of the most important leadership development opportunities available is through mentorships from senior leaders that possess a myriad of knowledge, grown out of years of demonstrated experience. Mentorships are truly one of the strengths of our Department and a great benefit to junior supervisors and managers. Throughout my career, I have had some tremendous mentors that have had a positive impact on my law enforcement path. There is no doubt that the guidance and sound advice I received from mentors helped me to become the leader I am today. We as an organization have some remarkable leaders that have a great deal to offer and should be utilized to the greatest extent possible.

My point here is that we put a tremendous focus on the development of our people to make them successful as leaders. Our training process is constantly evolving to add additional training and to improve training that we currently offer. We have to continuously adapt to an ever-changing environment, and training is imperative.

The investment in our current and future leaders is an investment in the future of our organization. I feel strongly about our obligation to this community to continue to get better as an organization. If we are to continue to move forward, strong and sound leadership is the key. We must prepare today for tomorrow’s challenges. **VB**

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# 2012 Political Action Committee Endorsements

*The following are the endorsements in each of the local judicial races:*

District Court Judge, Department 5  
 District Court Judge, Department 20  
 District Court Judge, Department 4  
 District Court Judge, Department 14

Justice of the Peace, Henderson Township, Department 1  
 Justice of the Peace, Searchlight Township  
 Justice of the Peace, Las Vegas Township, Department 1  
 Justice of the Peace, Las Vegas Township, Department 2  
 Justice of the Peace, Las Vegas Township, Department 5  
 Justice of the Peace, Las Vegas Township, Department 8  
 Justice of the Peace, Las Vegas Township, Department 10

Justice of the Peace, Laughlin Township  
 Justice of the Peace, Mesquite Township

Carolyn Ellsworth  
 Jerry Tao  
 Chris Lee  
 Adriana Escobar  
*(current appointee)*

*no endorsement yet given*  
*no endorsement yet given*

Deborah Lippis *(incumbent)*

Joseph Sciscento *(incumbent)*

William Jansen *(incumbent)*

*no endorsement yet given*

Melanie Andress-Tobiasson  
*(incumbent)*

*no endorsement yet given*  
*no endorsement yet given*

Justice of the Peace, Moapa Township  
 Justice of the Peace, Moapa Valley Township  
 Justice of the Peace, North Las Vegas Township, Department 1  
 Justice of the Peace, North Las Vegas Township, Department 2  
 Justice of the Peace, Boulder Township  
 Justice of the Peace, Bunkerville Township  
 Justice of the Peace, Goodsprings Township  
 Justice of the Peace, Pahrump

*no endorsement yet given*  
 D. Lanny Waite *(incumbent)*

*no endorsement yet given*

*no endorsement yet given*

*no endorsement yet given*

*no endorsement yet given*

*no endorsement yet given*

Travis Huggins

*The following are the endorsements in each of the constitutional races:*

United States Senate  
 United States Congressional Representative, District 1  
 United States Congressional Representative, District 2  
 United States Congressional Representative, District 3  
 United States Congressional Representative, District 4

Shelley Berkley

*no endorsement yet given*

Mark Amodei  
*(current appointee)*

John Ocegüera

Steven Horsford

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 Justice of the Supreme Court, Seat F  
 Justice of the Supreme Court, Seat G  
 State Senate, Clark District 1  
 State Senate, Clark District 3  
 State Senate, Clark District 4  
 State Senate, Clark District 5  
 State Senate, Clark District 6  
 State Senate, Clark District 7  
 State Senate, Clark District 9  
 State Senate, Clark District 11  
 State Senate, Clark District 13  
 State Senate, Washoe District 13  
 State Senate, Clark District 18  
 Rural Nevada Senatorial District  
 Central Nevada Senatorial District  
 State Senate, Washoe District 3  
 State Assembly, Clark County District 1

State Assembly, Clark County District 2  
 State Assembly, Clark County District 3  
 State Assembly, Clark County District 4  
 State Assembly, Clark County District 5

State Assembly, Clark County District 6  
 State Assembly, Clark County District 7  
 State Assembly, Clark County District 8  
 State Assembly, Clark County District 9  
 State Assembly, Clark County District 10  
 State Assembly, Clark County District 11  
 State Assembly, Clark County District 12  
 State Assembly, Clark County District 13  
 State Assembly, Clark County District 14  
 State Assembly, Clark County District 15

Michael Cherry (*incumbent*)  
 Michael Douglas (*incumbent*)  
 Nancy Saitta (*incumbent*)  
 John Lee (*incumbent*)  
 Tick Segerblom  
 Kelvin Atkinson  
 Joyce Woodhouse  
 Benny Yerushalmi  
 David Parks (*incumbent*)  
 Justin Jones  
 Aaron Ford  
 Debbie Smith  
 Sheila Leslie  
 Kelli Ross  
*no endorsement yet given*  
*no endorsement yet given*  
*no endorsement yet given*  
 Marilyn Kirkpatrick (*incumbent*)

John Hambrick (*incumbent*)  
 Peggy Pierce (*incumbent*)  
 Michele Fiore  
 Marilyn Dondero Loop (*incumbent*)  
 Harvey Munford (*incumbent*)  
 Dina Neal (*incumbent*)  
 Jason Frierson (*incumbent*)  
 Andrew Martin  
 Joe Hogan (*incumbent*)  
 Olivia Diaz (*incumbent*)  
 James Ohrenschall (*incumbent*)  
 Lou Desalvio  
 Maggie Carlton (*incumbent*)  
 Elliot Anderson (*incumbent*)

State Assembly, Clark County District 16  
 State Assembly, Clark County District 17  
 State Assembly, Clark County District 18  
 State Assembly, Clark County District 19  
 State Assembly, Clark County District 20  
 State Assembly, Clark County District 21  
 State Assembly, Clark County District 22  
 State Assembly, Clark County District 23  
 State Assembly, Washoe County District 24  
 State Assembly, Washoe County District 25  
 State Assembly, Washoe County District 26  
 State Assembly, Washoe County District 27

State Assembly, Clark County District 28  
 State Assembly, Clark County District 29  
 State Assembly, Washoe County District 30  
 State Assembly, Washoe County District 31  
 State Assembly, District 32  
 State Assembly, District 33  
 State Assembly, Clark County District 34  
 State Assembly, District 35  
 State Assembly, District 36  
 State Assembly, Clark County District 37  
 State Assembly, District 38  
 State Assembly, District 39  
 State Assembly, District 40  
 State Assembly, Clark County District 41  
 State Assembly, Clark County District 42

### County Commission

County Commission District A  
 County Commission District B  
 County Commission District C

Heidi Swank  
 Steven Brooks  
 Richard Carrillo (*incumbent*)  
 Felipe Rodriguez  
 Ellen Spiegel  
 Andy Eisen  
 Lynn Stewart (*incumbent*)  
*no endorsement yet given*  
 David Bobzien (*incumbent*)  
*no endorsement yet given*  
 Randy Kirner (*incumbent*)  
 Teresa Benitez-Thompson (*incumbent*)  
 Lucy Flores (*incumbent*)  
 April Mastroluca (*incumbent*)  
 Mike Sprinkle  
 Skip Daly (*incumbent*)  
 Ira Hansen (*incumbent*)  
 John Ellison (*incumbent*)  
 William Horne (*incumbent*)  
 James Healey  
*no endorsement yet given*  
 Marcus Conklin (*incumbent*)  
 Tom Grady (*incumbent*)  
*no endorsement yet given*  
 Pete Livermore (*incumbent*)  
 Paul Aizley (*incumbent*)  
 Irene Bustamante Adams (*incumbent*)

Stephen Sisolak  
 Tom Collins  
 Lawrence Brown **VB**

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BY TYLER TODD

Board of Directors, LVPPA

A few months ago, I was in AOST and one of the instructors asked each of us to tell the others how things were at their respective area command or bureau. Almost everyone said, “Morale sucks” and “no one is motivated to do police work.” This did not surprise me as I was one of the many saying the direction of the Department has demoralized me. What did surprise me was that I was not alone. Additionally, the only officers who had any positive things to say were a couple of guys from Bolden. Their reason: GOOD LEADERSHIP.

A short time later, at one of our PPA meetings, a union representative told the Board he and his guys only do the minimum and aren’t motivated to try and dig deep because they feel like the Department doesn’t have their back. These two moments made me dwell on the reasons why I and others feel this way. What led to this?

I remember having a sergeant who told us, “Go out and kick some ass, do whatever it takes but don’t go off the reservation” (meaning follow the rules). As long as we stayed on the reservation, we didn’t have to worry about anything. He always took care of us! He only asked three things of his officers: Don’t violate people’s rights, don’t do anything immoral and, above all else, never lie. Work was great! We didn’t care about the news or liability. We knew where we stood. Hunt the bad people terrorizing our community and don’t take any crap. If someone mouthed off, treated us with disrespect or even thought about putting their hands on me or fellow officers, we wouldn’t hesitate to act. And if they ran, we chased them!

Over time, we had a new vehicle pursuit policy, a new foot pursuit policy and a new use of force policy, among many others. This is where perception is the key. Even if the policy didn’t change much, supervisors took it upon themselves to limit officers further. What matters is how we perceive it because that perception is our reality.

The perception regarding vehicle pursuits is that we are not to engage in any vehicle pursuit unless we know for sure the pursuit would fit the strict criteria. We are told if it does not fit the criteria, then we must turn around and go the opposite way. This completely goes against our aggressive nature — you know, the thing that drives us to head into trouble in order to address a threat. I say “aggressive nature” because I heard the Sheriff himself say that the Department hires officers for their aggressive nature for a purpose. I agree. But these policies hold us back. We are FRUSTRATED!

We are the last resort as far as authority goes in a civil society. If criminals do not stop for the police, then who will get them to follow the rules of society? We are taught to assume the worst to protect ourselves, fellow officers and citizens. Yet, we are then told to assume the least. A person does not stop because they don’t want a ticket, so we will let them go and only punish the people who will stop. Give me a freaking break! They don’t stop because they are up to something they are not supposed to be doing. Why are we protecting them? I wish the citizens could see an episode of *COPS* when a car does not want to stop and we turn around and go the opposite way. What would they think of their Department that is supposed to protect them?

Here are a couple examples of how leadership and perception influence the morale of the Department. During one briefing, a supervisor told his officers, “If you go after the suspect and get lucky, then good for you, but keep in mind if something goes bad you will be screwed.” What if instead the supervisor said, “The rules got a little more strict, and we have to follow them, but we will do what it takes to catch the criminal and I will have your back”? Another example is when officers rolled Code 3 to a burglary in progress. There was direct, reliable information of this crime because security was watching the burglary occur. The officers were well within policy in rolling code. However, a supervisor terminated the pursuit. Luckily, the officers continued on — because it was the right thing to do, albeit not code — and the officers caught the criminal. Imagine if they got in a wreck. They would be fired for trying to do what they got hired to do — CATCH CRIMINALS. It already happened once.

This is a prime example of a supervisor overthinking policy because of the “liability first” mentality. However, I do not think it is solely the supervisors’ fault. This is the perception of the Department.

To make things worse, the perception of the vehicle pursuit has spread to foot pursuits. Policy does not say you cannot pursue like the vehicle pursuit policy does, but again, it is the perception that counts. An example of this perception is when an officer got called out a foot pursuit. He was in the middle of running after a suspect, barely got his location out and was interrupted by a supervisor to see what the crime was. Who cares? We watch videos all the time about how all we need is reasonable suspicion to stop someone. If an officer isn’t trusted to have at least reasonable suspicion before trying to execute a detention, then should he be on the street? Trust

the officers. At a minimum, officers know they at least have obstructing. However, in this case the officer came back with jaywalking and the supervisor terminated the foot pursuit. Luckily, while they were told to terminate, the suspect was being taken into custody. What happened to assuming the worst to protect each other and society? What if he was a murder suspect or the next active shooter? What if it was just jaywalking and he didn't want to stop? Who cares? Let us do our job. STOP HOLDING US BACK! Or start hiring officers who don't like to be in dangerous situations and see how that works out for the Department.

Another newly revised policy is the policy on use of force. I know it is there "to protect us" and supposedly it is only being changed because the courts are mandating it. Whether that is true or not, it doesn't matter. The response officers have is to avoid getting into a use of force situation because of the perception. The perception is that officers can only be reactive. We must wait for a suspect to actually use force on us. Then we need to quickly recall all the fancy new words and definitions of the policy and, hopefully before the next attack, decide what is acceptable. Then, and only then, can we use force. An example is when an officer begged a female in handcuffs to get in the back of the patrol vehicle because he did not know what else to do. She was not aggressive. Just stood outside of the patrol vehicle and refused to enter. I was taught "ask, tell, make." Not anymore. Had an officer not finally grabbed her from the other side and forced her in, this might have become a barricade situation — SWAT callout and all.

Supervisors can come out and say this is not true, we can take more classes on the use of force but actions speak louder than words. Many of us would like someone to tell the community that we are the police officers first and foremost. We are not therapists, counselors or painters to paint your walls. As long as citizens abide by the laws, we will be kind and courteous. As soon as you cross that line, all bets are off. If you run, we will chase you. If you flee in a vehicle, we will pursue you. If you even think about fighting, you will get your ass kicked. If you threaten us with a weapon, you will be shot. Then back us! Most of the citizens out there just want to know we are out there somewhere taking care

of business. As long as we do that, they will be happy. Don't worry about the vocal minority. Every inch you give them the more emboldened they become. Working with the ACLU on the Use of Force Policy is like our government working with Osama Bin Laden to come up with a national defense policy (a little extreme, I know, but you get the point).

According to officers, briefings routinely consist of the "don'ts" — don't do this, don't do that; the administrative stuff: "Put your gas mileage in correctly or you will face discipline"; and "Your stats are low." After officers are told their stats are low, they are told they don't need to cite Ma and Pa, only the "real" criminals need to get one. Well, how does that work? We feel like the only people we can stop and give a ticket are the people who will follow the rules. I have a scenario that will illustrate this point.

An officer sees two juveniles in dark clothes by a wall possibly tagging P# 5278. At the same time, you see a car with four people that, through your training and experience, you know are rolling dirty and need to be stopped. As they are about to pass you, Ma and Pa roll through the stop sign and pull out in front of you. Who do you go after? Taggers usually run, but you are tired of being second-guessed as to whether it is appropriate to chase. You used to love chasing people, but now it is not worth it. You have seen other officers' pursuits get terminated, so you don't bother. Additionally, if you catch them and they fight you are not sure what you can and can't do. So that is not an option. You then get excited because you haven't been in a vehicle pursuit in a while and are pretty certain this car isn't going to stop. Then you realize it has been a really long time since you have rolled code, let alone pursued a vehicle (because you need an act of God to do so). But there are Ma and Pa. You know they will stop, be polite, won't complain and you'll get a stat. Score! (I do believe in strict traffic enforcement, but not at the expense of the other two scenarios.)

Many officers believe going after Ma and Pa is the only way. Due to this perception, productivity will be down because morale is down. No one wants to take risks. That is because supervisors routinely make liability their No. 1 goal and cause us to second-guess our work. Is catching the criminal the goal? **VB**



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# CALENDAR

September 6, 2012, 1700 hours

General Membership Meeting at the PPA

October 8, 2102

Columbus P# 5920 Day

October 26, 2012

Nevada Day

November 6, 2012

Election Day (Don't forget to VOTE!)

December 6, 2012, 1700 hours

General Membership Meeting at the PPA

*\* 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.*

## THANK YOU LETTERS

*The following is just some of the P# 6693 feedback we have received regarding the videos:*

PPA,

Excellent job on the video presentations ... adds a new dimension and provides an easier understanding of information provided.

PPA,

Aw[e]some!! Thank you [for the videos].

PPA

Great job!! Now that is an informative video! Again good job.

PPA,

Videos are helpful. Can we get a video clarifying the PPA's stance on the use of body cameras. As you might know the department is testing body cameras in at least 2 nwac patrol squads.

## CUB SCOUT FLAG CEREMONY



Assistant Executive Director Mark Chaparian assists a cub scout, Mark's nephew Jackson, with his flag-raising and -lowering ceremony P# 14520 at the PPA so he could progress to a "Bear" while little brother Maddox looks on.

Visit our website at [www.lvppa.com](http://www.lvppa.com).

You can also contact our webmaster at [webmaster@lvppa.com](mailto:webmaster@lvppa.com).



# POLICING: THEN AND NOW

BY MIKE RAMIREZ

Board of Directors, LVPPA

Things have changed, the world has changed and technology has changed. Just about every industry has been affected by these changes and policing is no exception. Our role of protecting the community remains exactly the same as it was 10, 20 or even 30 years ago; however, getting this done and at the same time protecting ourselves and the Department from liability is where the challenge exists.

One example of change is the widespread use of cellphones for audio and video recording. These devices have changed how even a routine car stop might be handled. As we have all seen, in many cases, a recorded conversation or video is taken completely out of context and leaves us vulnerable to lawsuits and the media. With so many cellphone cameras in pockets and purses, clashes between police and would-be videographers may be inevitable. It is not always just the suspect using his/her own phone for recording but often random bystanders who record arrests, altercations, etc., and then quickly post them on YouTube. The challenge is usually that the footage does not always include the situation leading up to the altercation or arrest, so it can often be misconstrued as a police officer overstepping their bounds. With video cellphones becoming more and more prevalent and with officers often being aware they are being videotaped, the officers still need to be moving quickly, in split-seconds, without giving a lot of thought to what the adverse consequences for them might be if they are videotaped. However, despite the challenges facing officers today, they generally perform their duties efficiently and effectively.

Another area in which we have seen change is the public's tolerance for "uses of force." I was born and raised in this city and have seen how things have changed firsthand. In years past, if a suspect ran from an officer, punched an officer or even just disrespected an officer, they would have expected to be strong-armed into cooperating. At times, this might have even included a good old-fashioned whipping. This was common and, in many people's eyes, even acceptable. These days, the suspects tend to act like they might have the upper hand since any slight wrong move on the part of the officer will lead to a weak case in court or perhaps even a lawsuit being filed. With this in mind, officers tend to be more reactive than proactive in their policing. Instead of taking control of the suspect with force, they essentially are waiting for the suspect to make the first move so that the officer's actions will be justifiable or explainable. With this approach, it has created a delay in response. For example, a suspect already knows in his head that he is going to punch, hit, kick or run. Since an officer is not privy to what is going on in the suspect's head, we are already about  $\frac{3}{4}$  of a second behind the curve. Actually, waiting for the suspect to make a move, then some time for our brain to process and, lastly, some time for us to actually react sets us back even further. After speaking with some 20-year seasoned officers and the John Q. citizen, the consensus is that the time it takes to process and then react is anywhere from  $\frac{3}{4}$  of a second to  $1\frac{1}{2}$  seconds. With all lag-time factors taken into consideration, the total time would be approximately 2 to  $2\frac{1}{2}$  seconds. A lot can happen in this lag time. Years ago, officers were comfortable in making a move based solely on their instincts, but this is no longer the case.

A seasoned officer of 28 years has reiterated to me that police tactics have changed tremendously over the years. He told me that as to my personal incident at Walmart, if this were to have occurred years ago, as

soon as that suspect swatted the officer's hand away there would have been an immediate and severe response. Officers would have handcuffed the suspect, found the gun and gone about their business. In my case, from the time the suspect went for his gun to the time I was shot was a little over 2 seconds. We reacted by firing back. However, had this incident occurred 20 years ago, the shooting itself might have been avoided as it was more acceptable back then to go "hands on" with a suspect without the fear of internal discipline and/or a lawsuit. In the past, officers would "act" rather than "react."

It is difficult attending CIRT interviews and Use of Force Boards in which seasoned superiors tell you what you should have done or how you should have reacted. I have to imagine that their experience on the streets was a far cry from what it is today. They have to realize and understand how things have changed. What were considered acceptable practices back then no longer apply in today's world. Although the seasoned supervisors that sit on these boards and committees are likely capable of patrolling the streets again, they would quickly realize that the technologically advanced and lawsuit-happy community that we currently live in does not leave room for their "good old days" tactics. In speaking with a seasoned captain recently, I realized that some of the supervisors do understand our position. Well-liked and respected by his troops, he said, "I could not do patrol now the way you young patrol officers do it in this time." I would like for the rest of the supervisors to take the time to ask themselves if the patrol tactics they used back then would realistically work on the streets today. I am not saying they could not do the job today, just appreciate the fact that they could not do it how they used to and appreciate the challenges facing patrol officers today that simply did not exist when they were working the streets.

The officers on the streets today are said to be the "Backbone of the Department." These are the officers that are making the split-second decisions on how to best handle a situation in today's world. These decisions involve not only an analysis of what is the quickest, easiest way to take control of a suspect, but also how to do it in a manner that will not pose consequences in the future. In closing, I want to reiterate the need for support from the seasoned supervisors in understanding our vulnerability on the streets. We all wish that policing was the way it was back "Then," but the reality is that this is "Now" and we need the Department as a whole to understand that. Do not forget where you started (PATROL). To all of you "Then" officers and "Now" officers in patrol and the bureau, the PPA thanks you for all you do, and know that we will keep fighting for you until the end. **VB**

## INSIGHT

As long as I've known anything about politics, I've been skeptical. And it has evolved. The more I saw, the more skeptical I became.

— David Brinkley (1920–)  
In "The Master Skeptic Steps Aside" by Warren Berger,  
*New York Times*, November 3, 1996

# WHAT WE DO FOR YOU

## JUNE/JULY 2012 REPRESENTATION STATISTICS

### LABOR MANAGEMENT BOARDS

	Hearing Date	Alleged Violation(s)	Original Discipline	Decision
	Unknown	Dispute Administrative Transfer	N/A	Resolved w/o Hearing
	Unknown	Dispute Administrative Transfer	N/A	Resolved w/o Hearing
	6/14/2012	Use of Force	8-Hour Suspension	Granted—8-Hour Suspension Overturned
	6/14/2012	Use of Force; Reporting Use of Force; Care of Prisoners	8-Hour Suspension	8-Hour Suspension Upheld
	9/13/2012	Employee Information Change; Illness, Injury, Malingering	8-Hour Suspension w/ Option	Pending
	9/13/2012	PPA CBA Article 9.8—Professional Day/Vacation Time	N/A	Pending

### PRE-TERMINATION HEARINGS

	Hearing Date	Alleged Violation(s)	Original Discipline	Decision
	5/31/2012	Conduct Unbecoming	Termination	Terminated
	6/7/2012	Conduct Unbecoming	Termination	Resigned
	6/21/2012	Obedience and Insubordination; Informants and Associated Funds Management; Outside Employment; Conduct Unbecoming; Truthfulness	Termination	Terminated
	7/2/2012	Conduct Unbecoming; Fraternalization Prohibited; Association w/ Persons of Ill Repute; Truthfulness	Termination	Terminated
	8/6/2012	Obedience and Insubordination	Termination	Resigned
	8/8/2012	Harassment and Discrimination; Harmony and Cooperation; Code 3 Driving; Searches; Truthfulness	Termination	Written Reprimand
	8/30/2012	Conduct Unbecoming	Termination	Pending

### ARBITRATIONS

	Hearing Date	Alleged Violation(s)	Original Discipline	Decision
	2/6-7/2012	Discrimination	Termination	Reinstated
	3/1/2012	DUI; Conduct Unbecoming	Termination	Reinstated w/ 40-Hour Suspension
	3/19-20/2012	Arrests w/o Warrants; Use of Force; Transporting Prisoners; Interaction w/ Public	Termination	Termination Upheld
	5/2/2012	3rd DUI	Termination	Pending
	5/31/2012	Conduct Unbecoming; Truthfulness	Termination	Termination Upheld
	6/26/2012	Conduct Unbecoming	Termination	Termination Upheld
	7/11/2012	Safe Driving	Termination	Pending
	7/30-31/2012	Conduct Unbecoming; Truthfulness	Termination	Appeal Withdrawn
	8/29-30/2012	Conduct Unbecoming	Termination	Pending
	10/10/2012	Conduct Unbecoming; Fraternalization Prohibited; Association w/ Persons of Ill Repute; Truthfulness	Termination	Pending

### CITIZEN REVIEW BOARD COMPLAINTS

Dismissed	Alt. Recommended	Referred to IAB for Review	Concurred w/ IAB Finding	Pending CRB Decision
0	0		0	2



## OFFICER INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS

Date	Use of Force Board Decision	Inquest Decision
8/27/2010	Justified	Pending
11/15/2010	Justified	Pending
11/15/2010	Justified	Pending
2/15/2011	Justified	Pending
2/23/2011	Justified	Pending
3/8/2011	Justified	Pending
4/3/2011	Justified	Pending
4/12/2011	Justified	Pending
4/19/2011	Justified	Pending
5/27/2011	Justified	Pending
7/5/2011	Justified	Pending
7/14/2011	Justified	Pending
9/9/2011	Justified	Pending
11/21/2011	Justified	Pending
12/12/2011	Pending	Pending
1/17/2012	Pending	Pending
1/21/2012	Pending	Pending
1/24/2012	Pending	Pending
2/1/2012	Pending	Pending
3/11/2012	Justified	N/A
3/16/2012	Justified	Pending
4/6/2012	Pending	N/A
4/21/2012	Pending	Pending
5/14/2012	Pending	Pending
7/2/2012	Pending	Pending
7/17/2012	Pending	N/A
7/23/2012	Pending	Pending
8/2/2012	Pending	Pending

### INTERNAL AFFAIRS SECTION AND BUREAU LEVEL INTERVIEWS

Declined	Represented	Total
23	103	126

### ACCIDENT REVIEW BOARD

Unk	Excusable	Non-Negligent	Negligent	Rescheduled
	0	1	58	3

## RETIREMENTS

07/20/2012 Susan Leach, P# 3335	PO Lt.
08/02/2012 Leonard Duerden, P# 1803	PO II
08/08/2012 Thurman F. Buchanan, P# 5969	PO II
08/08/2012 Scott E. Friedman, P# 5596	PO II
08/28/2012 Kenneth G. Lindsay, P# 3796	PO II
08/28/2012 Robert Byron Stringer, P# 3036	PO II
09/20/2012 Larry T. Smith, P# 3571	PO II

## EDITORIAL POLICY

- Opinions expressed in *LVPPA Vegas Beat* are not necessarily those of the Las Vegas Police Protective Association.
- No responsibility is assumed for unsolicited material.
- 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.
- Freedom of expression is recognized within the bounds of good taste and limits of available space.
- The Board of Directors reserves the right to edit submissions and/or include Editor's Notes to any submitted material.
- The deadline for submissions to *LVPPA Vegas Beat* is approximately 30 days prior to the issue date.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**PAYROLL RECURRING DEDUCTIONS SHEET**

Employee Name	P#	Daytime Contact Number
---------------	----	------------------------

Wage Type	Deduction Type	Deduction Amount	Start Date	Stop Date	
<b>DUES</b>					
5009	Black Police Dues (24 pay periods)				
5010	NLPOA Dues (24 pay periods)				
5007	PMSA Dues (24 pay periods)				
5005	PPA Dues (24 pay periods)				
5006	PPACE Dues (24 pay periods)				
5008	SPA Dues (24 pay periods)				
<b>MISCELLANEOUS DEDUCTIONS</b>					
5405	City Hall Parking (24 pay periods)				
5200	LVPPA Metro Charities (24 pay periods)		<b>ASAP</b>		<input checked="" type="checkbox"/> One Time <input checked="" type="checkbox"/> Recurring
5403	Police Museum (24 pay periods)				<input type="checkbox"/> One Time <input type="checkbox"/> Recurring
5404	Prepaid Legal Svcs. (24 pay periods)				
5400	United Way (26 pay periods)				<input type="checkbox"/> One Time <input type="checkbox"/> Recurring
	Other				
<b>LOANS</b>					
					<b>Declining Amount</b>
4532	Misc. Payback (one time deduction)		Reason:		
5200	PPA Assoc. Loan (24 pay periods)				\$
5220	PPACE Assoc. Loan (24 pay periods)				\$
5210	SPA Loan (24 pay periods)				\$
5410	Purchase Retirement (24 pay periods)	<i>To purchase retirement you must initiate your request through PERS. You may stop the deduction using this form.</i>			\$
5413	Purchase Retirement 2 (24 pay periods)				\$

<b>Employee Signature &amp; PN</b> <i>(Sign name as it appears on paycheck)</i>	<b>Date</b>	<b>Representative Signature</b>	<b>Date</b>

# Discount Theme Park Tickets

Tickets may be purchased in person at the LVPPA office located at 9330 W. Lake Mead Blvd, Suite 200 during normal business hours (M - F 7:30a - 5p).  
ACCEPTABLE METHODS OF PAYMENT ARE CASH, CHECK, CREDIT/DEBIT (Visa/Mastercard only).

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.

THEME PARK	TICKET	GATE PRICE	LVPPA PRICE
Knott's Berry Farm	One Day Ticket - Adult	\$57.99	\$32.00
	One Day Ticket - Child (3-11)	\$29.99	\$23.00
	2 and under Free		
Legoland	Two Day Ticket - Legoland Only - Adult/Child (3-12)	Adult - \$95.00/Child - \$85.00	\$59.00
	Two Day Ticket - Legoland Hopper - Adult/Child (3-12) (Legoland, Sea Life, Water Park)	Adult - \$110.00/Child - \$100.00	\$69.00
	2 and under Free		
Magic Mountain	One Day Ticket - Adult/Child	\$64.99	\$33.00
San Diego Zoo	One Day Ticket - Adult	\$42.00	\$37.50
	One Day Ticket - Child (3-11)	\$32.00	\$29.00
	2 and under Free		
Sea World	One Day Ticket - Adult/Child (3-9)	\$73.00/\$65.00 one day ticket	\$51.00
	2 and under Free		
Universal Studios	One Day w/2 Days free Ticket — Adult/Child under 48"	\$80.00 one day	\$69.00
	2 and under Free		
Wild Animal Park	One Day Ticket - Adult	\$42.00	\$37.50
	One Day Ticket - Child (3-11)	\$32.00	\$29.00
	2 and under Free		

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