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

VOLUME 9 | ISSUE 5

January/February 2015

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**"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**

## Let the Fun Begin

Just two months ago, elections were held all over our great country. That includes our state and county. It is no secret now that what I have been calling "the big red wave" washed over our country, state and county. We will come back to all the other elections in a moment, but first let's talk about the one election we all watched very closely, the election of the Clark County Sheriff. Joe Lombardo was elected Sheriff, as you all know. He edged out the candidate supported by most LVMPD employees, and most of law enforcement around our state as well. I don't see this outcome as a mandate of the people; rather, I see it as just the opposite.

At the start of the Sheriff's race, most people in the political business had Larry Burns as a 15- or 20-point underdog. Joe Lombardo had the backing of our current Sheriff, a great campaign team and lots of money. But at the end of the night, Joe Lombardo was elected Sheriff by just about 7,000 votes. This means that Larry Burns' message and our message got out to the people of Clark County. Morale is at an all-time low and many of the policies of this Department don't work for the employees or for the public. In short, it is time for change. I believe our new Sheriff is a smart person who will see that this election was closer than most thought it would be, and will strive to set the Department down a path of change that both the employees and the citizens can embrace. Now, I am sure you're sitting there

thinking that this is not the article you had hoped to be reading. But I hope it is the start of our employees, and especially our membership, getting active in the political world that we live in. For the first time that I can remember, you all became a force to be dealt with. You put boots on the ground, put signs in your yards, made calls to your family and friends, and even gave up some of your hard-earned money to support your candidate. Yes, our candidate lost, but because of your involvement, it was a very close race. For this loss to mean anything, you must stay involved. With your support, the PPA endorsement is stronger today than ever before.

Now let's move on to some of the other election races. It is important that as you read this, you understand that not all Democrats are our friends and not all Republicans are our foes. This is written more about the general agenda of both parties than any one person. On the national level, the Republicans tightened their hold on the House, as well as taking over the majority in the Senate. This will have little effect on our day-to-day lives as police officers. Closer to home, the Republicans also rode "the big red wave" to control our state. This will have an effect on us as public employees, and it could be a devastating effect on our day-to-day lives as police officers. The Republicans took every constitutional office in the state. We, as public safety officers, enjoy an open, healthy relationship with the Governor, as well as the Lieutenant Governor. We also enjoy a good working relationship with the new Senate majority leader, Senator Mike Roberson. We will be depending heavily on those three to help us protect the state laws we need to do our jobs, as well as some of our benefits guaranteed by state law. Why are we going to need help? Well, the Republicans also took over the majority in the state Assembly. In every published statement I have seen so far, the Assembly Republicans are talking about changes to collective bargaining, changes to PERS and changes to many other things we simply cannot accept. We may actually get some help from the Assembly Republicans themselves in a roundabout way — they are having a difficult time organizing their leadership team and can't find a way to stay out of the press with their own problems.

Regardless, this coming legislative session will be one like no other. I believe that we, as public employees, will be under attack. Public safety associations across the state will be calling on their memberships to attend hearings, make phone calls and generally be active in making your voices heard. Do not lose the momentum you all gained P# 4009 during the Sheriff's election. Instead, direct it toward another cause — letting the 63 legislators in Carson City know that the sleeping giant has been awakened and will not just sit by and watch what we have earned be taken away, at least not without a fight during the session and in future elections.

The PPA will have a full-time person working on your behalf at the session. But when the call for support comes, you must answer the call and show up. We will do our best to give you as much advance warning as possible about times when we'll need your help. If you have any questions, please feel free to contact me or any member of my executive team.

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

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## INSIGHT

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

— Abraham Lincoln (1809-1865),  
letter to Isham Reavis, November 5, 1855



# There's a New Sheriff — Let's Keep an Open Mind

## POLICE OFFICER MARK CHAPARIAN

Assistant Executive Director

Like it or not, 2015 has arrived, and it brings all of us a new Sheriff and his handpicked executive staff. The citizenry of Clark County cast their votes, and Joe Lombardo was their choice to become our new Sheriff. I have never seen such enthusiasm, vigor and a united membership as I did this past election cycle regarding the Sheriff's race. It was a nice change to finally see our members excited and passionate about a cause. I applaud all of you who got involved and stood up for what you believed in.

I'd like to believe that each and every one of us is here working for Metro because of a calling or unrelenting passion to help and serve others who are in need. We do our jobs each and every day to the highest standard, and we call ourselves professionals because we have all earned that title and the respect that comes with it. The public and our fellow brothers and sisters in law enforcement deserve nothing less. We are held to a higher standard, and our actions are often judged to that same higher standard as well. We know this, we understand this and we accept this. It's what we do; it's who we are.

We are all fairly comfortable in our roles, duties and responsibilities. We typically know all of this like the back of our hands. "Familiar" may be a good word

to describe what I am saying. With that said, I would like everyone to stop for a minute and think about our new Sheriff and his executive staff. How familiar is the Sheriff with his new position? How familiar are all of his appointees with their new positions? With any new position, there is a learning curve. This is to be expected. I believe the smartest thing for all of us to do is to take a step back, relax and just breathe. Our job, our obligation, is to keep doing what we do best, and that's no different than what we've all been doing day in and day out for years. Let's allow our new Sheriff to take the reins of this great organization we call Metro and show him the respect that the office of the Sheriff deserves. A true professional will always respect the rank, the title and the position. Whether he was your choice or not, Joe Lombardo is our Sheriff. He was elected by the people to serve the people. I believe we owe it and should show it to the people of Clark County, to the members of our Department and to Joe Lombardo that we are professionals. We took oaths to serve our community and protect and defend it. I have not forgotten the reason I raised my right hand and pledged my oath so many years ago. It didn't matter who was Sheriff then and it doesn't matter now.

Welcome aboard, Sheriff Lombardo. I wish you the very best of luck and success. May you lead with wisdom, compassion and understanding. We're all counting on you. **VB**

## RETIREMENTS

12/26/14	Robert Stilz, P# 10100	CO II
12/29/14	Charles D. Burgess, P# 5260	PO II
12/30/14	Keith S. Harris, P# 3804	PO II
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# Contract Updates

## **CORRECTIONS OFFICER SCOTT NICHOLAS**

Treasurer

Happy new year! I hope everyone had a safe and happy holiday. The LVPPA will be working hard again this year to protect your rights. In response to some questions I have been receiving lately, here are a few changes that some of you may have missed from our last contract process.

### **8.4 Holiday Work**

The contract language provides:

*Employees who call in sick on a holiday will be carried as sick and payroll will post off in-lieu of holiday-sick. Sick accruals will not be deducted, but this sick leave will count toward bonus time eligibility.*

*Employees that take a professional leave day will be carried as such. Employees who use their professional leave day will have the equivalent hours of vacation leave time added to the employee's annual leave accumulation for the holiday benefit. Employees will not have the option of pay for the holiday under this circumstance.*

*Employees who work in a section that is off on the holiday and work for a different section on same holiday, shall receive the holiday benefit as though he/she was working his/her regular work schedule. Overtime will only be paid for hours that an employee works outside of his/her regular work schedule.*

### **9.7 Sellback**

A change was made to allow 40 hours of vacation sellback in both 2014 and 2015.

### **13.3 Longevity**

The contract language provides:

*The longevity pay for employees shall be paid on the following basis: Upon completion of ten (10) consecutive years of employment, covered employees shall be paid the equivalent of an additional five percent (5%) of their pay period base salary.*

13.3 was challenged in 2014 by the Department as it attempted to pay 4.5% to members reaching year 10. The PPA filed a grievance and won its argument at the Labor Management Board.

### **13.9 Education Incentive**

The contract language provides:

*Effective July 1, 2015, employees who hold the following degrees shall receive compensation as outlined below:*

- *Any employee in the Unit who has received an Associate's Degree from an accredited college or university shall receive \$23.09 per pay period in addition to his/her annual salary.*
- *Any employee in the Unit possessing a Bachelor's Degree from an accredited college or university shall receive \$46.16 per pay period in addition to his/her annual salary.*
- *Any employee in the Unit possessing a Master's Degree or higher from an accredited college or university shall receive \$56.43 per pay period in addition to his/her annual salary.*

*As soon as an employee provides the Department with a copy of his degree from an accredited college or university, he will be entitled to this additional compensation on his next paycheck.*

### **13.11 Field Training Officer Pay**

The contract language provides:

*Field Training Officer Pay is temporary monetary compensation of 8% paid to commissioned personnel who are working in a Field Training Officer (FTO) assignment or a Corrections Field Training Officer (CFTO) assignment.*

*Police Field Training Officers' assignments will be for a continuous six-month cycle. The six-month cycle may be extended when deemed necessary by the Department. Extensions will only occur as a result of continuation of training with the academy class associated with the initial assignment and will be in one month increments. At the conclusion of any given cycle, the Department, at its discretion, can decrease or increase the number of FTOs as required. Any FTOs assigned at any point during an existing cycle will receive FTO pay for the remainder of that cycle. Selection and assignment to the FTO positions will be based upon established Departmental procedures.*

*Corrections Field Training Officers' assignments will be for a continuous ten week cycle. At the conclusion of any given cycle, the Department, at its discretion, can decrease or increase the number of CFTOs as required. Any CFTOs assigned at any point during an existing cycle will receive FTO pay for the remainder of that cycle. The ten week cycle may be extended when deemed necessary by the Department. Extensions will occur as a result of the continuation of training with the academy class associated with the initial assignment and will be in one month increments. Selection and assignment to the CFTO positions will be based upon established Departmental procedures.*

### **14.1 Clothing and Equipment Allowance**

The contract language provides:

*Effective July 1, 2015, employees shall be paid a bi-weekly clothing/equipment allowance of \$38.47. This is approximately \$1,000 per year.*

### **18.4 Overtime**

The contract language provides:

*Officers who voluntarily sign up for overtime and are called to work the overtime, are not entitled to travel time or callback pay.*

In other words, if you are not signed up for the exact day and time when you are asked to work and given less than 12 hours' notice, you would still be eligible for the callback pay.

Once again, these were just a few of the frequently asked questions. Please have a safe and happy new year, and as always, none of what we do would be possible without your membership and dedication to the LVPPA. **VB**

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# To Be or Not to Be ... a Member

## DETECTIVE STEVE GRAMMAS

Secretary

I would like to discuss whether an officer should or should not be a member of the LVPPA. Since coming to the LVPPA last August, I have had a couple of incidents with officers who were involved, one way or another, in an incident where representation would be beneficial. However, as matters unfolded, I learned that the officers were not members. Working on these incidents made me wonder why someone, in these times, would ever choose not to be a member.

The first thing I thought is that perhaps these officers believed that the LVMPD family would look out for them, as it is said that they always look out for one another and help each other out. Beware of this naïve attitude. If someone in *my* family treated me the way the LVMPD “family” treats one another, I’d end up changing my last name. A family member has your back in good times *and* in bad. The LVMPD family has your back only when it’s not controversial or it is so clear-cut that anyone on the planet would side with you. The truth is that the LVMPD family only looks out for one another when it is convenient to do so, and it would put all of its children up for adoption if they spilled milk at the dinner table.

That being said, I again wonder how, in this day and age, officers still choose to not be members of the Association. To flat-out P# 13820 turn down quality representation and experienced attorneys for what? Some reasons I have heard are: “I had a bad experience in the past with people who are no longer there,” “It is too expensive to be a member for something I will never use” and “I never do anything wrong, so I don’t need them.” I have to say, these “reasons” are some of the silliest reasons ever.

This Association works on a daily basis doing everything it can for our membership. We, the members of the Executive Board who are up here full time, do it with a passion and flair, out of a desire to make the quality of life here at Metro the best it can be for our officers. Sometimes we damage relationships with people we have known for years just because we do what we do for the members. When I hear of someone who had a bad experience with either a current Board member or a past one, I always wonder how we can change the bad things that go on and make them better. If the problem is with a current Board member, there are several others here who can be used instead for any issue that may arise. When I hear people complain about the fees associated with membership, I laugh and pose to them how much an attorney would cost should they find themselves on the bad side of the LVMPD target. The hourly rate for attorneys is astonishing and would likely set you back well over what the cost of the yearly dues is. A certain other employee group (which shall remain nameless) charges super-low rates to become a member, but won’t necessarily cover your full amount for an arbitration, which is oftentimes in the range of \$30,000. Couple that with the fact that, with that association, the people making decisions about the future are in another state and don’t really know anything specific about you or the agency you work for, and you have to wonder whether saving a few bucks is worth it in the long run.

And as for those officers who say they never do anything wrong, so they have no need to be a member, I have to point out that you never, ever, ever know what tomorrow is going to bring. Call to call, day in and day out, we work in an environment that can have you in a jackpot in no time. And when you’re there, fighting for your job because LVMPD says you shouldn’t have done this or that, even though you believe the law and policy support

your position, imagine what will happen. You will soon be forking out large sums of money for someone to represent you, drumming up huge bills to just review our policies and procedures to get into a position of being able to provide you with a mediocre defense.

Let’s face it: The LVMPD is not what it used to be! Outside influences have created such a drive to “Monday morning quarterback” every move we make that, regardless of the kind of officer you are, you need the help of the Association. Let’s hope that with the new election, things will change for the better. Let’s hope that the new Sheriff and his staff can implement some changes that will benefit the Department. After having a few interactions with some of the command staff, I have a positive outlook on where we may be heading, but only time will tell.

In the recent past, the trend seems to be that the Department has been coming after officers for anything and everything it can. It never used to be this way. People used to come to work knowing that their bosses had their best interest at heart. The bosses were not afraid to talk to people, to mentor and coach people, to stand up to their bosses and say, “This is wrong; this officer did his or her job correctly, so leave them alone.” But we don’t have many of those people around anymore. If you find them, hang on to them and watch their backs as they do yours. But for the rest of you, you need the LVPPA to watch your back.

If you’re reading this and you are not a member, please call me, let me try to clear up any issues you have and allow me to try to convince you why it is in your best interest to join — not for me, but for you! The LVPPA can be looked at as car insurance or life insurance; you pay for it and you may never need it. But when you do, you are very thankful that you had it. Call it employment insurance. You pay for us to fight for you to keep your job and the benefits that come with it, as well as several other things we do. We need to help one another now more than ever. And if you choose to stay a non-member, I pray that you are making the right decision and you don’t ever need us. Somehow, I doubt that will be the case. **VB**

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# New Year or Same Old Stuff?

## DETECTIVE DARRYL CLODT

Director

I can't believe 2014 is over and here we go with another one. As the new year begins, I wonder what is in store for us. I wonder if the new Sheriff will be a Sheriff with a fresh perspective or just more of the same old stuff. As the new Sheriff takes over his office, does he appreciate just how bad the morale is in this agency? Will he be willing to entertain new ideas, or will he simply go along with status quo and do the same old "this is how we always have done things" business?

One issue that is looming out there is the health care decisions for the future. Will we carry on with our own Health and Welfare Trust or will we soon be joining the County's insurance plan? We all are in the same boat and need to be together on this issue. We all, regardless of rank or position in this agency, have a need and a desire for the best possible health care plan. This should be the goal for all of us. I can promise you that the PPA is taking this issue very seriously, and I hope management is doing the same.

Additionally, the next legislative season will soon be upon us. This is another area of concern that, if not addressed properly, could be disastrous. This is perhaps one of the most important areas that we deal with here at the Association, and we are always working hard for you legislatively. When our Association

makes its endorsements, you should know that it is a painstakingly long and tedious process. The Association works hard to ensure that the powers that be understand the issues that are the most important to us all. A few of these things are collective bargaining, PERS and the Police Officer Bill of Rights. Both Chris Collins and Mike Ramirez will be working on your behalf during this upcoming session, and they are committed to working hard to protect these items.

As we embark on this new year, the Use of Force Board is ever-changing. In my humble opinion, this is the most important thing we do here at the PPA. When an officer is forced by a suspect's actions to use force or deadly force, a lot of wheels get put into motion. The agency has numerous investigative and review processes in place, and it is our job here at the PPA to make sure they are doing their jobs fairly and respecting your rights. I spend a large amount of my time dealing with this issue. I still believe that, as a whole, we are an excellent agency. However, we just need to be refocused on our mission, which is to provide a safe place for all of us to live and raise families.

I always encourage responses from anyone who wants to discuss issues I have raised or just get your questions answered. We are here for you, the working men and women of the Metropolitan Police Department. Call us, email us or come see us. We want to get you the answers you deserve. As always, stay alert and stay alive. **VB**

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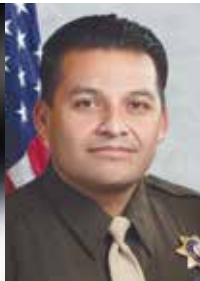
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# Member Spotlight



## POLICE OFFICER MIKE RAMIREZ

Director

We all have different backgrounds that led us eventually to become police officers, but how many of us can say that we also played football in the NFL, played in two college bowl games and served our country in the Marine Corps, all before we were about 26 years old? Not many, I presume, but such is the case for Tyler McMeans.



Upon high school graduation in 1998, Tyler joined the Marine Corps, which included boot camp in Parris Island, South Carolina, and being stationed in Japan. While serving as a Marine, he had the opportunity to meet a lot of people, including, ironically, several LVMPD officers — in particular, Larry Rinetti, Trevor Nettleton, William Moore and Rick Meyers, just to name a few. He served his country until 2002 and headed back to his home state of Pennsylvania.

With his athletic abilities, Tyler wanted to play football. He enrolled at Lackawanna College to pursue a degree, as well as to get a chance to play football again. After the fourth or fifth game, the phone was ringing with offers to play for some major Division I teams, including Penn State, Louisiana State University, Kentucky, Miami and others. After completing his studies at Lackawanna, Tyler accepted a full-ride scholarship to the University of Miami, where he played football as a Hurricane (wearing number 68). He was a starting offensive guard in 2004 and 2005. During those years, Miami was periodically ranked No. 1, and Tyler even had the opportunity to play in the Peach Bowl twice! In the first bowl game, the team was successful in beating the University of Florida, but unfortunately they lost to LSU in Tyler's second bowl game. As if playing in two bowl games wasn't enough, he received his degree in business management and was headed toward bigger and better things.

In 2006, Tyler was drafted by the Chicago Bears (wearing number 62). The Bears played the Colts in the Super Bowl during his rookie year. After the



Super Bowl, he was cut, resigned from the team and was allocated to the NFL Europe, where he played for the Berlin Thunder (wearing number 65). Tyler played one season with the Thunder and then moved back to Chicago to play with the Bears, but was released from the team in 2007.

With professional football not necessarily in his future, Tyler packed up and moved out P# 9840 to Las Vegas with his sister and brother-in-law. Although he was still receiving calls to try out for various teams, he wanted to go in a different direction in life. He was looking for the camaraderie of the Marine Corps and the football teams — basically, a brotherhood. Several Marine friends working at LVMPD during

this time got his ear and convinced him that he could get that brotherhood feeling he was looking for by becoming a police officer.

The hiring process was challenging, but Tyler had major support from his friends and family. He started in the Academy in June 2008 and was quite a spectacle, as you can imagine, as a 300-plus-pound, 6'4" guy. His size quickly proved to be a challenge in the Academy, as he was barely able to squeeze into the desks provided. On one particular occasion, while he was stuffed into his desk, someone walked in and everyone had to quickly stand and say the word of the day. As Tyler tried to get out of the desk, he cut his leg on the metal under the table and began to bleed. The bleeding episode led to getting reprimanded — not for cutting himself, but rather for not having a second uniform to change into.

Once out of the Academy, Tyler was assigned to Bolden Area Command. His first phase of training was on day shift, and the second phase was on swing shift. He speaks highly of all his FTOs and is complimentary of their professionalism and training abilities. They actually inspired him enough to become an FTO himself, and he has been training at BAC for the past year. The scariest part of his job thus far is rolling code with a new trainee as someone is pulling out in front of the trainee, and having to talk the trainee through what to do in just a

(continued on page 20)



# Health and Welfare Plan Reminders for 2015

## CORRECTIONS OFFICER THOMAS REID

Director

It's the start of another new year, and I just want to remind you that each January marks a reset of our health plan's individual and family deductibles and out-of-pocket maximums. The PPO annual deductible is \$500 for an individual and \$1,000 for a family. Just like with your car insurance, after the PPO annual deductible is met, the plan then pays 85% of covered expenses and the member pays 15%. In addition to the annual deductible, the health trust provides a maximum annual out-of-pocket (OOP) limit or safety net if you go to PPO doctors or hospitals. This year's OOP is \$4,000 for an individual and \$12,000 for a family. Items that count toward the OOP are copays, deductibles and coinsurance, and new for 2015 will be the addition of pharmacy copays for in-network pharmacies. The plan will pay 100% after a member meets the OOP maximum. This means the most you will pay for covered medical and pharmacy services in 2015 will be \$4,000 for yourself, or \$12,000 for a family of three or more.

Below is a quick guide to most of the common services utilized by health plan members, reflecting PPO or in-network benefits only.

### Office Visit Copayments

Primary care (includes family practice, internal medicine, GYN and pediatricians): \$15

Specialist: \$30

Convenience care (like Minute Clinic or Take Care Clinic): \$15

Urgent care: \$35

Chiropractic: \$30 (\$1,000 per calendar year)

Annual PPO deductible is waived for any of the services listed above.

### Emergency Room or Hospital Services

Emergency room: \$250 copay (waived if admitted)

Facility fee: 15% coinsurance

Surgeon/physician/anesthesiologist fee: 15% coinsurance

Emergency medical transportation: 15% coinsurance

## CONGRATULATIONS

*to the contest winners from the last issue!*

November/December

### Hidden Symbol Contest (\$250)

Joseph Van Dyke, P# 14721

### P# Contest (\$50)

Jesse Berg, P# 7201

Mark Menzie, P# 6830

### Diagnostic/X-Ray/CAT/MRI Tests

Blood work testing is 15% coinsurance after deductible.

X-rays done through our strategic partners, Steinberg Diagnostic (SDMI), Pueblo Imaging or Nevada Imaging, are 15% coinsurance; all other Beech Street network imaging centers are 25% coinsurance.

### Routine Wellness — Children

Physical exams: paid at 100%, no deductible

Immunizations: paid at 100%, no deductible

### Routine Wellness — Adult

Physical exams: paid at 100%, no deductible

Immunizations: paid at 100%, no deductible

Mammograms: paid at 100%, no deductible

Pap/pelvic exams: paid at 100%, no deductible

PSA test/prostate exam: paid at 100%, no deductible

Hearing exam: paid at 100%, no deductible

### Mental, Alcohol and Drug Treatment

For all in-network mental health, alcohol and drug inpatient or residential stays, 15% coinsurance applies. Starting in 2015, the annual day limitation caps in these programs have been lifted and they are treated like any other hospitalization or rehab program.

For outpatient alcohol and drug services, there is a \$30 copay per visit, paid at 100%, no deductible. For mental health outpatient services, the copay is \$30 per visit, paid at 100%, no deductible. This includes family and marriage counseling.

### Physical, Occupational and Speech Therapy

For physical and occupational therapy, there is a straight 15% coinsurance after deductible with a maximum of 40 visits per calendar year.

For speech therapy, there is a straight 15% coinsurance after deductible with a maximum of 20 visits per calendar year.

### Pregnancy

For prenatal and postnatal care, member pays a 15% coinsurance after deductible. For delivery and all inpatient services, there is a 15% coinsurance after deductible. **You are encouraged to notify UMR and to enroll in the Maternity Management program within the first or second trimester for a benefit incentive. The program will pay up to the first \$5,000 of allowed charges during the pregnancy. This equates to about a \$750 savings to you when the baby is delivered. Call UMR for details at (866) 868-1395.**

Breast pumps are now covered by the plan with a \$0 copayment. For help in finding a contracted provider, call UMR.

### Durable Medical Equipment (DME)

There is a \$50 copay per item; PPO deductible is waived. Maximum benefit is \$5,000 per calendar year. Prior authorization needed if DME exceeds \$500 for rental or purchase. Oxygen is not considered a DME and is \$50 per month for the rental of the equipment. There is no maximum benefit for oxygen.

(continued on page 21)



# Top Cops Nomination

## POLICE OFFICER BRYAN YANT

Director

I have been tasked with submitting the LVPPA's nomination for this year's National Association of Police Organizations (NAPO) Top Cops Awards. I am honored to have been trusted with a task of this importance and magnitude. This is the 22nd year that NAPO has bestowed the awards, which recognize many great officers from around the country for particular acts of bravery and heroism, or for other conduct that someone believes makes the nominee a "top cop." The awards dinner and ceremony take place each year in Washington, D.C., during National Police Week. The recipients of the Top Cops Awards are selected from a field of many officers who are nominated by their peers. Any individual, squad, station or agency may be nominated.

Obviously, with an agency the size of the LVMPD, there are many acts that would warrant nominations. We have many officers who go above and beyond what is expected of them in the performance of their duties. Every interaction we have with the public has the chance to change lives forever, from the simple interaction of helping a stranded motorist to providing comfort to a victim of a violent crime or ultimately using deadly force to protect yourself or others from a violent offender. The LVMPD recognizes these officers during commendation ceremonies and at the Best of the Badge. We here at the LVPPA also get an opportunity to recognize these officers by way of a nomination for a Top Cops Award.

Looking back at 2014, we have had many events in which our officers have worked in a heroic fashion. As officers, we do not seek praise or glory for our actions. We all took an oath and strive to do our very best to help our squadmates, friends, family and community. While I sit here and look back through the events of the year, I can't help but notice that there are so many deserving officers who could be nominated for a Top Cops Award, but unfortunately, some must be left out. After great thought and deliberation, the Association has come to a decision.

We are going to nominate *everyone* who had a hand in dealing with the horrible events of June 8, 2014, when we tragically lost Igor Soldo and Alyn Beck. The entire agency came together and worked tirelessly to handle the incident. There are so many critical officers who responded to this event. Just the initial entry teams at Walmart and Cici's Pizza amounted to close to 60 officers. So rather than trying to single out just a few officers, the Association has elected to nominate the entire agency for its brave and heroic response.

Among the many who were involved, the following officers were the first responders to the scene and the first entry teams, and they should be commended for their bravery, courage and work on June 8: Brian Steelsmith, Anna Briggs, Rich Thomas, Brett Brosnahan, Timothy Gross, Zackery Beal, Troy Nichol, Ryan Fryman, Greg Stinett, Shawn Smaka, Matthew Hovanec, Randy Sorensen, Patrick Sherwood, Christopher Reahm, Darren Green, Mitchell LeGrow, Andrew Traveller, Steven Hough, Michael Evans, David Corbin, Joseph Hemphill, Baudelio Gastellum, Kristine Crawford, David Deleon, David Saxon, Matthew Rowe, Sergio Orizabal, Jenny Marx Rodriguez, John Brandon, Zachary Baughman, Ronald Hornyak, Shawn Izzo, John Beckerle, Justin Terry, John Bethard, Michelle Funes, K9 Richard Vorce, K9 Jason Dukes, K9 Thomas Bachman, Sergeant Kurt McKenzie and Sergeant Christopher O'Brien.

Likewise, the following SWAT officers responded to the scene, formed an

entry and arrest team, and should be commended for their bravery, courage and work on June 8: Michael Walters, Anton Gorup, Will Germusen, Karl Knowles, Jair Brown, Peter Montesanti, John Wiggins, Cody Thompson, Paul Dapra, James Bertuccini, Manuel Rivera, Ramon Nakhla, Dewane Ferrin, Sergeant Roderick Hunt, Donald Ruberio, John Thayer, Jay James, Patrick Ledbetter, Mark Linebarger, Charles Moser, Troy Wilson, Cory Mickelson, Ciprian Arcalean, Leareon Fincher, William Marx, Joey Herring, Joseph Emery and Lieutenant Peter Boffelli.

The Association is nominating the LVMPD to receive the Top Cops Award. To accept the award on behalf of the LVMPD, several key officers will be suggested. Assuming that this nomination is selected, each of the chosen officers will be notified of the award in person. Again, if this nomination is one that is selected, a few officers will have the honor to fly back to Washington, D.C., for Police Week and take part in the entire week remembering those who have laid down their lives in the line of duty. Regardless of the outcome of the Top Cops Awards selection committee, we here at the PPA know and thank all of you for your courageous response on June 8, and for your efforts and actions every day of the year. You are all Top Cops and are all deserving of recognition. Thank you for what you do for our community. **VB**

## LVPPA MEMBER VACATION SPECIALS

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**KATHY WERNER COLLINS**

General Counsel

## Help Us Help You

If you are anything like me, I am sure you have grown tired of the never-ending stream of criticism aimed at public employees. As you will recall, this attack really started around the time of the economic downturn, and while it has subsided somewhat, it will be interesting to see the direction of our national, state and local governments following the recent overwhelming success the Republicans have had in gaining seats and the control of all houses of both the national and state legislatures.

You and I know that there are a million great reasons why you receive the pay and benefits that you do, and that in general, you earn less than your private-sector counterparts. First and foremost, you literally put your lives on the line each and every day that you put on your uniform and badge and come to work. In addition, I cannot think of any other group of employees who are as closely scrutinized for split-second decisions that they are forced to make. You willingly accept this scrutiny and are willing to learn from it. And perhaps most importantly, you keep our families safe and our communities a great place to live.

Despite all this, the public sentiment in opposition to public employees does not seem to be running out of steam. One reason may be that those in the private sector typically have less job security, and in times like those we have faced over the recent past, are more susceptible to at-will terminations or layoffs. Couple this with the obvious perception that public employees have better benefits and health care plans that are funded with everyone else's tax dollars, and the end result is exactly where we are at today — public employees as one of the primary complaints of the private sector. Add to this the recent events in Missouri and New York, and police now find themselves front and center in the stream of criticism.

I know that morale has been an issue over the past few years. And I hear many of our members who express the feeling that they are powerless to do anything to change the current situation. That is not the case. As addressed elsewhere in this issue of *Vegas Beat*, the Association will be working tirelessly over the next few months in Carson City, and then again starting this fall at the negotiation table, to fight for all you have attained over the years. But you too can help on an individual level. Law enforcement personnel as a group need to be the type of employees that the public wants to support and rally behind. When the public is looking at every turn for a reason to bash our law enforcement community and the individuals who make up our law enforcement family, the last thing we want to do is give them reason to criticize.

So what can you do? It is simple — be the type of employee, officer and community member you know your friends and neighbors want to support. Keeping a few of the most commonly violated policies in mind and knowing how to avoid making the

mistakes that can get you into trouble can help. What are the common denominators for discipline, and what can you do to avoid making the same mistake? Below I will address some of the more common allegations we encounter here at the office. (The Social Media policy is an article unto itself, and while noted below, it will be addressed in a more extensive manner in an upcoming issue of *Vegas Beat*.)

### Insubordination

The Obedience policy states that members shall obey all lawful orders given by superiors, including any order relayed from a superior by a member of the same or lesser rank, and that such obedience shall be willing and prompt. It goes on to say that the willful neglect or deliberate refusal of a member to obey any lawful order given by a superior shall be considered insubordination. In labor law, the generally accepted rule regarding obedience is “work now, grieve later.” The idea is that regardless of what employees think of the propriety of an order, they should follow the order, and then if they want to dispute it, they should do so through the negotiated grievance process. This rule stems from the presumption that the parties to a collective bargaining agreement have chosen to refer all disagreements to the negotiated grievance procedure and that employees should not be allowed to engage in “self-help.” Under this rule, where an employee refuses to follow an order (i.e., to accept a work assignment or perform a job) rather than filing a grievance, arbitrators generally uphold the discipline on appeal.

Aside from a few recognized exceptions (such as where following an order would jeopardize your health or safety, or where you are directed to engage in illegal or immoral behavior), you are well advised to follow an order, and then address its propriety through the grievance process. Through the grievance process, an order might be found to be in violation of a Department rule, regulation, procedure or practice, but if you have not followed it at the time given, you may still be found insubordinate. Therefore, in order to avoid the common mistake of violating this policy, follow the “obey now, grieve later” rule of thumb.

### Interaction With the Public

This policy states that members should at all times be courteous, patient and respectful in dealing with the public. This is described in the policy by stating that members should avoid answering questions in a short and abrupt manner; should not use harsh, coarse, violent, profane, insolent, indecent, suggestive, sarcastic or insulting language; and should maintain an even-tempered, professional demeanor regardless of the provocation, remaining cool and collected at all times.

As you know, discourtesy to members of the public whom you come into contact with is a fairly common source of discipline.

(continued on page 22)

# *Best Wishes in Retirement to* **Sheriff Gillespie**



## **DETECTIVE CHRIS COLLINS**

Executive Director

Please join me in wishing our outgoing Sheriff, Doug Gillespie, much health and happiness in his retirement. Sheriff Gillespie joined the force in 1980. Before becoming our Sheriff, he served in patrol, Field Training, SWAT, K-9, and Special Events, as well as at the Academy. He worked as a captain at both Southeast Area Command and the Vice Narcotics Bureau, and was then promoted to the commander of the Central District, which includes the Southeast Area Command, the Downtown Area Command, the Traffic Bureau and McCarran Airport. In 2002, he was promoted to deputy chief and oversaw the operations of the Clark County Detention Center. When Sheriff Bill Young took office in 2004, he selected Sheriff Gillespie to serve as his undersheriff.

In 2007, Sheriff Gillespie was elected as the Sheriff of Clark County, and he was reelected for a second term four years later. By my count, this amounts to a total of 35 years of service at LVMPD! That is a long time, and during it, Sheriff Gillespie has done a great deal for this agency and for our community. We all owe him a debt of gratitude.

Over the past 12 years, in his four years as undersheriff followed by eight years as the Sheriff, we have had some “spirited” discussions with Sheriff Gillespie about issues affecting PPA members. While we have not always seen eye to eye on all these issues, Sheriff Gillespie always maintained an open-door policy with the PPA and was always willing to hear us out. I have great respect for him and wish him well in whatever the future holds for him. I hope that if you have not yet had a chance to do so, you take a moment to join me in wishing the Sheriff much health and happiness in his retirement. **VB**



# Photos WITH Santa

Everyone had a wonderful time when Santa came to visit the PPA on December 20! We had a really great turnout and plan on making this a regular holiday event. In addition to Santa himself, we would like to extend a special thank-you to the firefighters from City of Las Vegas Fire Station #107, who brought the fire truck for the kids to explore, and to Officer Duwayne Layton, who brought his two K-9s for a visit. **VB**





# Fit for Duty

## POLICE OFFICER II DAVID TILLEY

Member

David Tilley writes regularly for Vegas Beat to highlight the importance of fitness and to share with us some of our members' fitness routines and secrets. If you would like to be highlighted, feel free to reach out to him at [david.tilley@yahoo.com](mailto:david.tilley@yahoo.com).

### Highlighted Member

Marla Stevens

Height: 5'10"

Weight: None of your business!

Years on the Department: 15



### How did you get started in barrel racing with horses?

My entire family has always been involved in rodeo. My dad rode bulls and bareback horses and also roped. My mom ran barrels her entire life and still runs now at 62 years old. My husband also competes and has a background in roping, ranch sorting and riding bareback horses. (Bareback horses are the ones that buck at the rodeo.)

I have had a love for horses since I was old enough to know what one was. I started out with a pony and competed in local play day events. I moved on to my mom's horse when I was 7 and started with some bigger competitions, but mostly at the local level. I have had horses my entire life, but it wasn't until I came to work for the Department that I bought what could be considered an actual barrel-racing horse.

I run in several races a year, and my husband and I are very involved in ranch sorting. We travel constantly for competition. Our off-time revolves around our family and horses.

### From what I understand, barrel racing is a physically and mentally demanding sport for you and your horse. How do you prepare for a competition?

Barrel racing and riding in general require a lot of core strength. Nine years ago I got bucked off and fractured a vertebra in my back. Thankfully my core muscles were pretty strong from all of the riding, which helped me to get back on my feet a lot sooner.

I mostly do cardio these days. I had a horse fall on me in April and injured my left knee and ankle, which has slowed me down a little. I try to spend at least three days a week on the elliptical, but for fitness, I really prefer to run. We are always on the move at our house. We have two acres, four horses, two dogs and a 4-year-old daughter that keep us in constant motion. Owning horses requires a lot of physical activity. Besides keeping them conditioned, there is always hay to move and stack, stalls and water tanks to be cleaned, and preparation for the next competition.

For our horses, we try to do a variety of things to keep their minds fresh as well as keeping them fit. We will take them out in the desert and long-trot them to build up their endurance, we go to ranch sorting practice, where they spend some time working cattle and sharpening their gate skills, and we do

sprint work and conditioning in the arena. Sometimes I will take them through a practice barrel run just to let them run a little. We ride about five days a week, depending on our competition schedule. After a competition we will give the horses a day or two off.

### Do you, as a rider, have to maintain a specific diet? What about the horse?

I would love to tell you that I follow a really strict diet and eat "clean" all of the time, but I really don't. I eat pretty good during the workweek,

and on the weekends, we try to grill a lot and I am mindful of portion control. Mostly, I just try not to do anything in excess.

The horses eat really well. We keep an eye on their protein intake and make sure that they are getting enough feed to compensate for what they put out. A ranch sorting event can be a pretty intense workout for them, so we always make sure that we put enough calories back in them after a tough weekend of competition.

### Your passion for horses and barrel racing has led to an event called Buckles and Barrels for Bailey. Can you please elaborate for our readers as to what this is?

Buckles and Barrels for Bailey was actually inspired by our daughter and the staff at the Spring Valley Hospital Neonatal Intensive Care Unit (NICU) that helped save her life.

Four days after Bailey was born, she contracted a bacterial infection that began rapidly destroying her intestinal tract. Her bowel perforated and she was taken in to emergency surgery. The surgeon came out and told us to go kiss her goodbye because she would probably not survive.

Bailey did survive, but lost 70% of her small intestine in the fight. She spent the next four months of her life in the NICU recovering and getting strong enough to come home. While we sat in the hospital over those four months, we realized that we were in the presence of some really special people. The doctors and nurses in that unit were amazing, and we felt compelled to give back to the people who gave us the light of our lives. We started planning a barrel race and sent a letter to the Gaughan family asking for their help.

The Gaughan family agreed to help us and have allowed us to use their amazing facility at the South Point. We had our first race in November 2011 and it has become an annual event. We have barrel racers come to town from seven different states to compete over three days. We give 100% of the profit back to the hospital and have raised \$40,000.

### Any races scheduled for the end of 2014 and the year 2015?

We will be producing eight barrel races in 2015. All of them will take place in Pahrump and will lead up to the fifth annual Buckles and Barrels for Bailey.





My husband and I are competing in the Nevada State Ranch Sorting Finals in Bonnie Springs on December 6 and 7.



**How has being fit helped you to be a better police officer?**

This job is both physically and mentally demanding. We carry around a lot of heavy equipment and spend a lot of time on our feet. Sometimes we are required to chase people or engage in a physical confrontation. Our fitness level can play a key role in the outcome of those situations.

We can also experience a great deal of stress, and exercise is a great stress reliever. Going for a run and clearing your head a little can do wonders for your outlook on things. I use the horses for the same reason. I can be having a bad day, but when I go home and saddle them up and head out in the desert for a long ride, it seems to turn everything back to the positive and clears my head.

**If you were the Sheriff, how would you incorporate fitness into the Department?**

We had the gyms at the area commands when I first came on the Department, and it was nice to be able to get on the treadmill or go lift before or after work. For someone like me who commutes from Pahrump every day, I really don't have time to fit the gym in every day, so having one at work made life a little easier. **VB**

**EDITORIAL POLICY**

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

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# Issues in Your Tissues

## POLICE OFFICER II J.P. GUYER

Member

As law enforcement officers, you have mastered multiple aspects of a job that most people cannot begin to comprehend. When I teach yoga, my students often ask me what the most stressful part of my police job is. Usually I have to pause and think of the most eloquent way to articulate that every single facet of my job creates some form of stress.

While reading this article, take a moment to pause and consider: What is the most stressful part of your job? The first thing that probably jumps to mind is the type of scenario that involves a fight for your or your family's life. For a corrections officer, hearing a garbled and shrieked "444" from a module officer causes an immediate stressful response. For a patrol officer, responding to "officer down" or "tone alert" calls rises to the top of the stress list. What about the stress immediately after the original altercation or incident? Nowadays, after the initial stressful event, the burden of proof falls on you to articulate your actions and how you came to be in that situation. If you're lucky, the inquisition stops at the supervisor/blue team level, and all you have to do is shoulder the critical eye of your peers. Hopefully, your scenario sidesteps media involvement and the subsequent public scrutiny.

What about all the other "minor" stressful situations you find yourself in? Every time your heart rate increases and you feel that twinge of stress in your belly, your body is excreting hormones and chemicals that are toxic. That sympathetic nervous system stress response is what kept humans alive thousands of years ago. That nervous system response evolved to help humans make a split-second decision about whether the animal in the P# 10040 bushes was a deer or a tiger.

I don't have to tell you that being a cop is stressful. Continuous traumatic stress disorder (CTSD), post-traumatic stress disorder (PTSD) and other anxiety disorders are often par for the course. Psychiatrist Bessel van der Kolk, the world's leading trauma expert, defines trauma as "the residue of imprints left behind in people's sensory and hormonal systems. Trauma is both the event and what is left behind in the body after the event."

Stress in the body is a normal reaction. When faced with a perceived harmful event, the stress response causes the sympathetic nervous system to fire (this is often called "fight or flight"). Chemicals and hormones are immediately dumped into the body, creating an energetic response that most people identify as adrenaline. While these chemicals and hormones give us energy to either run or fight,

they are also toxic to the body and can cause headaches, chest pain, muscle tension and pain, fatigue, digestive problems, sex drive changes, anger and depression. This is just the tip of the iceberg.

Fortunately, the body is expertly designed to clean up this toxic spill of chemicals and hormones through the parasympathetic nervous system (often called "rest and digest"). Unfortunately, it can take up to 24 hours to completely restore the body back to normal hormonal levels after the stress response. When the fight-or-flight response repeatedly fires without a chance to completely restore hormonal levels, the body begins to store these hormones and chemicals deep within the connective tissues (fascia). As this buildup continues, the physical body and immune system deteriorate, and mental disorders begin to develop. The sympathetic and parasympathetic nervous systems become imbalanced and no longer work efficiently together. This is the birthplace of CTSD and PTSD.

Some of the symptoms shared by both CTSD and PTSD include:

- Feeling emotionally numb
- Avoiding activities you once enjoyed
- Hopelessness about the future
- Irritability or angry outbursts
- Difficulty maintaining close relationships/avoiding connection with others
- Hypervigilance/sleep disorders
- Exaggerated startle response

Although all of these symptoms are alarming, having an exaggerated startle response is extremely disturbing for a cop, and it can be lethal. Police officers already have a tremendous amount of pressure in making split-second decisions. Imagine having to make those decisions when your startle response is compromised due to a buildup of stress, chemicals and hormones within your body. This could lead to anything from a relatively benign but inappropriate verbal outburst to mistakenly seeing a weapon during a volatile situation in dim light. This is precisely why explaining officers' perceptions and reactions to civilians can be so difficult.

## Do You Have Issues in Your Tissues?

New research into the science of stretching shows that the sensation of tension you feel during stretching is caused by your sympathetic nervous system trying to protect you. If you are inhibited from touching your toes due to the sensation of tension, it's not because your muscles are "tight" or "too short"; it's because your SNS response is hypervigilant and is trying to protect you from hurting

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yourself. This self-protection manifests as the sensation of tension, which limits your range of motion. When you are under anesthesia, there is absolutely no tension in your body, and the doctor can take your leg and bend it back over your head. The moment you regain consciousness, your nervous system uses the sensation of tension to limit your range of motion to protect yourself. The amount of tension you have in your body is a good indicator of how much stress your body has absorbed. Give it a try: Sit on the floor with your legs extended straight out in front of you, fold forward and bring your hands out to hold your feet with your forehead on your shins. If the sensation of tension stops you, you have “issues in your tissues.”

### Try Something New

If you keep doing the things you have always done, you will keep getting the things you have always gotten. In order to improve some of your nervous system imbalances, tension and CTSD/PTSD symptoms, take a moment to evaluate where you are at. If you are not currently exercising, please consider doing so. The human body was designed to move, and once we become sedentary we began to suffer dis-ease. Over time, this repeated dis-ease manifests as disease. If you currently have an exercise program (running, cycling, weightlifting, CrossFit, etc.), the physical effects on the heart, lungs and muscle tissues are incredibly beneficial. However, all those activities stimulate and reinforce the sympathetic nervous system response. After your workout, give yourself 10 minutes of complete rest without movement. Close your eyes and try to let your mind rest. This is how your parasympathetic nervous system heals and digests all those issues in your tissues.

Consider a few minor lifestyle changes to give your sympathetic nervous system a rest. Instead of watching television or listening to radio programs that cause stimulated emotional responses (news, dramas, reality programming, etc.), try unplugging and reducing the amount of external input your nervous system is exposed to. Adding alternative forms of exercise or activities, such as yoga, tai chi, massage, Reiki or meditation, also gives your parasympathetic nervous

system a boost. Give yourself a 30-day trial and discover the difference you feel, physically, energetically and mentally.

### About the Author

*J.P. Guyer is an E200/500 RYT yoga teacher. He is a certified yoga therapist and specializes in PTSD/CTSD yoga therapy for first responders and veterans through the Wounded Warrior Project, Yoga Warriors and Rescue the Rescuers organizations. VB*



## CALENDAR

January 19	Martin Luther King Jr. Day
February 2	Groundhog Day
February 14	Valentine’s Day
February 16	Presidents Day
March 5	General Membership Meeting
March 8	Daylight Saving Time starts — “spring forward”

\*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.

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## INSIGHT

To be politically indifferent is to see no political meaning in one's life or in the world in which one lives, to avoid any political disappointments or gratifications.

— C. Wright Mills (1916–1962),

*White Collar: The American Middle Classes*, 1951

## MEMBER SPOTLIGHT

(continued from page 9)

matter of seconds without getting into a 401. Although there are times when it can be scary, it is also rewarding for him. Regardless of how much life experience you have, it is a good feeling to watch a brand-new officer who knows close to nothing evolve into a competent officer able to handle themselves comfortably, and knowing that you had a hand in helping the officer get to that point.

As a GRO officer and also a firearms instructor, Tyler has intentions of furthering his career within LVMPD. He has aspirations of going into the Gang Unit in his future. As an organization, we are lucky to have such a well-rounded, proactive guy representing our career field.

I want to thank Tyler for taking the time to share with us a little bit about his life. As always, I also want to thank all of our members out there and want you to know that we are here to fight the fight for you. If you know anyone who might be a good candidate for a future member spotlight, please let me know. I can be reached at [mramirez@lvppa.com](mailto:mramirez@lvppa.com). Stay safe out there. **VB**

## THANK YOU LETTER

Dear LVPPA,

Thank you so much for the beautiful flowers you sent to Joe Ramirez's memorial service. We all appreciate your kind support.

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## HEALTH AND WELFARE PLAN REMINDERS FOR 2015

(continued from page 10)

### Eye Exams/Glasses (Insured by Davis Vision)

Exam: \$30 copay, once per calendar year

Lens: \$25 copay, once per calendar year

Frames: child — once per calendar year; adult — once every other calendar year

Frame allowance: Davis Vision collection up to \$225. If choosing non-collection frames, the allowance is up to \$120 plus 20% off any balance. No copay required.

Contact lenses (in lieu of glasses): The charge for the fitting is included in the maximum benefit allowed. Covered for full contact or disposable lenses from the Davis Vision collection. Member given \$120 allowance if using the provider's supply plus 15% off the balance. Medically necessary contacts covered in full with prior authorization.

Lens types and coatings: These lens enhancements can cost from \$0 to \$90, depending on the options you choose. Get details by calling (888) 897-9367 or logging on to the Davis Vision website. Login or registration is required to view these benefits.

### Pharmacy Benefit (Administered by CVS Caremark)

#### Up to 30-day supply

Generic drugs: \$5 at retail

Preferred brand drugs: \$25 at retail

Non-preferred brand drugs: \$50 at retail

Specialty drugs: 20% coinsurance with a maximum copay of \$100. Specialty medications may be filled by a retail pharmacy once, and then you will be required to go through CVS' specialty pharmacy. Prior authorization is required.

### 90-day supply or maintenance-type medication to treat long-term conditions

Generic drugs: \$10 at CVS pharmacy or mail order only

Preferred brand drugs: \$50 at CVS pharmacy or mail order only

Non-preferred brand drugs: \$100 at CVS pharmacy or mail order only

Specialty drugs: 20% coinsurance

The plan allows two maintenance medicine refills at a retail pharmacy before medication must be filled at CVS or by mail order.

The plan allows for two vacation overrides per year, so members will not run out of medication while away from home.

For a detailed listing of prescription drug coverage, including prior authorization requirements or limitations and cost, please go to [www.caremark.com](http://www.caremark.com). Registration or login is required to view plan coverage and exclusions.

### Dental Benefits (Administered by Guardian)

Dental deductibles: \$50 individual, \$150 family, \$2,500 individual calendar year max

Preventative services: cleanings, oral exams with contracted providers paid at 100%, dental deductible waived (twice per calendar year)

Basic services: fillings, oral surgery, periodontal, root planing and scaling, paid at 80% after deductible

Major services: single crown, bridges, dentures, cores, paid at 80% after deductible

Orthodontic coverage: Paid at 80%, deductible waived. Lifetime max is \$3,000. Age limit is 19.

The medical, vision, pharmacy and dental benefits listed are for the most commonly used services and are not an all-inclusive list or a guarantee of benefits payable. The Summary Plan Document rules and regulations will govern the level of any benefit paid by the plan. For detailed information on your particular situation, please contact UMR at (866) 868-1395 or the Health Plan Director, Kelly Taylor, at (702) 641-2160 or [Kelly.Taylor@metrohealthtrust.com](mailto:Kelly.Taylor@metrohealthtrust.com). **VB**

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## LEGAL CORNER

(continued from page 12)

This is obviously a somewhat unusual rule, given your profession and the fact that some individuals whom you come into contact with must be dealt with in a way that might be deemed offensive or unacceptable if used in a different profession. However, you need to apply intelligence and common sense to the situations you are faced with, and use the appropriate tone and manner given the circumstances. If in doubt, it is always best to be as respectful and courteous as possible, and only change your demeanor and tone in order to achieve compliance and bring a situation under control if the alternative does not have the desired effect. (This is especially true with the advent of the body cameras. And don't lose sight of the fact that even if you have not volunteered to wear a body camera, someone whom you are working with may be wearing one.) Keep in mind that the type of behavior that might, at first glance, appear discourteous is much easier to defend if alternatives have been attempted to start with, and a harsher tone and manner is employed only after the alternatives have failed in your efforts to attain compliance.

### Conduct Unbecoming

The Conduct policy does not provide great direction. It states that improper action by employees in their official capacity shall constitute misconduct. It goes on, however, to state that any conduct by employees that is unconnected with their official duties but tends to bring the Department into public discredit or affect the employees' ability to perform their duties efficiently, or any improper use or attempt to make use of their position as officials for their personal advantage, shall also constitute misconduct.

An employer's right to question an employee's conduct is generally limited to behavior that occurs while the employee is on duty. Once an employee is off duty and away from the workplace, there is a presumption that the employee's private life is beyond the employer's control. But an employer *can* discipline an employee for off-duty misconduct where there is what is often called a "workplace nexus." There must be some connection between the off-duty misconduct and the

employer's interests that legitimizes the employer's decision to take disciplinary action. Typically, discipline may be imposed for off-duty conduct if the employee's conduct harms the employer's business, adversely affects the employee's ability to perform his or her job, or leads other employees to refuse to work with the offender. In determining whether an employer can discipline an employee because of the notoriety of the off-duty misconduct, the extent to which the publicity surrounding the conduct has connected the employee to the employer in the public mind is a crucial element. Unfortunately for you all as police officers, the public is very interested in stories regarding allegations of misconduct made against you, which does not bode well as far as this factor is concerned. Also, an employee's ability to perform his or her job has been found in situations where an employee has been jailed for a crime, thus preventing that employee from performing his or her job. However, in the case of police officers, this element can also be met if the off-duty misconduct is of such a nature as to impact the individual officer's credibility, his or her ability to carry a gun (as in the case of a domestic violence conviction) or his or her ability to drive a vehicle, to name a few.

We all know that discipline for off-duty misconduct is on the rise. In my experience, it is typically associated with domestic violence allegations, use of alcohol and other crimes. Again, common sense and intelligence dictate what you need to do to avoid a sustained complaint of this nature. Please keep in mind that, although arbitrators apply the "workplace nexus" test in both private- and public-sector cases, it is often easier for a public employer to dismiss an employee for off-duty misconduct, as both arbitrators and the courts have tended to protect the government employer's reputation and mission, citing the public trust as the reason.

### Social Media

This policy states that employees are P# 10007 free to express themselves as private citizens on social media to the degree that their speech does not impair working relationships of the Department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers, or negatively affect the public perception of the Department. It also cautions that speech made on or off duty pursuant to one's official duties is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. It also cautions employees to not disclose their employment with the Department nor any information pertaining to other members of the Department without their permission.

The policy is long and worthy of an article wholly devoted to it. However, suffice it to say that it is obviously not a good idea to identify yourself on social media as an officer with LVMPD, to comment on matters you are involved in at work, or to comment in a way that would bring about a poor public perception of this Department or of you as an officer of this agency. Again, common sense comes into play here. Consider your posts carefully, knowing full well that once something is posted, the tentacles of social media are far-reaching.

I know that some of this advice and some of my comments may seem obvious. However, often it seems that folks lose sight of some of this commonsense advice. Please keep in mind that the goal is to keep public sentiment and support on our side. This helps those who are lobbying on your behalf in their efforts. I am always available should you have any questions about what is addressed in this article or any other matters. Please do not hesitate to contact me. **VB**

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Members who find the hidden  in this issue of *Vegas Beat* and register through [www.LVPPA.com](http://www.LVPPA.com) will be entered into a drawing for \$250. You must enter by Thursday, February 12, 2015, 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*

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