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

VOLUME 14 | ISSUE 5

January/February 2020

A police officer in a dark blue uniform is seen from behind, standing in a room with a grey tiled floor. He is looking at a wall covered in chaotic white graffiti. The text "COME OUT ON TOP" is overlaid on the image.

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The Las Vegas Police Protective Association is affiliated with the following organizations at the state and national level:

NAPO – National Association of Police Organizations, representing over 241,000 law enforcement officer members in more than 1,000 police associations nationwide.

"BIG 50" – An informal association of the 50 largest law enforcement associations in the United States.

UCOPS – The United Coalition of Public Safety





President's Message

DETECTIVE STEVE GRAMMAS, PRESIDENT

I hope everyone has had a happy, healthy and safe holiday season. I want to focus this article on the topic of representation for members, consistent with the Bylaws. We have members who may be unfamiliar with the rules of representation as it pertains to membership status.

Bylaw 9 — Representation

9.01 Employees shall be entitled to representation in the following situations and forums:

- Members of the bargaining unit covered by the Las Vegas Police Protective Association-Las Vegas Metropolitan Police Department Collective Bargaining Agreement or the bargaining unit covered by the City of Las Vegas and Las Vegas Police Protective Association Metro, Inc. Detention & Enforcement Marshals and Municipal Court Marshals Labor Contract are entitled upon request and assuming the Board finds the matter meritorious, to representation in grievances, appeals and before boards described in the above collective bargaining agreements and in the policy and procedure manuals that cover employees of the above bargaining units whether or not they are dues paying members of this Association.
- To be entitled to free representation, including legal representation, a member of the above bargaining units must be a dues paying member of the Association at all of the following times:
 - At the time of an incident leading to an investigation
 - At the time the officer is formally notified that an investigation is going to be conducted

- Throughout the course of the investigation, the resulting discipline and the disciplinary appeal (excluding involuntary leaves without pay such as when placed on administrative leave without pay or during the period of time between termination and arbitration in which an officer would not be paying dues).
- As to other matters, i.e. contractual disputes, the member of the bargaining unit must be a dues paying member at the time the dispute arose and at the time of the grievance and any resulting appeal.

This portion of the Bylaws is extremely important. What this says, in a nutshell, is that you must be a member when an incident occurred, a member when the interview occurs and a member when the discipline board or grievance process starts and finalizes. We often get officers who find out they have a complaint against them and then attempt to join the PPA before they are interviewed, but we have to decline representation.

When an officer drops the PPA but has something that occurred while they were a member, we also have to decline representing them. Our Bylaws do not allow for us to bend on this topic. Even on the scene of an OIS, we have had officers ask to pay to join immediately, but we are not allowed to let that happen.

The way to look at the PPA is workplace insurance. You cannot get into a car accident and then pay a car insurance company to cover your vehicle and pay for the accident. The PPA is the exact same. Like car insurance, most people will never use it. But when you need it, you are sure glad it is there. For any officer to benefit from our assistance, you *must* meet the listed criteria in Bylaw 9.

As always, stay safe and have a great 2020. If you ever have any questions, please reach out to myself or any Executive Board member 24/7. **VB**



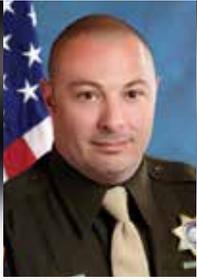
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How Can We Be Better?

POLICE OFFICER BRYAN YANT

Sergeant-at-Arms

Over the past year, law enforcement across the country has had to face many challenges. Officers are forced daily to wear a multitude of hats and juggle roles throughout their shift. We have all seen these problems portrayed in the media — the rise in violence toward officers, active assailants continually terrorizing communities and police suicides at an all-time high.

Officers see horrible and unimaginable things, and there's one question that is always left: How can we be better?

- Fight complacency. This is easier said than done. We all hear it — complacency kills, and it sneaks up on you quicker than you think. It's always "I've done these calls 1,000 times" or "this is just a simple car or person stop," etc. Complacency doesn't discriminate and surely doesn't care how long you have been on the job.
- Train like it's real. The old saying is true — under stress, you will revert back to your training. If you don't take your training seriously and perfect your craft, your performance will suffer. Human performance experts suggest it takes 10,000 hours of practice and repetition

to perform at an expert level. Training days are in high demand and often they are cut short. So ask yourself, how many hours have you put into your craft?

- Be a professional. Today there are cameras on us everywhere — body-worn cameras, cellphones and surveillance cameras. Everything we do is captured nonstop. We have to know our audience and setting and perform as professionals. Sometimes this is easier said than done.
- Be articulate. Clearly state what you want, describe your actions, provide clear guidance and be knowledgeable in the law. Your words can quickly deescalate or escalate a situation P# 17830, so choose them wisely. Only you can explain your actions. Of course, the camera or a witness may tell a different story, but your words are the most powerful. Find your voice and use it.
- Ask for help. As officers, we are all stubborn, some more than others. Don't be afraid to ask for help and don't be afraid to accept help when it is offered. Help can be guidance, a fresh set of eyes on a problem, counseling and therapy. If you need help, please find it. Help is all around you. **VB**

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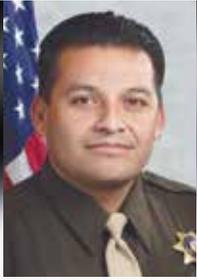
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Let Your Voice Be Heard

POLICE OFFICER MIKE RAMIREZ

Director of Governmental Affairs

As the new year has begun, it is back to the grind — the political train is back on track, full steam ahead. Beginning with the judicial races, we have sent you several emails with a list of the incumbent judges and requesting your feedback on the individuals. Prior to endorsing any particular candidates, we want to get input from our members, as some of you may have had positive or negative experiences with them.

This information is helpful to us as the selection committee moves forward in the process. In my role as the Director of Governmental Affairs, for the most part I know them personally P# 16624 but have not necessarily had any courtroom experiences with them. The experiences of our membership are far more important than my personal views of them; these judges know I am a decision maker for endorsements, and therefore they will want to "shine" and put their best foot forward with me. Please take some time to let us know any input that you think might be important, so we can make solid endorsements based on actual experience.

With 2020 being an election year, we will start with the judicial interviews on January 27. Our Senate and Assembly interviews will be in March for the candidates in southern Nevada and in April for the candidates in northern Nevada. This will be a very busy time of year for me, but I want to

reiterate that I will always have time to listen to your opinions and concerns about the various candidates. By all means, do not hesitate to reach out to me.

The LVPPA is not alone in the endorsement process. We are a part of the Nevada Law Enforcement Coalition and as a whole, we will participate in the interview process and ultimately, the endorsements. The coalition is made up of representatives from LVPPA, LVPMSA (Las Vegas Police Managers & Supervisors Association), LVPOA (Las Vegas Peace Officers Association), NLVPOA (North Las Vegas Peace Officers Association), HPOA (Henderson Police Officers' Association), FOP (Fraternal Order of Police), PORAN (Peace Officers Research Association of Nevada), NHPA (Nevada Highway Patrol Association) and NAPSO (Nevada Association of Public Safety Officers). Including all these organizations, we represent over 100 agencies in Nevada with a membership of over 10,000 law enforcement officers in the state.

We want our membership to be part of the process. Each election year, a handful of members are dissatisfied with our final endorsement selections, but I just ask that you keep in mind what we do and why we do it. Our priority is always to do what we think (with input from our members) would be the best choices for our industry as a whole. Tough decisions need to be made, and we encourage each and every one of you to be part of it by providing input. Interviews are coming up fast, so please contact me if you would like to be part of the process.

As always, feel free to reach out to me anytime at (702) 373-1006 or mramirez@lvppa.com. Thanks again, and be safe! **VB**

Now There Are **500** More Reasons Why It Pays to Read 
This issue contains TWO ways to win your share of **\$500 CASH**

Giveaway #1: One \$250 prize

Members who find the hidden  in this issue of Vegas Beat and register through www.LVPPA.com will be entered into a drawing for \$250. You must enter by Friday, February 7, 2020, to be considered eligible. Telephone entries will not be accepted. Visit our website for more details.

Giveaway #2: Five \$50 prizes

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 the Retirement section of Vegas Beat

Cash is great, but our giveaways aren't the only reasons to read Vegas Beat.

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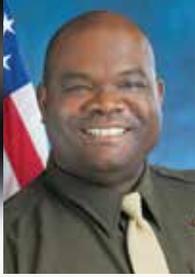
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Don't Quit When the Going Gets Tough

CORRECTIONS OFFICER MYRON HAMM

Director of Corrections

I have always been a New York Giants football fan. When I was a kid in the '70s and early '80s, the Giants were not very good. Then, one day, the Giants drafted the greatest linebacker of all time (Lawrence Taylor) from the University of North Carolina in 1981. The fortunes of the Giants changed — Big Blue won Super Bowls in 1986, 1990, 2007 and 2011.

I always use a sports analogy to make a point because sometimes sports and real life mirror each other. Sports fans are usually fanatics about their teams, and the support should always be unwavering. My 11-year-old son is a Golden State Warriors fan and they are not doing well this year. He was watching them play a few days ago and he was disappointed that they were losing badly. Jokingly, I said I guess it's time to pick a new team, son. "Why would I do that, Dad? Just because things are bad right now and not going our way, you can't abandon your team."

I was floored by this response, and it hit me that an 11-year-old kid understands that nothing in life is perfect and things won't always go your way. He told me that a bunch of so-called Warriors fans at school were now Lakers fans or a fan of whoever happens to be good right now. Recently, the LVPPA went into arbitration P# 4319 regarding our contract. Unfortunately, the arbitrator decided against our last best offer and sided with the Department. We were all disappointed, as our team had worked tirelessly for over a year on the negotiations.

My biggest disappointment came in the form of certain now-former members telling lies and half-truths. I began to hear rumors about people pushing our members to resign from the LVPPA. I was receiving phone calls stating that people were passing out drop applications and accusing our team of not fighting hard enough. I spoke with an officer who informed me that they were upset about the contract because of clear bags and cellphones — neither item is a subject of collective bargaining. I received several phone calls and was informed that Henderson has a better contract than Metro and they make well over \$50 per hour. There were people that I have personally spent hours helping and ensuring their careers would be safe. We even had people that lost their job and, through the hard work of this organization, we were able to take the decision to arbitration and win.

Basically, the person that has benefitted the most is the largest malcontent in this process. I firmly believe in the hard work that has been done by this organization and I respect anyone's right to choose the path that best suits their career. I only ask that if you have questions, please seek out an answer. Don't let someone else's opinion, thoughts or beliefs cloud your judgment.

I personally want to thank those who have stood by the LVPPA and those who had questions or concerns and have sought out the answer before buying into false statements and rumors. In this day and age, law enforcement has come under scrutiny and fire like never before. We as a group need to stand together and ensure that this organization will be strong long after we are all gone. As a famous American author once said: "Alone we can do so little; together we can do so much." **VB**



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- January 1 New Year's Day
- January 20 Martin Luther King Jr. Day
- February 17 Presidents Day

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Updating Your Beneficiary: Why It's So Important

DETECTIVE BRIAN GRAMMAS

Treasurer

When you sign up with the LVPPA, one of the forms you fill out is the Standard Insurance Company Enrollment form for life insurance; you are required to list a beneficiary to receive the proceeds should you pass away. Currently, for any LVPPA member who dies in the line of duty, the beneficiary will receive \$30,000. If a member dies off duty, the beneficiary will receive \$10,000. Once the member is 65 or older, the amount drops to \$5,500. People often fill out the form and move on, maybe even forgetting about which beneficiary is on which account.

One example is the case of Warren Hillman, who was a retired federal employee. He had been married three times. During his second marriage, he signed up for a life insurance policy and listed his then-wife, Judy Maretta, as the beneficiary of the policy. Some years later, he divorced and remarried.

In 2008, Warren Hillman died at the age of 66 from leukemia. Among the non-probate assets he left behind was his life insurance policy, valued at \$124,000. Unfortunately, he had neglected to update his beneficiary designations. His ex-wife Judy filed for — and received — those benefits, despite being divorced from Warren for more than 10 years.

In Warren Hillman's case, his widow, Jacqueline Hillman, argued in state

court that she was the current spouse and should have been listed as the current beneficiary to try to recover the benefits. However, the case didn't end there. *Hillman v. Maretta* went all the way to the U.S. Supreme Court. The Supreme Court sided with Judy Maretta, and she was able to keep the benefits.

Hillman v. Maretta illustrates how important it is to update your beneficiary designations. Assets commonly go to people we don't intend because many people have beneficiary designations that are out of step with changes in their lives. As with any insurance or investment account, keeping your beneficiary designations current is an important part of your family's future wellbeing.

What's the best rule of thumb? Check your beneficiary designations from time to time to make sure they are what you intend them to be. You should check all of your beneficiary designations every three to four years, with the LVPPA, LVMPD, NV PERS and any other life insurance policies you may have. Most importantly, when you get divorced or make significant life changes, you want to check and revise all these documents. In the case of beneficiary designations, it's always the employee who is responsible for updating them.

When you're spending the time to protect your loved ones, you want to protect the person and the people nearest and dearest to you. By keeping your beneficiary designations — and all your estate planning documents — current, that protection is guaranteed. **VB**

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Does “Falling on the Sword” Matter?

OFFICER JOHN ABEL
Secretary

In my last article, I discussed the fact that LVMPD employees are not a member of the LVMPD family based on my perception of the discipline process and on the actions of the civilian employees who work in Labor Relations. In this article, I will discuss whether or not “falling on the sword” during a discipline investigation helps or hinders officers.

The sergeants and detectives in Internal Affairs will often tell me that if an officer who is being investigated for misconduct will just “fall on the sword,” it will be looked at favorably and could cause them to receive less discipline. It is also true that Internal Affairs is just the investigative arm of Labor Relations and do not determine what your discipline will be. The civilians at Labor Relations read the Internal Affairs report and then recommend what an officer’s discipline should be to their bureau commander, who they say has the final decision.

In my experience, when Labor Relations makes their determination, they do not care if an officer “falls on their sword.” They will still use biased and inflammatory language in their adjudication report when they recommend what discipline you should receive. Your bureau commander, who still wants

officers to like them, will then follow what Labor Relations recommends and will tell officers “it was Labor’s decision.” When an officer walks into Internal Affairs for an interview, it is imperative they tell the truth. However, telling the truth P# 16625 does not mean falling on the sword, admitting wrongdoing and begging for forgiveness.

The policy manual is 1,000 pages long, so it’s improbable if not impossible for an officer to know every policy, even though they are held to that standard. If you did not know about a policy, it is OK to say that you did not know. I know and can prove that there are people who are directors or have command rank who either did not know they were violating policy or violated policy and were not held accountable in the same form or fashion as a normal PO I or PO II would be.

Make the Internal Affairs detectives do their jobs, because in the end they have no say in what your discipline will be. Sometimes, falling on your sword comes in the form of accepting an expedited offer of discipline from Labor Relations. If Labor Relations offers you an expedited offer of discipline, make sure you call a PPA rep to go over if it is a fair offer. Once you accept an expedited offer of discipline, you waive your grievance rights.

In my opinion, officers should not be giving LVMPD anything for free, because the same courtesy will not be extended to you. Officers who read my article may think that I do not like LVMPD or like this profession, but nothing could be further from the truth. I love this profession and the LVMPD because of the men and women I have worked with. You are what make this department and profession great.

However, I am weary of people who work for this Department — who have no idea what it is like to put on a uniform and go out and put their wellbeing on the line for strangers — who sit behind a desk and write biased, inflammatory adjudication reports about your actions. If you ever have questions about the disciplinary process, please call me. I am available 24/7 at (702) 478-0766. **VB**

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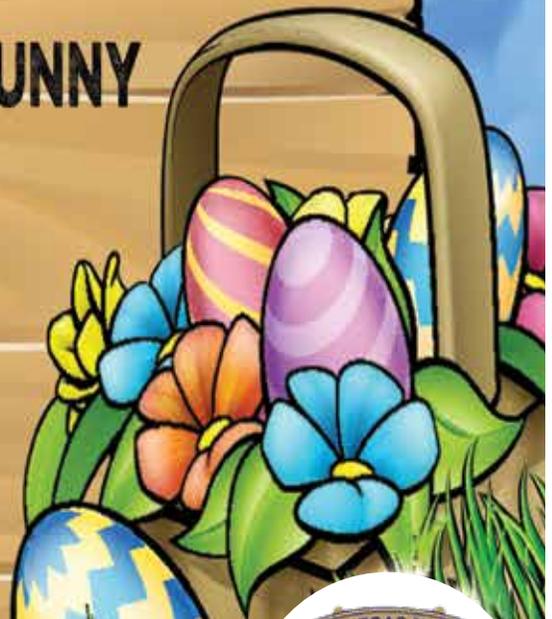
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DAVID ROGER
General Counsel

Vehicle Stops

Patrol officers spend most of their time responding to domestic violence calls and making car stops. This article will address many of the legal issues dealing with 467 stops.

Vehicle Registration

Every vehicle must have either a temporary placard or a license plate affixed to the rear of the car. Drivers are no longer allowed to rely on a dealer's bill of sale affixed to the front windshield. Thus, vehicle stops to check registration are much simpler for officers.

NRS 482.423 through NRS 482.4245 state that vehicles purchased or leased, whether new cars or old, must have a placard located on the rear of the vehicle in the license plate holder. NAC 482.563 requires the plate to reflect the expiration date, in print visible from a reasonable distance, on paper that can withstand the weather elements.

If the placard is not visible, an officer may stop the vehicle based upon this infraction. Likewise, an officer may stop a vehicle that does not have a license plate properly displayed (NRS 482.275).

Out-of-State License Plates

Generally, vehicle owners must register their vehicles within 30 days of establishing residency in Nevada. That said, Nevada law does not allow officers to stop vehicles solely because the car has out-of-state license plates. NRS 482.385(4) states that officers may not issue citations for out-of-state plates unless the driver is stopped for another violation or the driver is arrested for unrelated crimes. However, subsection 11 states that an officer may issue the citation if the vehicle is parked "on a highway, in a public parking lot or on private property which is open to the public."

Bicycles

Simply put, bicycles are the same as vehicles when people ride them on the street. NRS 484B.763 states that traffic laws apply to every person riding a bicycle on a roadway. Thus, unless a person is walking a bicycle across a roadway like a pedestrian, the individual must obey the same traffic laws that are applicable to vehicles.

However, NRS 484B.117 allows people to operate bicycles on a sidewalk. The statute, which prohibits driving on a sidewalk, only applies to vehicles. The reason for the distinction is that children should not be required to ride their bikes in vehicular traffic.

Another statute used frequently by officers is NRS 484B.783, which mandates that bicycles be equipped with a lamp and reflective material. The law, however, is applicable only when the bicycle is "in use at night."

Background Checks

Officers are allowed, and sometimes mandated by law, to request certain information during a traffic stop. This inquiry is allowed even if the reason for the stop no longer exists.

For example, NRS 171.123(3) allows an officer to demand identification from the driver. NRS 484A.650 mandates that an officer request proof of insurance for the vehicle. In *Beckman v. State*, 129 Nev. 481, 129 P.3d 912 (2013), the Court recognized that officers may conduct certain investigatory tasks that do not render the detention unreasonably long. "During the course of a lawful traffic stop, officers may complete a number of routine tasks. For example, they may ask for a driver's license and vehicle registration, run a computer check and issue a ticket. Officers may also inquire about the occupants' destination, route and purpose. And if necessary, law enforcement may conduct a brief, limited investigation for safety purposes." Id.

These routine questions and requests for documents do not violate a citizen's rights, so long as the detention is not unreasonably prolonged.

Length of Detention

An officer may detain a driver for a reasonable period of time. The amount of time an officer may detain a driver depends on the reason for the stop. A typical traffic stop should not last longer than the time it takes to conduct a records check and issue a citation.

Conversely, a stop based upon reasonable suspicion that the driver is impaired will take longer to investigate. Likewise, a traffic stop may be extended if evidence of criminal conduct is discovered by the officer.

A reviewing court will consider whether the length of the detention was reasonable. In *United States v. Sharpe*, 470 U.S. 675, 686, 105 S.Ct. 1568, 1575 (1985), the U.S. Supreme Court explained, "In assessing whether a detention is too long in duration to be justified as an investigative stop, we consider it appropriate to examine whether the police diligently pursued a means of investigation that was likely to confirm or dispel their suspicions quickly, during which time it was necessary to detain the defendant. A court making this assessment should take care to consider whether the police are acting in a swiftly developing situation, and in such cases the court should not indulge in unrealistic second-guessing. A creative judge engaged in post hoc evaluation of police conduct can almost always imagine some alternative means by which the objectives of the police

might have been accomplished. But the fact that the protection of the public might, in the abstract, have been accomplished by 'less intrusive' means does not, itself, render the search unreasonable. The question is not simply whether some other alternative was available, but whether the police acted unreasonably in failing to recognize or to pursue it."

The case of *Gama v. State*, 112 Nev. 883, 920 P.2d 1010 (1996) is an example of a constitutionally sound traffic stop. In *Gama*, a Nevada Highway Patrol trooper learned that Gama might be transporting drugs in rural Nevada. The trooper observed Gama's vehicle and followed it for several miles. During that time, while waiting for drug interdiction officers to arrive in the area, the trooper observed Gama violate several traffic laws.

Once a K-9 officer caught up with Gama, the trooper initiated a traffic stop. While the trooper issued Gama citations, the K-9 inspected the exterior of the car and signaled there were drugs inside. Police arrested Gama for possession of a controlled substance. The Nevada Supreme Court held that the stop was neither unreasonably lengthy nor unreasonably intrusive.

The 60-Minute Rule

Nevada law is unique, as the legislature has limited detentions to a maximum of 60 minutes. NRS 171.123 (4) provides, "A person must not be detained longer than is reasonably necessary to effect the purposes of this section, and in no event longer than 60 minutes. The detention must not extend beyond the place or the immediate vicinity of the place where the detention was first effected, unless the person is arrested."

The 60-minute limitation is absolute and without exceptions (*Barrios-Lomeli v. State*, 114 Nev. 779, 961 P.2d 750 (1997)). Therefore, unless a person voluntarily agrees to stay, an officer must either establish sufficient probable cause for arrest or release the citizen. Of course, a driver may always consent to remaining at the scene, but the officer may be required to prove, at a later time, that the citizen's consent was lawful.

As always, please e-mail me your questions at DRoger@lvppa.com. **VB**



CONGRATULATIONS

*to the contest winners
from the last issue!*

November/December

Hidden Symbol Contest (\$250)

Temenuga Hristova, P# 17692

P# Contest (\$50)

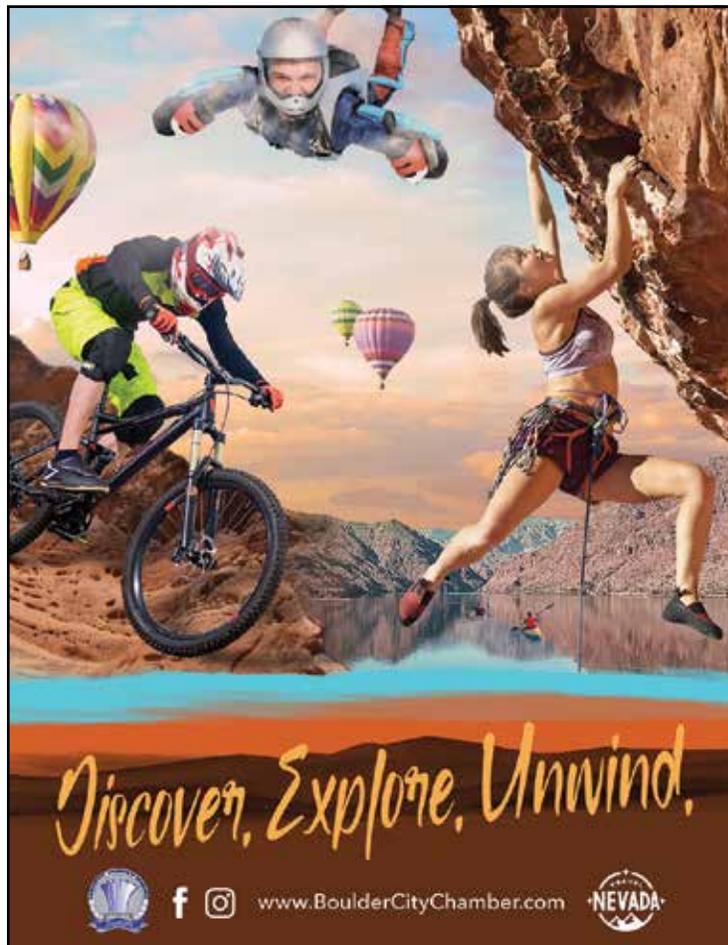
Lucero McComas, P# 16027

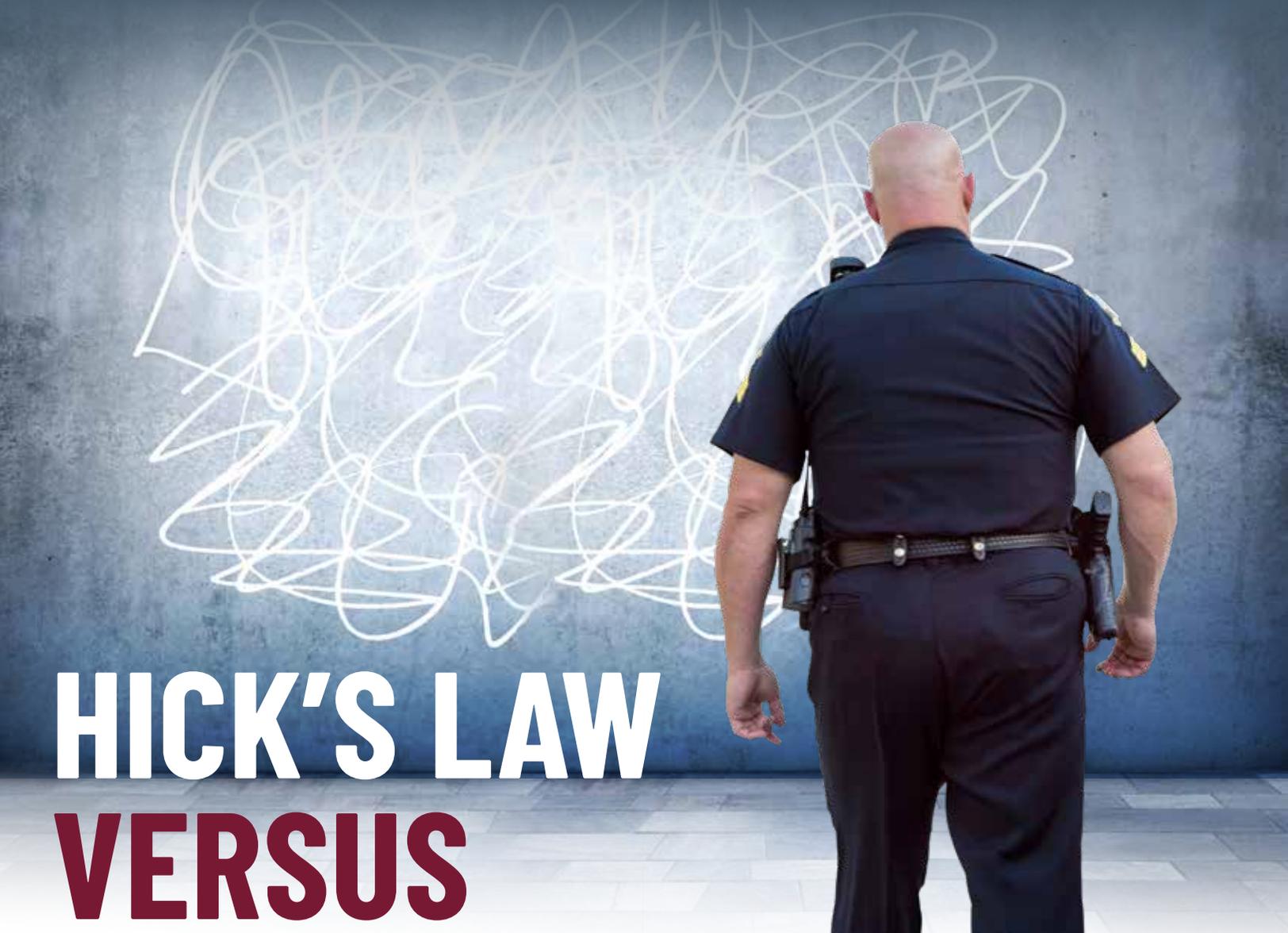
Roberto Angulo, P# 8711

Jason Evans, P# 13298

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2. No responsibility is assumed for unsolicited material.
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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.





HICK'S LAW VERSUS

ESTABLISHING DOMINANT POSITION



CHAD LYMAN
LVPPA Director

Hick's Law is a phenomenon that is often quoted within the training industry. Hick's Law was originally applied to early computer systems and stated that too many options for the computer to consider would cause the system to bog down and hesitate. Early DT instructors and martial arts instructors took this concept and applied it to combatives training. Hick's Law is no longer relevant to computers, and I do not believe it applies to effective combatives training, either.

Hick's Law states that if you train multiple techniques to respond to a threat, once you are put under pressure and attacked, you will be "frozen" and unable to select one of the techniques in the heat of the moment. While frozen with indecision, the officer will get overwhelmed by the suspect's attack, often leading to the officer doing nothing but cowering in the face of the attack. In training that I have personally conducted, the officer may remain frozen, even while being hit or shot at with simunition rounds, until they are verbally prompted to fight back.

As a result of Hick's Law, many trainers decide the answer is to only give students one or two options in response to a threat. These "options" are commonly taught as one or two key techniques. This approach can be limited in its effectiveness as well. Over the years, I have learned that any technique can fail or be countered, regardless of Hick's Law. I teach this principle to students through the "counter principle." The counter principle says that nothing works all the time, in every situation, with every opponent. Any technique chosen may fail or be countered. If this is true, how then do I choose what one or two techniques I will pick to teach as an answer to Hick's Law?

Officers who train with uncooperative opponents understand that Hick's Law is an illustration of why technique-based combative training systems fail, whether your system/curriculum has 200 techniques, 20, or even just one or two. No matter what you pick as the technique to train, you will encounter several problems. The technique you choose may not be something that all of your officers are comfortable performing or even capable of executing.

How do you know that the suspect will be vulnerable to the one or two techniques you choose? What if the technique you choose to teach all your people happens to be the strength of the bad guy they are fighting tonight? Do you think adhering to Hick's Law will save your officer tonight? An effective training curriculum is one that teaches principles and concepts first, and then uses technique to deliver those principles. At the core of your "system" should be the concept that you should dominate position regardless of the technique you choose to teach or train. Hick's Law is *correct* — you should not have a collection of techniques as your base curriculum.

The reality of the counter principle can also be explained with this: If you only have one option, it is not an option, it is a necessity; it better work. If you have two options, it is a problem: which one should I use? This can cause a delay, and your inaction can lead to defeat. If you have three or more options, you have created a dilemma for your suspect, and the officer has legitimate choices and options. If one option or technique doesn't work or is countered, that is no problem. Due to having a dominant position, I have the time to transition to the next option. If something doesn't work, regardless of the reason, well-trained officers will switch to another option and continue to pursue their ultimate outcome, which is custody and control. They don't get frozen or stuck on any single option, or attempt to pick the "perfect" option.

I recognize the legitimacy of Hick's Law as it relates to not being a "collector" of techniques, so how do I justify the apparent contradiction I teach above? Effective training provides an answer for Hick's Law for a couple of reasons.

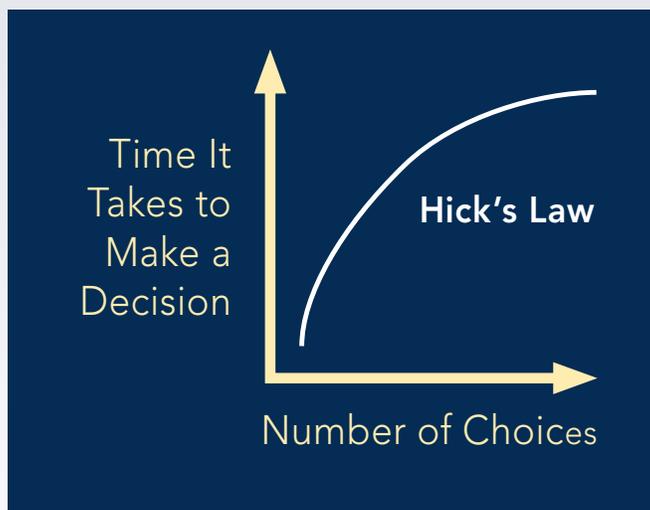
First, I teach that officers should stay outcome-based. In other words, options and techniques trained should lead to a clearly defined outcome. For regular police work, the desired outcome is custody and control.

Second, the curriculum should be principle- and concept-based. The techniques an officer may use are interchangeable and really don't matter, as long as the technique an officer chooses does not violate any established principles and leads to a desired outcome of custody and control. At the heart of any DT curriculum should be the idea that dominant position should be sought throughout the encounter. I teach officers to carry out this dominant position strategy by consistently trying to deliver on some key principles.

First, the officer needs to be committed to staying mobile and continuing to move throughout the encounter. This includes the officer moving themselves, moving the suspect or moving around the suspect. The officer can use movement to create and release pressure. The officer should push, pull and circle as they deal with the suspect's resistance. I teach officers to use movement to establish dominant positions and to use movement to escape inferior ones. If an officer gets caught in an inferior position where their mobility is limited, I teach the officer to actively fight to become mobile and escape the bad position. Through the principle of mobility, the officer can control the distance in the fight. The officer controls the distance by creating space when the officer wants to move, or taking it away and crowding the suspect when they want to limit the suspect's movement.

If the officer stays attached to the suspect, the officer should strive to establish and maintain an angle. Controlling a suspect's head can be a key to being able to create and maintain angles. We will talk more about this later.

Second, a key principle is to consider potential transitions throughout the whole encounter. The officer may transition from empty hand to weapons, defense to offense, or vice versa. The officer can decide whether to stay attached



or disengage, or go from one technique to another. If an officer stays committed to the concept of consistently transitioning from one position to the next, from one technique to another, always working to gain more control of their suspect and ultimately get them into custody, then the officer will not be defeated or paralyzed by either the counter principle or Hick's Law. If something is not working, the officer can move on to another option. All of your training should be showing you transitions that lead to your LEO outcome of custody and control.

Third, the officer should maintain the ability to disengage from the suspect if the officer feels they need more resources, they are losing the position they are in, or if the officer wants space

to transition to a weapon system. The officer may also make the decision that they no longer want to be attached or engaged up close and personal to the suspect.

The single biggest counter to Hick's Law is for the officer to establish the most physically dominant positions possible. Once an officer achieves these spots, the officer should strive to maintain them, or if countered, re-establish them. Once the officer has a dominant position, they have multiple options. They can stay attached, disengage, strike, use a weapon or execute a takedown. The real key to dominance is not to be required to perform the "perfect" technique, but rather for the officer to achieve a position that allows them to be dominant just based on the position they are in. Once the officer establishes this dominant position, the multiple options do not slow them down because they can use multiple "correct" options.

One of the most dominant positions an officer can achieve is an angle. The angle allows the officer to continue to be mobile and respond to counters by the suspect. This can be defined as any time my hips face the suspect and the suspect's hips face away. By this definition, an angle is only achieved if I am offset from the suspect to one side or I am behind them, and I am squared up to them. I can create an angle whether I am close to the suspect or far away, but space allows the suspect to easily counter the angle by turning to face me.

An angle is such a dominant position because from an angle, an officer does not have just one or two options — they have multiple options. They

can stay attached, disengage, strike, use a weapon or execute a takedown. When training puts officers in a position that accounts for the fact the options may fail, but the officer can still actively choose where the fight will take place, the officer can stay in control of the encounter.

Willingly going out and facing violence and danger in your regular work day is one of the most daunting and rewarding challenges anyone could accept. Training should put officers in a position to dominate their opponents. This requires the officer to dominate position throughout the encounter. Ultimately, compliance is the goal of any encounter with a suspect, but officers cannot choose when a suspect will comply or resist arrest. When officers achieve dominant positions, suspects often "feel" dominated, and that can lead to a resistant suspect changing their mind and becoming compliant. If the suspect continues to resist from an inferior position, the officer is in a better position to dominate the suspect, control them and ultimately take them into custody.

The principles in this article are just a few that officers can use in an encounter. Whatever the officer decides to do, if they have been trained in a principle-based system, they will not be brought down by the challenges of Hick's Law or being technique-based. Officers should be living, breathing problem solvers who stay outcome-based and adapt well throughout the fight. Keep training to develop the ability to establish dominant positions, which will give you multiple options to control and dominate your suspect. Then go train it some more. **VB**

Training should put officers in a position to dominate their opponents. This requires the officer to dominate position throughout the encounter.

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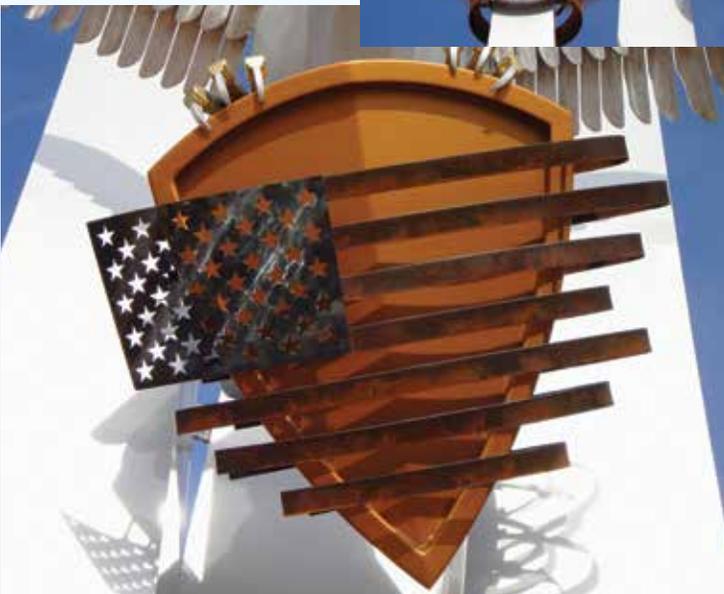
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The LVPPA invites all members to help take care of our own. The LVPPA has a 501(c)(3) charity organization now called the Law Enforcement Assistance Fund (LEAF). The goal of this organization is to help the survivors of fallen officers and ensure that survivors have the opportunity to go to college. As such, the charity will donate the cost of Nevada state tuition rates to the survivors of fallen Metro officers, to include children and spouses. The charity got off to a strong start, but we need your help and ask all officers to donate. Please look into your hearts and determine if you can give. A payroll deduction form is available online at www.lvppa.com/leaf-charities. Just print out the form, fill it out with your deduction amount in block 5200 under LVPPA Metro Charities, and then send it to the LVPPA for processing. LEAF hopes that you will never need this, but will be here when you do. **VB**



**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
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Employee Name	P#	Daytime Contact Number
---------------	----	------------------------

Wage Type	Deduction Type	Deduction Amount	Start Date	Stop Date	
DUES					
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 (all pay periods)				
5008	SPA Dues (24 pay periods)				

MISCELLANEOUS DEDUCTIONS					
5200	Law Enforcement Assistance Fund (LEAF) (24 pay periods)				<input type="checkbox"/> One Time <input type="checkbox"/> Recurring
5435	PMSA Foundation (24 pay periods)				<input type="checkbox"/> One Time <input 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				

LOANS					Declining Balance
5411	Employee Reimbursement		Reason:		
5223	BPA Loan (all pay periods)				\$
5220	PPACE Assoc. Loan (all pay periods)				\$
5210	SPA Loan (24 pay periods)				\$
5410	Purchase Retirement (24 pay periods)	To purchase retirement, you must initiate your request through PERS. You may stop the deduction using this form.			\$
5413	Purchase Retirement 2 (24 pay periods)				\$

Employee Signature & PN (Sign name as it appears on paycheck)	Date	Representative Signature	Date

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