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

VOLUME 15 | ISSUE 3

September/October 2020

## PRE-PLANNING IS KEY

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**"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**

## The Last Four Years

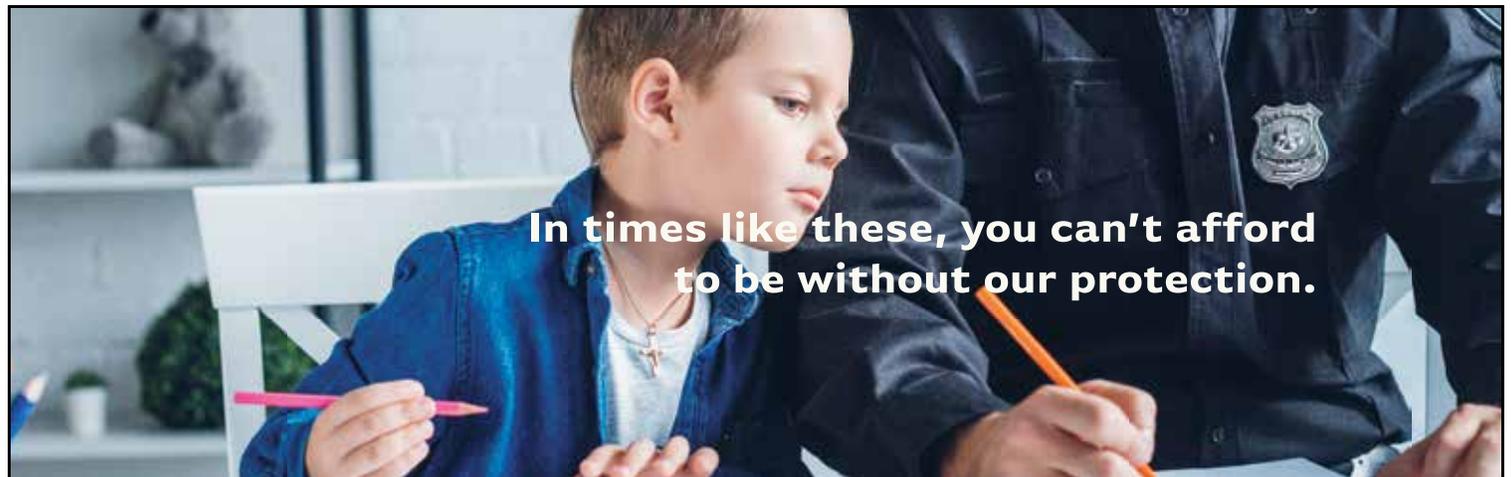
By the time this edition of *Vegas Beat* is published, it will be about four years since I took over as the president of the LVPPA. When they say "time goes fast," they mean it. That expression really hit home when I sat down and thought about how quickly these last four years have gone by. I can distinctly remember asking both our Board of Directors and Executive Board at the time for their support. As I look back, everything that our group has accomplished has been such a team effort between the Executive Board and Board of Directors as well as our members.

I can't say enough how amazing our Executive Board is; their work ethic, drive and commitment to our officers has been and continues to be incredible. Every person who has been on this Executive Board has never batted an eye when I asked them to do more than we have ever done, be available, and plan and participate in our events. I am so proud of where we have been and what we have done. I also need to recognize our office staff. Laura, Roy, Adella and Kayleen constantly deal with changing directions, new tasks and new events along with their normal day-to-day operations. They are the most amazing staff any organization could ask for, and we would not be where we are without them. There is also a huge thank-you that needs to be extended to your elected Board of Directors. For those who may not be aware, the LVPPA is directed and driven by the Board of Directors. They have the ultimate authority over the decisions of both the membership and the Executive

Board. They often take a lot of criticism at their respective areas, but they continue to stay committed to the task of representing their area officers. These folks take their role very seriously, and I can tell you they represent you well.

In the last four years, we have had life-altering events (1 October and the protests). We have lost friends and co-workers, and we have been attacked by people who have never put their lives on the line for a human being they have never met. I have been on this agency since 1998 — 22 years — and the evolution of police work is something I don't think I could have ever contemplated. Every nuance of an officer's day is dissected, picked apart and Monday-morning quarterbacked in every way possible. Yet, despite this, all of our folks still go out and bust their butts and put their lives on the line for our community, because we all know, in the end, we do this job for the citizens who want to feel safe and secure. We don't do it for praise or recognition. You have to love police work and helping others to do this job. I have loved this job since the day I started, and as my assignments changed, I continued to love the work we do.

The last four years as the president of the LVPPA have been the most rewarding times in my entire career. I will again ask the membership to support me as president for a second term in October, and I hope, with your support, that we can do even more than we have been able to do over the last four years. Thank you all, and stay safe. **VB**



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# The Road to Recovery

## **CORRECTIONS OFFICER SCOTT NICHOLAS**

Vice President

Since mid-March, people across the globe have been living through one of the most historic events in the world: the COVID-19 pandemic. This pandemic is something that most people thought would only happen in third-world countries. Many of us heard about people becoming ill in China and about the many people who had died from the disease in Wuhan, the city in central China where the coronavirus outbreak first emerged.

What most of us didn't know was that this virus would frighten the world — including the city that never sleeps — into closing down day-to-day business operations so people could self-isolate or quarantine at home. Well, most people were able to do that, but not you!

As you all know, we learned to use a lot of new words during the pandemic; some of them I've already used in this article, and some I haven't, like "essential employees," which we now know means you and me! So while most citizens were hoarding toilet paper and hand sanitizer, you were dressing for work like any other day, getting ready to deal with whatever you are asked to do. One exception from the normal day was the silent virus we call "corona." You can't see this enemy and no one can warn you which direction it's coming from — all the training in the world could hardly prepare you for this enemy. Sure, we were able to get some masks that are debatably helpful (maybe as helpful as a Taser P# 17075 from 50 feet away)! I mean, come on, how much protection do

they really provide when your hands, arms, legs and head are all contaminated, and the virus is just waiting for you to adjust the mask and touch your face?

I wasn't even trying to debate the PPE gear, but the point I was trying to make is that once again, when called upon, regardless of your safety, you all showed up and handled your business! I'm so impressed with how many people didn't complain about the possibility of getting COVID-19 and, from early reports, the potential of dying from this virus! As you all may recall, the original models predicted 2.5 million deaths in the United States! Pretty scary when you think about who those people would be when you are an essential employee and have to go out and answer calls for service, or enter a module full of 70 to 90 inmates, not knowing if they will get you sick or worse! And you still showed up! Well, almost all of you! If you didn't, you probably weren't part of the LVPPA because our people came to work and didn't complain. Our officers showed up, did what was asked and faced the possibility of the normal force used against them and the new enemy, COVID-19!

Fortunately for all of us, Sheriff Lombardo and his command staff have been extremely supportive of their officers and have repeatedly complimented, thanked and shown their appreciation for all of you doing your job in the face of danger once again.

This article is dedicated to the memory of Lieutenant Erik Lloyd. Rest in peace, my friend. You are missed!

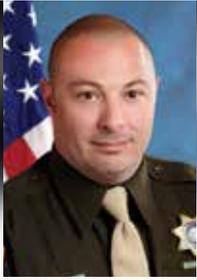
Please be safe, and thank you for your membership. **VB**



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# Drug Testing Post OIS

## POLICE OFFICER BRYAN YANT

Sergeant-at-Arms

In the 2020 Nevada special session, AB3 was introduced and passed through the Legislature. One aspect of the bill includes drug and alcohol testing of officers after an OIS. Now, in the past, this was a contractually negotiated item that the PMSA agreed to; however, the PPA had never agreed to this item in contract. LVMPD, if they suspect an employee to be under the influence of drugs, alcohol or prescribed narcotics by policy and with reasonable suspicion, could test an officer at any time. This has happened many times, and the procedures and justification for such are outlined in LVMPD policy 5/110.00.

At this writing, we believe the bill will be signed by the governor. In preparation for this, we have discussed the procedural aspect with FIT and CIRT. The mandated drug and alcohol testing will typically take place after a scene walk-through is completed. The involved officer(s) will be transported back to LVMPD Headquarters for the testing, as well as photographs and weapon countdowns.

### AB3, Sec. 6. NRS 289

Each law enforcement agency shall adopt a written policy regarding the drug and alcohol testing of a peace officer following an officer-involved

shooting or when the conduct of a peace officer results in substantial bodily harm to or the death of another person. The written policy adopted by the law enforcement agency must include the following requirements:

(a) Each peace officer who is involved in an officer-involved shooting or whose conduct resulted in substantial bodily harm to or the death of another person must submit to drug and alcohol testing, including, without limitation, testing for the use of cannabis, prescription drugs and illegal drugs; and

(b) The drug and alcohol testing must be completed as soon as practicable after the officer-involved shooting or the conduct of the peace officer that resulted in substantial bodily harm to or the death of another person, but not later than the end of the involved peace officer's shift.

2. As used in this section, "officer-involved shooting" means any instance when a peace officer discharges his or her firearm during the performance of his or her official duties or in the line of duty and thereby causes injury or death to one or more persons. **VB**

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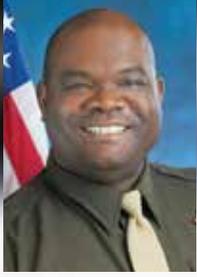
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# I Stand With Law Enforcement

## **CORRECTIONS OFFICER MYRON HAMM**

Director of Corrections

Recent events involving law enforcement have forced me to take a closer look at my chosen career path and my place in all this madness. I found myself feeling a little taken aback by the recent events and the harsh treatment of all of us in the law enforcement field. For all the flaws associated with the LVMPD, I have to admit that this is a well-respected organization with a stellar reputation nationwide. The reason for this success is the fine men and women who proudly serve and protect this community. I have had the pleasure of working and associating with, as well as representing, many officers on this Department, and I am always impressed by the professional demeanor and commitment P# 15024 demonstrated by them.

When the events unfolded in Minnesota, I was contacted by a few officers who voiced their disdain and shock at what they witnessed. I responded to them saying, "Well, let's just wait and see all the facts surrounding this incident." Little did I know that a storm was brewing. Even though we at the LVMPD were not directly involved with the incident, the backlash hit us and almost every major city in this country. People were outraged, and rightly so, but that outrage does not justify the destruction and mayhem that was

experienced by numerous cities. I respect everyone's right to have and express their own opinions; however, what we saw was utter chaos.

I witnessed assaults, robbing, looting, stealing and just plain old evil. This went on for days, and I heard our officers being called the vilest names you can imagine. People were antagonizing and attempting to get a reaction from our cops, but we did what we had to do and held fast to our training and discipline. Imagine being in the middle of a crowd facing a bunch of cowards who decide to throw rocks, bottles and Molotov cocktails at you. Imagine a crowd so worked up that they burn police cars and rob stores because they can. Imagine driving home from work and a crowd of people approach your car on the freeway and begin throwing rocks at and breaking the windows of your car. (Funny how a guy on a skateboard is on the freeway throwing rocks at cars mainly because he is angry but can't tell you why.)

Now that we are a few weeks removed from the violent protests, what has changed? The anger has subsided, and we in law enforcement are tasked with attempting to repair our reputations and our good names. I have exchanged many calls, texts and emails with family and friends; some have been very positive and some have been judgmental and hateful. There seems to be a call now to scrutinize every action made by any police officer. The rushes to judgment and hateful rhetoric we are seeing are the product of a few people who are not helping but looking to cause harm.

So the question that arises from all this is, what do we do? We have seen a mass exodus from the law enforcement career field. I have seen retirements and, in some instances, officers deciding to quit. I asked an officer I know with only three years on the job why he was deciding to resign. He told me that he loved the job but had no desire to be treated like something less than human because of what he does for a living. We are seeing this negative treatment of officers across the country. For example, in Los Angeles, a deputy sheriff was recently involved in an OIS where an 18-year-old suspect was killed. The suspect was in possession of a firearm, and there was an engagement between him and the officer. Taken on face value, the shooting seems justified based on the circumstances. But despite this assessment, days after the incident, a group of people decided to hold a protest in the officer's front yard. So now our officers are being subjected to people invading their homes and property.

This is no longer an issue of policing or racism. Recent events involving police officers have become opportunities for people to harass, demean and attack every person who wears a uniform. No longer are our officers comfortable getting a meal or a simple cup of coffee. I stand by my profession and the men and women with whom I serve. I will not bow down to the hate and attempts to vilify the good work we do. I told a good friend of mine recently, "Don't ever be afraid of standing when everyone else thinks you should not. Don't be afraid to hold to your values, be a leader, form your own opinions about the world and, most importantly, be honest with yourself." **VB**



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# Accountability

## DETECTIVE BRIAN GRAMMAS

Treasurer

As an officer who is closer to the end of their career, I have been doing a lot of reflecting lately on the journey to get to this point. I think about my Academy days and the areas of this Department in which I have worked. Since day one, I have believed in our core values, and I have always held myself and my co-workers accountable for and to our profession. When I thought a partner was becoming too emotionally involved in a case or when dealing with a suspect, we would always give the old "tap out." To quote a former FTO of mine, "Nothing is worth your job or your reputation."

Policing today is a little different. I see officers second-guessing themselves and, quite frankly, trying to please everyone. This is something that we commonly see with our politicians these days. Watching and listening to them is like watching a Michael Jackson music video; you will see a lot of moonwalking. The one thing I can say I am proud of is that my word means something to me. If you give your word, you should be willing to stand by it. Let's face it, the officers who are sworn to protect and serve are not perfect and are prone to making mistakes, but when someone disagrees with an officer's actions, it is taken differently.

As humans, we tend to not like things that are in place to keep us out of harm's way. For example, no kid likes to go to bed early, or how many times have you caught someone speeding and they are adamant that they were driving the speed limit? But today it is different. People want to hold law enforcement accountable, but that accountability only extends to people wearing a uniform. Maybe if everyone was held accountable for their actions, we would not have the problems facing us today. I like to think that things will always get better because the alternative is a scary thought. Like I teach my kids, be patient and tolerant without passing judgment on someone, and judge a person by their actions and not the actions of a few. **VB**



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# The Importance of Involvement

**OFFICER JOHN ABEL**  
Secretary

Stop me if you have heard this in the last few months: We are living in unprecedented times. During the last several months, we have seen the police profession attacked throughout the country, including here in Las Vegas. As I am typing this, the ink is still drying on the police reform bills that were passed during the special session, including changes to SB242, which the PPA worked so hard on during the 2019 legislative session.

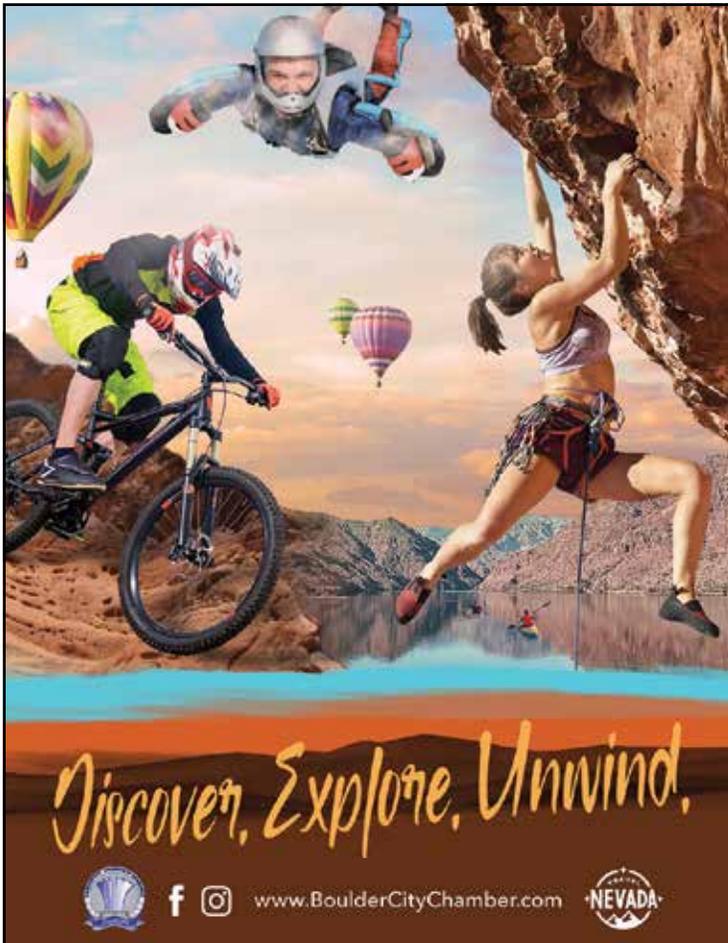
Your president, Steve Grammas, and a team of representatives were in Carson City during the special session to help LVMPD stave off what could have been an even more disastrous police reform bill — but they could not do it alone. The PPA sent out an email asking for your help, and we got it in the form of more than 1,300 emails supporting law enforcement sent directly to the elected officials who are responsible for changes to laws that directly affect how we do our job.

I believe that our profession is a part of the silent majority that needed to awaken and do something to show our elected leaders that we will not see our profession trampled on anymore and that the narrative being portrayed that we abuse citizens is not true. This fight is far from over, and the PPA

may need your help in the near future to stave off further attacks on our profession when the regular legislative session starts in January 2021.

Nevada politicians need to know that LVMPD is the finest police department in the world and that our policies regarding use of force are the gold standard in comparison to other departments around the country. They need to know that we will not stand by and let them trample on our profession without a fight. These are the same people who have been offered the opportunity to experience the training that we all experience so they can have a better understanding of why we are the best police department, but they have refused the offers. They have shown that they do not have the knowledge of our profession as they craft reform laws that castigate us as being racist. Their lack of understanding is appalling, and their unwillingness to walk a small distance in your shoes is laughable. I believe that police officers have a better understanding of the constituency than the politicians because you are out there every day hearing their complaints and connecting with them face to face.

Because of this, we cannot just stand by on the sidelines any longer and watch our elected officials make a mockery of law and order. The LVPPA needs you to keep contacting the politicians and telling them that as the keepers of society, we want and need law and order. The LVPPA needs you to testify when bills are being heard during the legislative session so that elected officials not only hear from the vocal minority, but also from the P# 9032 professionals who police this state. Rest assured that the LVPPA will continue to work diligently on your behalf to make sure that law and order prevail and that Nevada's elected officials understand we are not what we are portrayed in the media. If you ever have any questions, please call me at (702) 468-0766 or email me at [jabel@lvppa.com](mailto:jabel@lvppa.com). **VB**





## CALENDAR

**October 30** Nevada Day  
**October 31** Halloween





# A Citizen's Open Letter

## TO AMERICA'S POLICE OFFICERS

**JOHN M. MASSAMENO**

Senior Assistant State's Attorney for Connecticut (ret.)

**P**resent circumstances constrain me to address America's policemen and women.

I begin by saying, "Thank you." Thank you for remembering in these troubled times why you became a police officer and for remaining true to your original commitment to serve and protect. I am convinced that the day will come that we will look back to these times with enormous regret, just as many Americans regret their disdain for the young veterans who returned home from Vietnam. For some reason, some of us seem to specialize in ignoring real heroes while we are swept away by the superficial appeal of fake ones.

You have always been my heroes. Even before I embarked on my career as a Connecticut prosecutor, I knew that the essence of a police officer's vocation was embodied in the immortal words, "No one has greater love than this — that one lays down his life for his friends" (John 15:13). I raised my children to appreciate that, unlike anyone else in society, a police officer is prepared to lay down his or her life for them if the need arises. We have seen this over and over again in the acts of bravery for which you officers are well known. Your deeds of heroism know no color, no race, no religion, no gender, no social status. They come from the depths of who you are and always will be.

For that reason, you react with disgust when you learn of an officer's betrayal of the community's sacred trust. We knew that

was why some of you "took a knee" in response to George Floyd's shameful treatment. We knew that you meant no disrespect to your nation or to your uniform. We know that you, more than anyone, want America's streets to be safe for everyone.

Make no mistake, those who vilify you and seek to "defund" you are charlatans, not leaders. As you well know, defunding police departments would bring devastating consequences to the very segments of society they claim to represent. These self-proclaimed "social justice warriors" resent you because you are the first line of defense against lawlessness and tyranny. Seattle's experience with CHAZ amply demonstrated that. Any nation that cherishes liberty must have that line of defense. Our nation, which cherishes the God-given rights of all of its citizens, loves and respects that line of defense and all who compose it.

So, as you begin your shifts in the coming days beset by these troubled waters, never allow anyone else to define you. Your character was defined when you accepted your badge. These troubled waters will one P# 258 day be calm again. Until then, remember that the vast majority of citizens of our great land have always known who you are. They will work with you to improve the administration of justice in this republic from the streets to the highest courts. Their respect for all lives will make the march toward justice unstoppable. Their gratitude for you, like your commitment to them, will never waiver. **VB**

---

*John M. Massameno is a retired career prosecutor for the state of Connecticut. In 2009, he authored a proposal creating an affirmative defense to a charge of intentional killing (but not to a charge of negligent homicide) for police officers who mistakenly kill someone in the performance of their duties.*



**DAVID ROGER**  
General Counsel

## Police Reform: Is There a Cost?

*Author's note: In June 2017, we published the following article about the Ferguson, Missouri, shooting of an 18-year-old male. The subsequent violent protests and the Department of Justice investigations had a profound effect on policing in the United States. Today, as politicians race to pander to the vocal minority, will we again face rising crime rates and less proactive policing?*

Employee morale is an important factor in the success of any business. When worker satisfaction is low, productivity levels fall. Police are no different than any other citizens who work for a living. The question is whether there is a correlation between police morale and rising crime rates.

### Ferguson, Missouri, 2014

On August 9, 2014, Ferguson Police Department Officer Darren Wilson shot and killed 18-year-old Michael Brown. Special interest groups and the vocal minority were quick to allege, without facts to support their claim, that Wilson murdered Brown. Riots and protests erupted throughout the country in the following days.

Attorney General Eric Holder dispatched an army of FBI agents to the small Ferguson community to investigate Wilson and the Ferguson Police Department. Deputy Assistant Attorney General Vanita Gupta oversaw the investigations.

President Barack Obama appointed Gupta, the former deputy legal director for the American Civil Liberties Union, to head the Department of Justice Civil Rights Division nine weeks after the Brown shooting. During the Obama administration, the Civil Rights Division investigated numerous police departments, resulting in 15 consent decrees and nine less formal agreements with law enforcement agencies to reform their practices.

After President Donald Trump was elected, Gupta resigned from the DOJ to become president of the Leadership Conference on Civil and Human Rights. Upon accepting the position, Gupta stated, "This organization is perfectly situated to address the current assault on civil rights that we are seeing today."<sup>1</sup>

### Grand Jury and DOJ Clear Officer Wilson; DOJ Takes Over Ferguson P.D.

Despite the fact that a St. Louis grand jury refused to indict Officer Wilson, FBI agents marched forward with their investigation. Seven months after the incident, the Department of Justice announced its findings that officers of the Ferguson Police Department engaged in a pattern of violating citizens' constitutional rights. News headlines throughout the country announced the DOJ's conclusions; however, the DOJ's disclosure that it cleared Wilson was lost in the message.

### DOJ Reviews LVMPD Shootings

In 2011, the *Las Vegas Review-Journal* published an extensive analysis, which most police considered biased and unbalanced, titled "Deadly Force: When Las Vegas Police Shoot and Kill." Shortly thereafter, Sheriff Doug Gillespie requested that the Department of Justice Office of Community Policing Services review the Department's five-year history of deadly force cases and critique its policy and procedures.

On November 15, 2012, the DOJ issued a press release subtitled "75 Findings and Recommendations Handed Down to the Department." During this time, the Department made significant changes to its vehicle and foot pursuit policies. Additionally, the Department's use-of-force policy was overhauled with an emphasis on de-escalation.

The Department also instituted new Use of Force and Tactical Review Boards with a commitment to critically review deadly force cases. Numerous officers, as a result, received discipline and faced termination.

### Violent Crime Rate in Las Vegas Spikes in 2014

After the DOJ's review and the implementation of LVMPD policy changes, crime rates increased. According to the FBI's Uniform Crime Reporting Statistics, LVMPD reported a significant increase in violent crimes in 2014. Additionally, LVMPD revealed that violent crime was up 14% in 2016.<sup>2</sup>

### FBI Director James Comey Addresses the Ferguson Effect

On October 23, 2015, FBI Director James Comey gave a speech to University of Chicago Law School students. In his prepared remarks, Comey spoke to the rise in violent crime in America:

"But I've also heard another explanation, in conversations all over the country. Nobody says it on the record, nobody says it in public, but police and elected officials are quietly saying it to themselves. And they're saying it to me, and I'm going to say it to you. And it is the one explanation that does explain the calendar and the map and that makes the most sense to me.

"Maybe something in policing has changed.

"In today's YouTube world, are officers reluctant to get out of their cars and do the work that controls violent crime? Are officers answering 9-1-1 calls but avoiding the informal contact that keeps bad guys from standing around, especially with guns? ...

"I've been told about a senior police leader who urged his force to remember that their political leadership has no tolerance for a viral video.

*Continued on page 16*

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July/August

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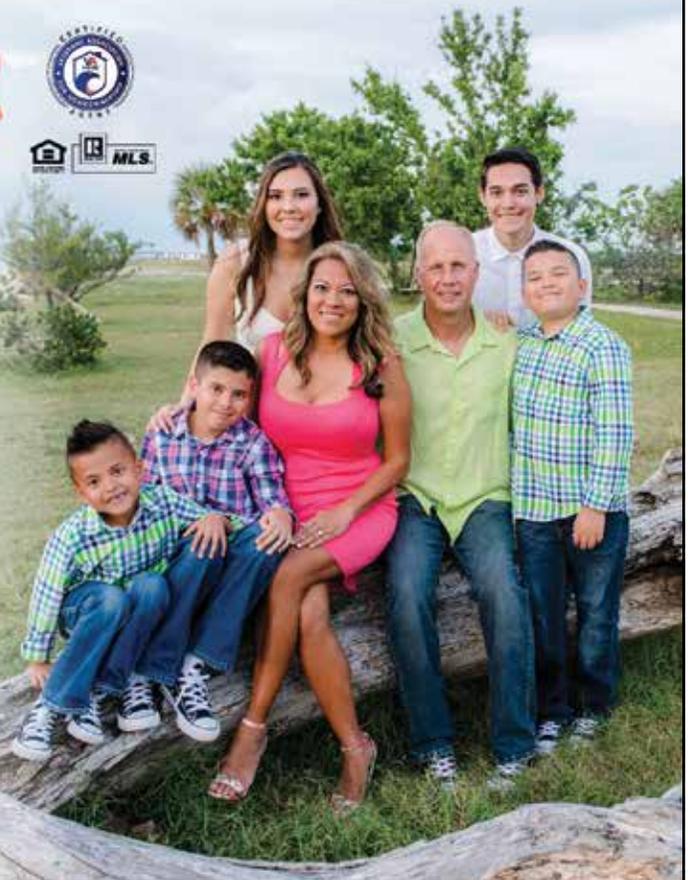
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## LEGAL CORNER

Continued from page 14

“So the suggestion, the question that has been asked of me, is whether these kinds of things are changing police behavior all over the country.

“And the answer is, I don’t know. I don’t know whether this explains it entirely, but I do have a strong sense that some part of the explanation is a chill wind blowing through American law enforcement over the last year. And that wind is surely changing behavior.”

Upon hearing Comey’s comments concerning what was described by the media as the “Ferguson Effect,” the White House criticized his speech as being speculative. Comey remained resolute in his thoughts, and doubled down three days later in a speech to the International Association of Chiefs of Police (IACP). Comey’s prepared comments were P# 9029 almost identical to the remarks given to the law students.

On the following day, October 27, 2015, President Obama spoke to the same IACP conference attendees. In an apparent response to Comey’s speech, Obama stated, “We do have to stick with the facts. What we can’t do is cherry-pick data or use anecdotal evidence to drive policy or to feed political agendas.”

Despite the apparent criticism from the president and attorney general, Comey did not back down from his comments, and the nation’s cops later backed him up.

On the local level, Sheriff Joe Lombardo told the *Review-Journal*, “I have to push back. As the leader of this agency, I’m not in agreement with those comments . . . I don’t see my police department, my police officers, actively de-policing in addressing the crime that’s occurring in their community.” In conclusion, Sheriff Lombardo blamed the rise in crime on staffing shortages.

## National Survey of Police Officers

Seven months after Director Comey’s remarks, the Pew Research Center, a nonpartisan think tank, conducted a survey of almost 8,000 police officers nationwide. The report, *Behind the Badge*, documented police attitudes toward job-related issues.

Most officers (86%) feel that high-profile shootings that have occurred in the last few years have made their jobs more difficult. As a result, 85% of law enforcement officers in larger departments similar to LVMPD are reluctant to use force when appropriate.

Of those polled, 72% stated that officers in their department are less willing to stop and question suspicious suspects. Not surprisingly, 93% of cops worry more about their safety.

About 86% of the respondents believe that the public does not appreciate the risks that police officers face every day. Approximately 56% of the officers said they have become more callous since putting on the badge. Finally, only 42% of the officers receive satisfaction from the work they do for the community.

These poll results certainly validate Comey’s assertion that some peace officers are less inclined to engage the criminal element. The findings raise serious questions regarding law enforcement’s morale and effectiveness in combating violent crime.

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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, October 8, 2020, to be considered eligible. Telephone entries will not be accepted. Visit our website for more details.

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## Crime Is Up and Arrests Are Down in Los Angeles — Patrol Like a Fireman

According to a recent *Los Angeles Times* story, L.A. County violent crime is up for the third straight year, including a 38% spike in 2016.<sup>4</sup> Yet arrests and suspect contacts have decreased dramatically since 2013. LAPD reported a 25% drop in arrests between 2013 and 2015. Statewide arrests were the lowest in 50 years.

Additionally, police wrote fewer citations and recorded fewer field interview cards. Field interviews conducted by L.A. County Sheriff's deputies declined by 67% during 2012 and 2016.

LAPD issued 269,500 misdemeanor citations in 2015, compared to 600,000 in 2010. LAPD officers caught officials' attention in 2015 when they recorded 154,000 fewer citations than the previous year.

Politicians scrambled to explain the dramatic decrease in policing by pointing to legislation that made many drug and property crimes misdemeanors. Others blamed budget cuts that led to the elimination of numerous gang enforcement squads. Still others claimed that staffing levels contributed to the declining statistics.

However, many police officers pointed to the Ferguson shooting as the reason for change. An L.A. County Sheriff's deputy told the paper, "Look, I'm just going to act like a fireman. I'm going to handle my calls for service ... but going out there and making traffic stops and contacting persons who may be up to something nefarious? I'm not going to do that anymore."

LAPD Chief Charlie Beck seemed to be in denial when he told the reporter, "I'd be denying human nature if I didn't say police are very cautious about what they do now because of the scrutiny. I don't really see things that make me think that the workforce as a body is retreating. I don't see that at all."

Melina Abdullah, the local Black Lives Matter leader, found a silver lining to the drop in police-citizen contacts, stating, "If police are more cautious about making arrests that might be controversial, making arrests that might elicit protests, then that is a victory. We want them to begin to check themselves."

## Conclusion

Without conducting a scientifically reliable survey of LVMPD officers, it is not possible to determine whether police morale has played a role in the increase of violent crime in Southern Nevada. In fairness, the protection of our community is a responsibility shared by both police and prosecutors. The district attorney must also aggressively prosecute those who prey upon our citizens.

That said, this article should raise serious questions about whether officers are motivated to give 100% effort every day. To borrow a phrase from FBI Director Comey, is there a chill wind blowing through LVMPD?

Have the Department's restrictive policies caused officers to be less proactive? Are officers less likely to engage suspects because of the microscopic examination of their actions by multiple review boards? Do officers fear termination or criminal prosecution by those who are quick to second-guess their decision to use force? These questions can only be answered by the men and women of Metro.

Now, three years later, in 2020, the question is, will we see the same spike in crime? Will the vocal minority dictate the legislative agenda? Time will tell.

One takeaway from this article should be crystal clear: Your PPA representatives and I want you to do whatever is necessary to go home safely to your family, each and every day. Let us worry about the legal issues; we have your back. **VB**

## SOURCES

- <sup>1</sup> Sari Horwitz, "Obama Civil Rights Head to Run Leadership Conference on Civil and Human Rights." *Washington Post*, March 23, 2017.
- <sup>2</sup> Wesley Juhl, "Sheriff Seeks to Reassure Public After Violent Year in Southern Nevada." *Las Vegas Review-Journal*, January 6, 2017.
- <sup>3</sup> Wesley Juhl, "Clark County Sheriff Disagrees With FBI Director, Says Metro Is Understaffed." *Las Vegas Review-Journal*, May 17, 2016.
- <sup>4</sup> James Queally, "Police Arrests Are Plummeting Across California, Fueling Alarm and Questions." *Los Angeles Times*, April 1, 2017.



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# PRE-PLANNING FOR **POSITIVE** OUTCOMES



## Winning the Event Before the Event



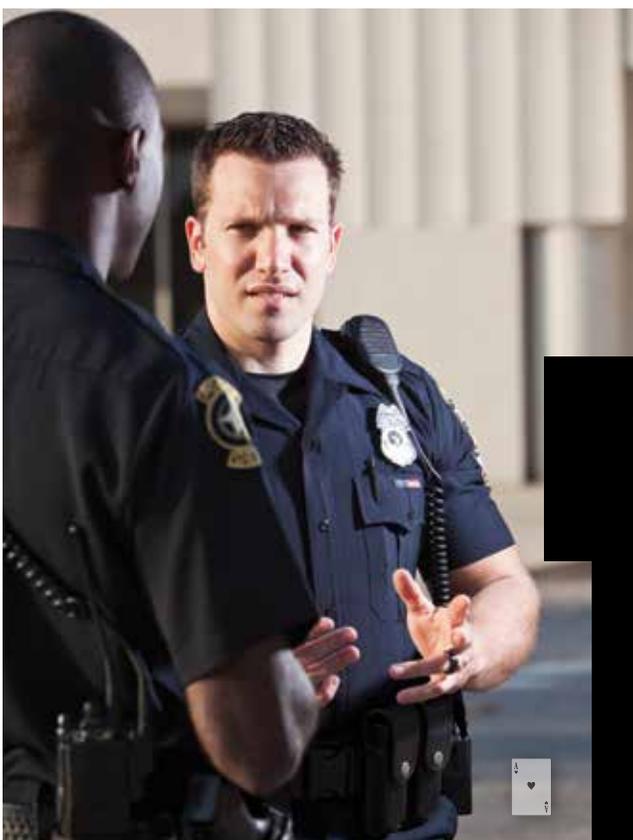
**CHAD LYMAN**  
LVPPA Director

**P**re-planning can be a key to successfully handling any law enforcement call from big to small. Pre-planning literally means to plan in advance. On critical events, pre-planning as an individual and with teammates can be the difference between a well-run call that allows officers to adjust and overcome sudden developments that are almost inevitable in the field and a call gone awry. Pre-planning should begin long before the call is handled — it should begin in training and preparation before the actual call. On the call, it should happen en route to the call; it can be codified in a quick conversation with teammates upon arrival and on

approach to the target, and should continue with ongoing communication with teammates throughout the call.

A key to pre-planning throughout your career will be your individual preparation. Preparation for the individual officer begins well before the event occurs. (Note: The word “prepare” contains the prefix “pre-,” which means “before.”) The individual officer should begin to prepare for the event by being physically fit, mentally and emotionally ready, and tactically proficient. Officers must prepare ahead of time because the day chooses you. When the moment arrives, the time for preparation is past and reality begins. A reality with no preparation or pre-planning can be very unforgiving. At best, it ends with the officer physically surviving but dealing with unintended outcomes. At worst, the officer can lose the encounter, resulting in substantial injuries or even death. This article is not meant to suggest that officers who are killed on calls in the line of duty are officers who did not pre-plan. I firmly believe, despite preparation, that sometimes it is just your time to go. However, most critical incidents that go sideways expose a lack of pre-planning before, upon arrival to and during the event.

Pre-planning before the event is all about training. I consistently champion the value of training consistently over time a little a lot. Training can be through Department in-service such as AOST, RBT and DT training or done at the range. Officers can also seek outside LEO-based training through private resources or LEO training conferences. For this training to have pre-planning value, you need to retain it. I would suggest actually taking notes throughout the training. Effective notes list the name and date of the training, along with takeaways that capture key principles, fundamentals, policies, case law and techniques. These notes can be reviewed over time, meaning the techniques learned can be reviewed over time as well. You can mentally apply the training, principles and techniques covered in your training to calls you have been on or calls you mentally rehearse in your mind. The physical and mental rehearsal of your training is a critical part of pre-planning for actual calls and should be done routinely throughout an officer’s career. Physical



When the moment arrives, the time for preparation is past and reality begins. A reality with no preparation or pre-planning can be very unforgiving.

repetitions should be done at least twice a week. Mental rehearsals should be done several times during a shift, to include active mental rehearsal while en route to every call.

The physical and mental rehearsal covered above can be done with a partner or your squad. I have trained above and beyond the Department-provided training with partners and eventually on a squad-based level on every assignment I have ever worked in my 20-plus-year career. Cops actually like training that is relevant and effective, and will participate if the training is conducted in a safe manner.

When officers are dispatched to a call, they should be mentally rehearsing potential scenarios based on the details of the call. If you are performing a car stop or a person stop, you should be rapidly assessing the stop, the environment and the potential scenarios that could happen. Assessment is based on why you are performing the stop, how many people you are stopping, lighting conditions, environmental factors plus anything else relevant to the officer at that time.

Let's go back to dispatched calls. If I am alone, I am visualizing and running different scenarios through my mind. As I consider different scenarios, I am thinking of the needed resources, tactics and training that will lead to favorable outcomes to handle the potential call I have. This is not a process in which I turn every call into a STAR protocol or a SWAT callout. I consider the call for what it is to start, but I also consider how I will adapt if the call is inaccurate or goes south at some point.

If I have a partner in the car, I consider this to be a huge potential advantage on any call. That advantage is emphasized exponentially if I actually communicate with my partner. We can bounce stuff off one another and quickly run through pre-planning for the call we are headed to. We can also squander any advantage we have by not communicating or pre-planning while en route. In that case, we are simply giving a ride to two cops who are going to a call. It is disheartening to see officers heading to calls while jamming out to the radio, or arriving early to a call and parking down the street to wait for cover and jumping on their phones to play some game or surf social media while they wait. This time could be used to focus on the call and its details, review training and consider potential scenarios and outcomes. The easiest way to kick start any event toward a safe resolution for everyone involved (including the suspect) is to start communicating prior to the event and continue communication throughout.

Pre-planning and communication should include potential roles or resources needed, which can vary depending on the call. Contact versus cover, lethal versus low-lethal, hands-on versus security, etc. Even though initial roles can be "assigned," officers should know that these roles can change rapidly. A big part of pre-planning to consider is the realization that these roles can change rapidly or not be needed at all. Officers need to be flexible and adapt, but having a plan and communicating that plan allows officers to get into a mindset that facilitates a trained response and kicks off pre-planning. Officers who pre-plan and communicate handle calls and make adjustments better than officers who don't. If there needs to be an adaptation on the call (e.g., someone fills your role or it is not needed), it is much easier to "find work" and pick up a different role if you pre-planned. Your preparation, training and communication skills matter only if you use them.

If officers do not drive together, they should meet briefly upon arrival and communicate a plan of action. Once again, a key component of any plan is that it can change. We may need to adapt. However, by starting the process and communication prior to the event and the accompanying stress/elevated heart rate, officers are more likely to make key adjustments and respond in a trained manner. This leads to favorable outcomes. This meeting can be brief or longer, depending on the call and what is occurring. Pre-planning is not designed to hinder a response or design a "perfect plan." It is designed to give the officers a coordinated and planned start to the event that gets them on the same page and responding as a team. A pre-planned response executed is better than a perfect plan not executed.

No amount of pre-planning can stop calls from going sideways or different than planned. Officers have to use force at times based on the suspect's



## Train, prepare, pre-plan, communicate and act

until your responses  
on calls come from a  
knowledge-based fear  
response and not an  
emotion-based fear  
response.

behavior. Officers must follow law and policy as they choose appropriate force options. A key consideration in analyzing an officer's force is whether the officer felt a reasonable fear based upon the suspect's actions. That reasonable fear is based on the officer's fear of the consequences of his or her inaction (i.e., the injury or death that may occur to the officer or anyone else based upon the suspect's actions if the officer does not respond to the threat).

An officer experiencing a reasonable fear and choosing a proper response is far more likely to occur if the officer regularly pre-plans for potential scenarios. Pre-planning allows the officer to experience fear based on training and preparation, not just emotion. A reasonable fear based on pre-planning and training is knowledge-based and much easier to articulate. A knowledge-based fear response as threats arise is far more likely to produce trained and appropriate responses that increase officer safety than a true emotional fear response. If you train consistently and don't pre-plan during calls, you are not getting the true benefit of any training you are undertaking because the suspect may "surprise you" with resistance, leading to an emotion-based fear response.

Can you imagine a football team practicing and pre-planning for the game, then not arriving to the stadium early to meet and then not huddling before every play to have a plan? The real key is not the pre-game meetings or huddles. Those are important because we get on the same page and are thinking about what we are doing, not about a game on our phone. The key adjustments are made post-huddle, pre-snap, and even post-snap, through communication. The best defenses talk and communicate throughout the play. Run, pass, draw, screen, motion, etc. The best teams practice, pre-plan, communicate, act and continue to communicate. This formula captures the importance of pre-planning and how it can actually be implemented. Whether you are a football fan or not, there is a lot to be learned about how to successfully win on everyday police calls.

Train, prepare, pre-plan, communicate and act until your responses on calls come from a knowledge-based fear response and not an emotion-based fear response. Do I still get scared on calls? Sure. But my training, pre-planning and communication skills create trained actions as a result of my fear, not emotional, untrained responses. There have been times on calls when I actually felt really physically scared after it was over. When I thought about what "could have happened." During the event, however, if we have pre-planned, that is often what comes out when the stress begins. If you are not afraid, this job is not for you. If you are not managing that fear with consistent training, pre-planning, communication and acting, it may not be for you either. **VB**

## RETIREMENTS

4/21/20	John Lowery*	P# 6497	PO II	20 years
6/12/20	Michael J. Giglio	P# 6667	CO II	20 years
7/12/20	Kristen Long	P# 6845	PO II	20 years
7/23/20	Richard Splinter	P# 5459	PO II	23 years
7/24/20	Teresa Mogg	P# 4191	PO II	28 years
7/30/20	Daniel D. Stopka	P# 4063	PO II	29 years
7/30/20	Boyse Francis	P# 6805	PO II	20 years
7/31/20	Michael J. McGinnis	P# 4878	PO II	25 years

\*Corrected from the July/August issue

## 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.
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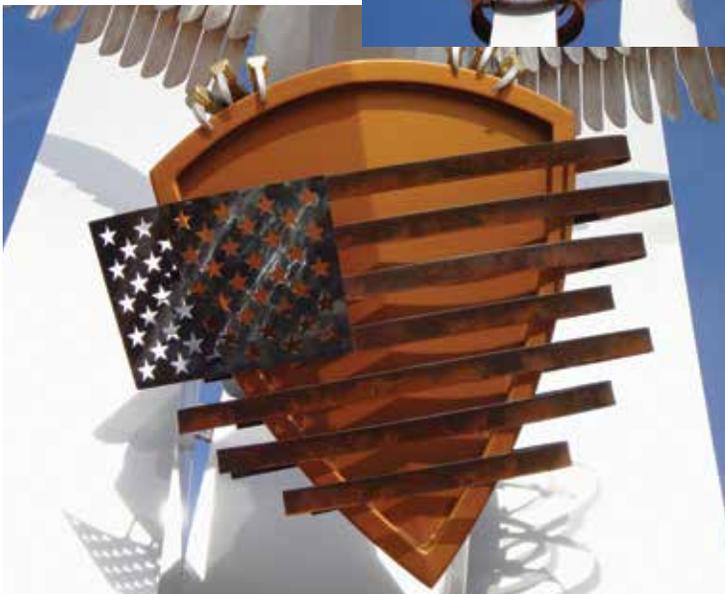
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The LVPPA invites all members to help take care of our own. The LVPPA has a 501(c)(3) charity organization now called the Law Enforcement Assistance Fund (LEAF). The goal of this organization is to help the survivors of fallen officers and ensure that 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](http://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**



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Wage Type	Deduction Type	Deduction Amount	Start Date	Stop Date	
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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)				

<b>MISCELLANEOUS DEDUCTIONS</b>					
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				

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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)	<i>To purchase retirement, you must initiate your request through PERS. You may stop the deduction using this form.</i>			\$
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