



# LVPPA VEGAS BEAT

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

VOLUME 2 | ISSUE 3

September/October 2007

# LABOR DAY 2007

HONORING THE AMERICAN WORKER

Judging The Judges	Page 7
Is Patrol Worth It?	Page 8
Taser Coordinator	Page 16

Life never looked so good.

Save up to  
**50% on LASIK\***  
LASER VISION CORRECTION

*Exclusively for LVPPA, Police Officers.*

The Southwest Eye Institute and Las Vegas Police Protective Association (LVPPA) have formed a partnership that entitles all LVPPA members, Las Vegas Police officers and their families substantial savings on LASIK Laser Vision Correction. For incredible vision made incredibly affordable, call 702-368-2010 for a free consultation and start living the LASIK dream today!



**SOUTHWEST**  
EYE INSTITUTE

www.southwesteyeinstitute.com  
7135 W. Sahara Ave. , Suite 100  
Las Vegas, NV 89117

AWARD  
WINNING  
SURGEON  
Dr. David Malitz

Call us today for more information 702.368.2010

\*OFFER NOT VALID WITH ANY OTHER PROMOTIONS. SEE CENTER FOR DETAILS. OFFER EXPIRES DECEMBER 30, 2007



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

**Las Vegas Police Protective Association Metro, Inc.**

201 Las Vegas Blvd South  
Suite 200  
Las Vegas, NV 89101-1197

**General information:**

(702) 384-8692

**Fax:**

(702) 384-7989

**LVPPA BOARD OF DIRECTORS**

**CHRIS COLLINS**

Executive Director

**THOMAS REID**

Assistant Executive Director

**MICHELLE JOTZ**

Assistant Executive Director

**MARK CHAPARIAN**

Secretary

**FRED GALEY**

Treasurer

**DAVID KALLAS**

Director of Governmental Affairs

**KENDALL BELL**

DTAC

**VACANT**

Traffic

**JON BROWN**

BPOA

**VACANT**

NWAC/Academy

**DARRYL CLODT**

SOD

**CHRIS CRAWFORD**

Laughlin

**HARRY DEMETRES**

SWAC

**DAVID SCHOFIELD**

APOA

**JIM DWYER**

Airport

**JAMES WELLCOME**

BAC

**HENRY HOFFMAN**

Convention Center

**DARRYL JOHNSON**

At-Large

**NOEL ROBERTS**

At-Large

**GEORGE MARTIN**

At-Large

**FRED CASTLE**

At-Large

**VACANT**

NEAC/In-Service

**JOE LEPORE**

ISD – Decatur/Oakey

**BRIAN PORTER**

Detention Center (1)

**DOUG PERNS**

Detention Center (2)

**SCOTT NICHOLAS**

Detention Center (3)

**KEN LOCHNER**

Detention Center (4)

**KYLE LOPEZ**

NLPOA

**MICHAEL REINARZ**

City Marshal

**ALISHA MARTINO**

Muni Court Marshals

**HECTOR NAVARRO**

SCAC

**ROBERT JOHNSON**

Special Units

**VACANT**

Retiree

**DON TREMEL**

ISD – Decatur/Oakey

**JIM PENDLETON**

Resident

**BILL SCHOEN**

Special Operations Division

**MIKE FORTUNATO**

Southeast Area Command



911Media is a division of Trade News International, Inc.

Published by 911Media  
For Advertising call  
(702) 987-4789

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 nearly 220,000 police officer members in 4,000 police associations nationwide.

**IUPA** – International Union of Police Associations, an AFL-CIO organization representing over 100,000 police officer members in Puerto Rico, Virgin Islands, Alaska and the continental United States in 580 locals.

**AFL-CIO** – The American Federation of Labor-Congress of Industrial Organizations is the voluntary federation of America's unions, representing more than 9 million working women and men nationwide.

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

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



**CONTENTS:**

**EXECUTIVE BOARD**

Executive Director's Message	Page 4
Moving Forward	Page 5
Updating Your Information	Page 6
Judging The Judges	Page 7
Is Patrol Worth It?	Page 8
Treasurer's Message	Page 9
Just Keep Your Mouth Shut & Other Hints	Page 10
Just Cause To Discipline: What Does It Mean?	Page 12
Sheriff's Message	Page 14

**FEATURES**

Taser Coordinator	Page 16
The Wrong Way & The Right Way to Recruit	Page 17
Policing With Honor	Page 18
Gunfights, Don't Buy Into the Hollywood Hype	Page 24
NLEOMF Update	Page 25
No \$ Fun	Page 25
Chain Of Command	Page 27
NAPO News	Page 30
Bullet Proof Vest Blues	Page 30
Theme Park Ticket Prices	Page 22
Calendar	Page 32
Thank You Letters	Page 32



# Executive Director's Message

**DETECTIVE CHRIS COLLINS, EXECUTIVE DIRECTOR**

## Nevada Law Enforcement Officers Memorial

Several years ago, the PPA was approached by the state memorial committee and told of the dilapidated condition of the memorial. We were told at that time that it would cost approximately \$17,000 to repair it and bring it up to par. There was some discussion amongst the local associations to raise the needed funds to make the memorial as it once was. Requests were made for appraisals and, somehow, the entire problem was put on the back burner.

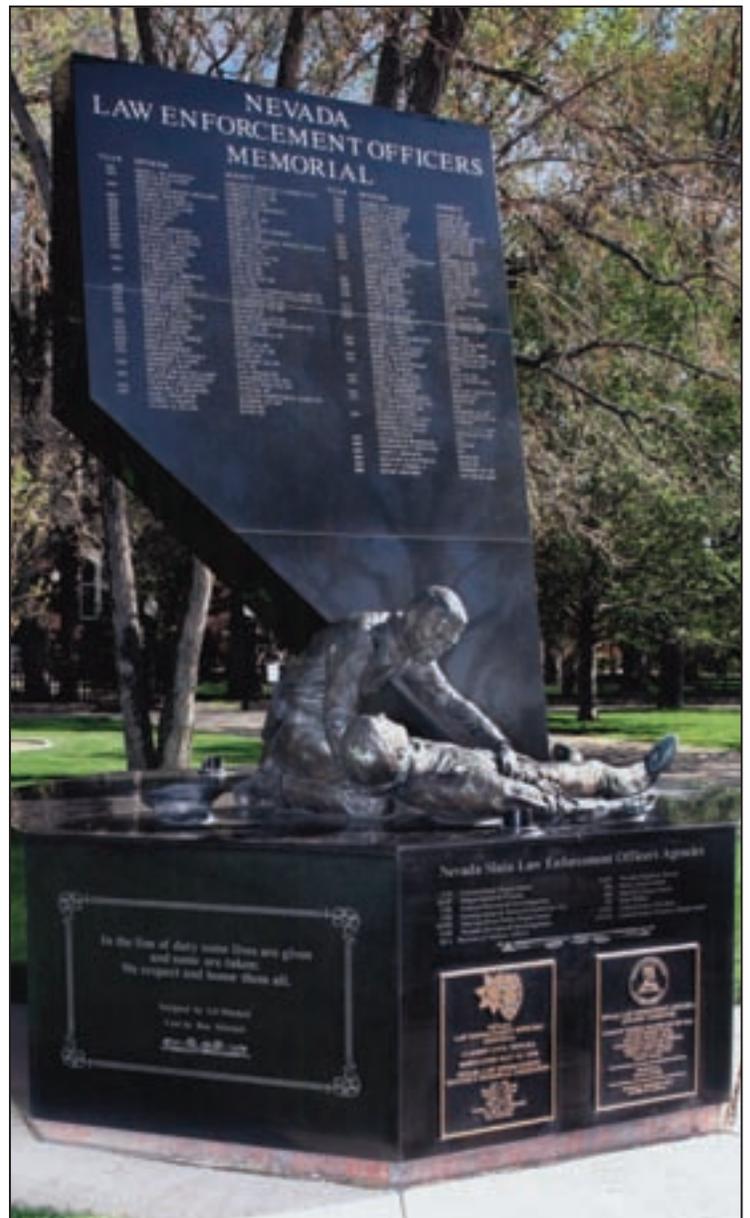
Now, here we are a few years later and the cost to repair the memorial has increased nearly five-fold. We have been told that the total cost to repair the memorial now stands at over \$80,000. Why is it that the Nevada Law Enforcement Officers Memorial, our state memorial that recognizes law enforcement officers who have made the ultimate sacrifice, has somehow been allowed to fall into such disrepair that it will cost approximately half as much to repair as it did to originally construct?

The PPA received quite a bit of criticism from one of our own members for contributing money to the National Law Enforcement Officers Museum when we made a commitment several years ago to contribute \$20,000 per year for five years and become a founding member of the Museum. That is an honor that only seventeen organizations can claim, and we are one of them. We also agreed to contribute money to the state memorial, when repairing it would have been a reasonable expense. That expense isn't so reasonable any longer. Just because the expense is no longer reasonable does not mean the PPA is not going to help restore the state memorial. I have met with some of the other police association heads and we have formed a coalition to contribute and raise the necessary funds to restore the memorial.

I do not know what the cost will be but, no matter what, it must be restored. The memorial stands in tribute to our fallen brothers and sisters. We, as police officers and citizens, cannot stand by and do nothing. Family members, especially the children and friends of all fallen officers, deserve this memorial. The memorial sits in a beautiful setting in downtown Carson City. It is a place everyone can go and remember their lost friend or loved one.

This is going to come down to money. If you know of a business or person (including yourself) who would like to make a donation, they can contact the PPA or Southern Nevada Conference of Police and Sheriffs (SNCOPS).

Now, you may want to know what happened to the memorial that was to be built in Police Memorial Park here in Las Vegas. No...Wait...That is an entirely different issue. Let's fix one memorial at a time. We will come back to this issue. Thanks, in advance, for your help. As always, fight the good fight and be safe. **VB**



With Today's Economy - Does a VACATION Seem almost IMPOSSIBLE???

ARE YOU LOOKING FOR A SOLUTION???

If so, **STOP LOOKING!**

Visit Our Web site @ [www.SENTRATRAVEL.com](http://www.SENTRATRAVEL.com) and click on the "Presentation" icon for:

**Wholesale/Travel Agent Prices;**  
**Huge Tax Write-off Benefits;**  
**Commissions and Unlimited Income Potential.**

**Make Money while on Vacation - or - just call it a PAYcation !!!**

Contact "ZAC" @ 702-204-0362



# Moving Forward

**DETECTIVE MICHELLE JOTZ**  
Assistant Executive Director

On Friday, June 15, 2007, the PPA held our official Groundbreaking Ceremony for the new building which is currently under construction at 9330 W. Lake Mead. This was truly an opportunity to see the PPA moving forward. In 2003, we sold our building on Burnham (many of you remember the old DBR) and moved into our “temporary” location at 201 S. Las Vegas Boule-

vard, Suite #200. When we moved in, nobody thought “temporary” would end up being 4 (very long) years! We’ve endured a building that was without power for days on end, had failed air conditioning units, received frequent visits from the local residentially challenged and much more.

On June 15<sup>th</sup>, we had the opportunity to see significant progress. Who would have thought that an enormous hole in the ground would be exciting? That hole will ultimately serve as our basement. Because the basement had

(continued on page 39)



*Friday, June 15, 2007*



*PPA Official Groundbreaking Ceremony*



# Updating Your Information

## FOR CORRECTIONS OFFICER THOMAS REID

Assistant Executive Director

Normally, this would be the space where Corrections Officer and Assistant Executive Director Thomas Reid would have his article. At the time this issue of the magazine went to print, Tom was assigned to military duty so he was unable to enlighten us with his thoughts. Therefore, this space will be used to explain the Information Change Form that was recently placed in member mailboxes.

Frequently, we request that members update their information with the PPA office. There are many reasons your association needs to have updated contact information, such as:

- We need to be able to contact you in the event you are scheduled to be interviewed for an investigation, to see if you request representation
- We need to be able to send you ballots for elections, bylaw modifications, and similar events
- We need to be able to mail updates about your contract and other important issues
- We like to send you information about free tickets to events
- And much, much more...

Because of this, and the frequency of movement, not only within the department, but also of residences, we have sent out Information Change Forms to all of our members. We ask that you complete the form and return it to the PPA office via inter-departmental mail (1000 miler) at your earliest convenience. In the event you need to update your beneficiary information, additional documentation is needed, so please contact the PPA office directly and we will send you the appropriate paperwork.

**Again, we remind you...**The Department **does not** notify the PPA of your information changes/updates, so you must make an independent notification to our office. **VB**

## INSIGHT

Moral responsibility is not just a matter of avoiding harm to others; it also means helping people in need.

-Michael Nedelsky



First West  
Mortgage Company

First West Mortgage Company has proudly served the members of Law Enforcement and their families for the past five years.

*Save Time and Money...*



*Work with a Mortgage Banker.*

### • Questions To Ask Your Lender •

- 1) Are they a Direct Lender or a Mortgage Broker?
- 2) Who Sets the Interest Rate?
- 3) What is a Yield Spread Premium, (YSP) and Are You Paying One?

### • All FNMA/FHLMC/FHA/VA Loans •

- No Origination Fee
- No Underwriter Fee
- \$65 Documentation Fee
- No Processing Fee
- No Application Fee
- No Middle-man

[www.1stwmortgage.com](http://www.1stwmortgage.com)

**Call  
Kevin Polasko  
Manager**

**First West Mortgage Company**  
3505 E. Flamingo Road, Suite A  
Las Vegas, Nevada 89121  
702.433.4668  
**Cell 702.378.5549**  
Toll Free 866.294.1965  
KPolasko@1stwmortgage.com

Licensed Mortgage Bankers  
State N.Y., N.J., N.V., F.L., Banking Departments

**LAKE MEAD CRUISES**  
**25% OFF** on any mid-day sightseeing cruise!  
**See Hoover Dam**

⚓ Weddings   ⚓ Meetings   ⚓ Breakfast/Dinner Cruises  
 ⚓ Receptions   ⚓ Birthday Parties   ⚓ Dinner/Dance Cruises  
 ⚓ Conventions   ⚓ Family Reunions   ⚓ Sightseeing Cruises

**Outrageously Great Fun From Lake Mead Cruises!**  
**Call (702) 293-6180 or visit [www.LakeMeadCruises.com](http://www.LakeMeadCruises.com)**

\*Reservations suggested \*\*Pricing the average 7-8 persons float per cruise  
\*Not good with any other offer or special events/days, expires 12-31-07  
Authorized Concessions of the National Park Service   Cruise Code VB1



# Judging The Judges: It's our Turn!

## DETECTIVE DAVID F. KALLAS

Director of Governmental Affairs

Though it may not be that time of year yet, the Association thought it might be a good idea to get some input from our officers about their experiences inside our local courtrooms and how they feel about the judges. Recently, we have had officers complain to the Association and relayed, rightfully so, that they have had experiences with different judges that would make you cringe. These include instances where one Justice Court Judge was said to have made an officer wait around in her courtroom all morning while she heard other cases, only to tell the Deputy District Attorney and the Officer that she was going to recuse herself because the officer had written her a parking ticket years earlier, that she admitted she deserved, but believed the officer had acted improperly. I will try to keep this professional so I will not mention the judge's name, but she can be found in Justice Court between Department 6 and Department 8.

Another recent instance occurred in District Court, between Department 11 and Department 13. An officer was attending court in his official capacity during the day and came into this courtroom to observe the proceedings of a relative, after he finished his official duties. When a bailiff noticed he was wearing his authorized weapon, the bailiff informed the judge, who proceeded to lecture the officer for almost 35 minutes about the appropriateness of the officer having a weapon in court. The entire incident was audio and video taped.

No matter who we are, we are going to have bad days where we may offend people with the things that we say, but those instances tend to be the exception rather than the rule. Unfortunately, from the Association's perspective, instances of officers being treated poorly in our court systems are becoming more and more prevalent. The biggest offense occurred earlier this year during a Coroner's Inquest Hearing. When our officers voluntarily agreed to participate in the Coroner's review of the shooting involving murder suspect Suave Lopez, the hearing was attended by more people than the courtroom could accommodate. While attempting to wire a remote feed

to an adjoining courtroom, a District Court Judge was overheard saying that he didn't want officers in his courtroom because he, "really did not like officers anyway"! That's a pretty ironic statement from a judge whose wife recently resigned (under a cloud) from the Clark County Commission.

So where is this going and what does it have to do with Judging the Judges? As some of you may know, our local version of the *National Enquirer*, the *Review Journal*, has published many evaluations of our local judges, from Municipal Court to the Nevada Supreme Court.

The Association thinks it is time that we get some input from our officers based on their first-hand experience, so when it comes time to decide who we are going to support for these important positions we will have more than just the rants and raves of our local papers. We look forward to hearing from you.

As always, Stay Safe!!

*Editorial Note: The PPA Board requests that officers forward (via e-mail at office@lvppa.com, letter, memo, etc.) details of any pertinent events/incidents to the PPA office so that information may be utilized during the political candidate endorsement process. VB*

## End of Watch

(Note: Absent direct notification to the LVPPA, we do not otherwise know of a member's death.)

**Name:** Fred Mumpower, P# 372  
**Rank:** Police Officer  
**Hired:** 1968  
**Retired:** 1988  
**Died:** July 11, 2007



**CALVADA  
POLICE  
EQUIPMENT INC.**

**WE'RE GROWING...  
THANKS TO YOUR  
LOYAL PATRONAGE!!!**

**WE'VE MOVED... AND LOOK  
FORWARD TO SEEING YOU AT  
OUR NEW LOCATION SOON!!!**

**622 N. Rainbow Blvd.  
Las Vegas, NV 89107**

**(702) 385-COPS  
Fax (702) 385-9509**



# Is Patrol Worth It?

## OFFICER MARK CHAPARIAN

Secretary

The slim, attractive woman has an uneasy feeling about this evening. She has just had the police serve a Temporary Protective Order on her abusive boyfriend across town. The same qualities that attracted her to him; rough, muscular, large framed and boisterous are now the downfall of their relationship. She is tired of making excuses for her bruises and cannot tolerate another beating.

She hears a vehicle door shut while she relaxes safe inside her modest home in a not-so-nice neighborhood. Her dog is alerted by something and has started to bark. The woman peers out from behind her window shade and thinks she sees a glimpse of her now ex-boyfriend walking around to the back of her home. Her heart starts to pound and she panics. She reaches for her cordless phone and walks toward the back of her home, again peering out from the kitchen window. She sees what she most feared – her ex-boyfriend, who appears high or drunk, wielding a baseball bat and shouting her name. She frantically dials 9-1-1 and before anyone answers she hears glass breaking and is showered in tiny glass particles. He is coming in and he is angry!

The woman flees the kitchen and runs for her bedroom as the suspect now enters her home and is yelling that he is going to kill her right after he sexually assaults her. The 9-1-1 operator hears this from the other end of the phone call and immediately creates a priority zero call which will be given to the dispatcher to assign to any available patrol unit.

“3 X-ray 6 be en route to a violent 417,” blares over the radio right after a three-alert tone gets the attention of everyone on that radio channel. The 9-1-1 operator is attempting to get details of this call when all of a sudden she hears the female scream, “No don’t! Don’t please! I’m sorry. Please, don’t!” This information is relayed to the responding patrol unit who is now himself getting very excited as he is using his code-three equipment, thinking about how he is going to handle this call alone, because he was also just informed that he is responding alone since everyone else is tied up or assigned to another call.

The patrol officer doesn’t panic. He has handled violent calls alone before, as this has become the norm since he left field training. The last update the 9-1-1 operator has is that he heard what sounded like someone was getting bludgeoned and can only hear faint whimpers in between the strikes. With this new information the patrolman drives a little faster, keeping in mind that if he wrecks, he will be solely responsible and punished accordingly.

The 9-1-1 operator has no further information and has updated the call to reflect the phone line has been disconnected and there is no answer upon recall. The patrolman is now arriving in the area and has requested that the dispatcher find him some backup as soon as possible. The dispatcher responds, “I’m working on it, let me check the other channels”.

As the patrolman exits his car, he slips on a pair of trusty old gloves in preparation for a violent encounter that is inevitable. He sees the suspect’s truck parked in front of the female’s home and peers inside it to make sure no one is hiding. As the patrolman hustles a little closer to the home and realizes he is at a very tactical disadvantage, he hears a male voice yelling, “You made me do this you bitch.” The patrolman is able to peek inside the home from a front window and it appears the home has been ransacked

and he can hear the suspect moving around inside. With a “code red” on the radio channel, backup finally on the way, yet still at quite a distance, the patrol officer decides it is time to act and tries the front door.

The door is unlocked and he radios to the dispatcher that he is about to enter the residence. His responding patrol backup officer is now extremely anxious and wishes he could make his patrol car fly as he puts his driving skill to the ultimate test to get on scene as fast as possible to assist his fellow officer, and possibly save this female’s life. The Air Unit is not available due to maintenance and the area supervisor is busy and off the air, conducting a taped interview concerning an unrelated Statement of Complaint about discourtesy.

The patrolman on scene pushes the door open and decides to enter as quickly as possible. He heads for the staircase and slowly and methodically walks up the stairs toward what he thinks is the bedroom. The house is partially lit and he is unfamiliar with the layout. All of a sudden, the patrolman hears glass breaking and runs toward the sound coming from a bedroom. As the patrolman enters the bedroom where he heard the sound of breaking glass, he vaguely sees a man holding what looks like a gun and is pointing it directly toward him. The suspect’s weapon fires and the sound is deafening. Thankfully, he nearly hits the officer as the suspect dives out the second story window.

The room is full of blood spatter and he now sees the female who is lying in a pool of blood and moaning. The patrolman radios to others what his situation is and is fearful there may be other suspects within the home. The patrolman decides to quickly clear the rest of the house alone as no one has arrived yet to assist him. A quick cursory check indicates that no other suspects are there and he returns to aid the female victim. Sirens can be heard in the distance and the patrolman feels a bit of relief that his buddies are getting closer. A quick assessment indicates this female may not be fatally injured, so the patrolman runs downstairs to meet his arriving backup. A perimeter is set up and canine units are on the way. The patrolman realizes he has blood all over his uniform and hands, and thanks God it’s not his blood. Medical units respond and are treating the victim while other officers are attempting to gain information from her in order to establish exactly what has occurred.

A neighbor springs from his home and is frantic. The neighbor relays to officers that he believes someone is inside his shed which is in his backyard. There are now a total of three patrol officers on scene (one half of the entire squad this day) and two quickly decide to look into this new lead while the remaining officer stays with the victim and attempts to protect the crime scene.

The two patrol officers find a large shed located in the neighbor’s yard with the door ajar. As the two approach the shed, the suspect who had shot at the original officer jumps out and is now holding a large stick. One officer orders the suspect to drop the stick and surrender while the other deploys his Taser and fires when the suspect refuses to drop the stick. The effect of the Taser is a relief as the suspect drops to the ground and the stick drops next to him. As the patrolman approaches to take the suspect into custody, he realizes the suspect is covered in blood. The patrolman quickly dons a pair of rubber gloves and is able to handcuff the suspect without further

(continued on page 28)



# Treasurer's Message

## DETECTIVE FRED GALEY

LVPPA Treasurer, Trust Representative for the LVMPDEH&WT

I would like to let you know how the Las Vegas Metropolitan Employees Benefit Trust (LVMEBT) works. This is referred to as the Post Retirement Trust; you know the \$37.50 that is taken out of your paychecks. The five-year vesting period kicked in on July 1, of this year. Those retirees who qualify can start receiving up to \$350.00 beginning in October of 2007.

The way it works now is that the member must keep medical related receipts and forward them to Benefit Planners. Since the Trust only pays every quarter, currently, you would receive up to the maximum of \$1050.00 each quarter. This means that your out-of-pocket expenses must equal or exceed \$350.00 each month. If you are currently on the LVMPDEH&WT, your premiums are probably exceeding that amount. Just make a copy of your PERS check for each of the three months and send it in.

Since Benefit Planners is the Third Party Administrator for the LVMEBT and the LVMPDEH&WT, it is easier to verify vesting. Benefit Planners phone number is (702) 413-1701. If there are any questions regarding this, you can call Denise Best at the aforementioned phone number.

The Trust is currently working on a way that will make the reimbursement easier. As soon as our attorney and the IRS agree, you may not have to submit any receipts. Since Benefit Planners is handling both Trusts, we may be able to transfer the money over to the LVMPDEH&WT and you will have less or nothing taken out of your PERS check.

Hopefully, we will have more information by the end of the 3rd quarter of 2007. I will keep you advised of what is happening in the next issue. If for any reason you have questions, please contact me at my work email: f2383g@lvmpd.com. Thank you for your time. **VB**

## When you want *THE BEST* in quality eyecare, call Siems Advanced Lasik & Eye Centers

- State-of-the-art Lasik
- IntraLase (Bladeless Lasik)
- Implantable Contact Lenses

- General Eye Exams
- ReSTOR Lenses

- Specializing in the correction of:
- Nearsightedness
  - Farsightedness
  - Astigmatism
  - Cataracts

**OFFICERS**  
*(active or retired)*  
**RECEIVE**

# \$1000 OFF

Regular price  
Or 5% off promotional price WITH THIS AD  
Simply bring this ad with your badge



## SIEMS

LASIK AND EYE CENTERS

Where Tomorrow's Technology is Here Today

FOR YOUR LASIK EVALUATION, CALL

# 702-948-2010

[www.siemslasik.com](http://www.siemslasik.com)





# Just Keep Your Mouth Shut... And Other Hints

**JOHN DEAN HARPER**  
Chief General Counsel

After many years of representing peace officers, I have found that a number of disciplinary issues could be avoided by taking some simple preventative steps. The first step: Just keep your mouth shut. Sounds simple...doesn't it?

There are three situations where this concept is most pertinent: a) With the public; b) With your co-workers; c) With your supervisors. Those of us involved in law enforcement know that the "public" I am writing about is not generally the "public" that reads newspapers, votes, pays taxes and shows up for jury duty. The "public" is generally the five percent that uses up 95 % of the public services.

We know that sometimes it is just impossible to convey your message without using some of the same language those persons you deal with are accustomed to hearing. However, it is important to remember what they teach you in the Academy: "Act as if you have a video camera on you at all times." What I think is more important is that thinking like this causes you to reflect. Maybe if you are having a bad day, or are just fed up with the

person you are dealing with, you may think twice. For those of you who, like me, are *Seinfeld* fans, think of Frank Costanza saying the mantra – "Serenity Now." That brief reflection may cause you to choose more appropriate words and/or not go hands on. If you think you had a squirrely situation, do an Officers Report. It may save you down the road.

I hate to say it, but the reality of life is that we cannot always trust our co-workers. Most departments or agencies have policies that prohibit discussion of certain subjects. The usual subjects are race, religion, ethnicity, etc. As an attorney, I am against the chilling of free speech. However, the courts do not generally agree with me. In the workplace, your ability to discuss these taboo subjects is limited. What's the best thing to do? Just keep your comments, opinions and theories to yourself. It is just not worth it. I do not care if you read about it in a magazine, learned it in a class, or think that you are worthy of a Nobel Prize because of your insight. You cannot control how it may offend someone else. Save it for your family or close friends.

Applying this concept to supervisors does not mean I think you should not cooperate. What I mean is that you should, once again, reflect before you speak or act. Sometimes you will feel compelled to talk because your supervisor is either a friend or you fear retaliation. At times, we feel that we are "right" or "falsely accused" and want to "tell our story." Reflect on what you want to say. Think about your rights. A supervisor is not always correct and you may be compromising yourself. I have found that officers who want to "set the record straight" have the propensity to talk themselves into a disciplinary situation. Back off, call a representative and then make a decision.

The other hints are more common sense matters. E-mail has become very problematic as it has become more ubiquitous. Additionally, agency computer fair-use policies only seem to be enforced when someone is caught. You cannot rely on that defense. The best thing to do is use a personal e-mail account. When you get jokes or attachments on your work computer, do not open them.

I get frustrated when an officer "runs" somebody for a personal reason. Most of the time, they are helping a friend, girlfriend or boyfriend with some domestic matter. Stay out of it. Tell them that you cannot help and to hire a private investigator.

I know that some of you may think that this is somewhat academic, but sometimes we need to relearn or reinforce a simple principle. It is just like a baseball player of a golfer looking at video to see if they picked up bad habits. No matter what discipline we are involved in life, sometimes we need to "go back to the basics". **VB**

**IMAGINE**  
ORTHODONTICS

**NEED BRACES?**

Call for a **FREE CONSULTATION today!**

- Braces for Adults & Children
- Flexible Payment Options
- Extended Hours & Saturday Appointments
- Most Insurances Accepted
- Law Enforcement Discount

Barry Quinn, DMD FAGD  
Specialty S3-80

Tonia Quinn, DMD CAGS  
Specialty S3-101

**NORTH LAS VEGAS**  
Craig & Simmons  
702.647.8114

**HENDERSON**  
215 & Valle Verde Dr.  
702.454.1008

## INSIGHT

To avoid criticism, do nothing, say nothing,  
be nothing.

-Elbert Hubbard

# Call for a Financial Roadmap...

You said you would do this last year...

And the year before...

And the year before...

And the year before...

- Variable Life Insurance\*
- Variable Annuities\*
- Mutual Funds\*
- Tax-Advantaged Products\*
- Funding for College Education\*
- Retirement Strategies\*
- IRA's\*
- 401(k)s\*
- 403(b)s\*
- Keoghs\*
- SEP-IRAs\*
- Discounted Brokerage\*



**WORLD FINANCIAL**  
**G R O U P**

A Member of the AEGON Group

**World Group Securities, Inc.**

Member NASD & SIPC



**Larry Foster** - Registered Representative, WGS

6600 W. Charleston Blvd., Suite 111, Las Vegas, NV 89146

Branch Office: 702-562-7990 • **Mobile: 702-277-1573**

Fax: 702-562-9648 • [www.lfoster.wfgnet.com](http://www.lfoster.wfgnet.com)

*Over 18 years of law  
enforcement experience.*

\*Securities products/services offered through World Group Securities, Inc. (WGS). Member NASD & SIPC. World Financial Group (WFG) is an independent marketing company whose affiliated companies offer a broad array of financial services and products. WFG and WGS are affiliated companies.



**KATHY WERNER COLLINS**  
General Counsel

## Just Cause to Discipline- What Does It Mean?

### Introduction

It is well known and well accepted that a public safety employer such as Metro must have “just cause” to discipline or discharge an employee. But what exactly does that mean? Unfortunately, the answer is not crystal clear. There are, however, some common and accepted theories and principles that have developed from case law that provide some instruction and guidance.

In its most simple terms, the *just cause standard* involves a review of whether an employer’s disciplinary or discharge decision was fair under all of the circumstances of the case. It involves an analysis of whether an officer engaged in misconduct which would warrant discipline as well as an analysis of whether the level of discipline was fair. While the concept sounds simple, courts and arbitrators have struggled over the years to come up with a test that is easy to understand and apply that would help standardize the factors one should look at to determine whether just cause exists to discipline.

The initial test came out of an 1964 arbitration decision, *In Re Enterprise Company and Enterprise Independent Union*, 46 L.A. 359, authored by Arbitrator Carroll Daugherty. In that decision, Arbitrator Daugherty noted that while there was no one recognized definition for just cause, there were numerous discipline cases that seem to consider the same or a consistent set of guidelines or criteria in determining whether just cause existed.

From that long line of cases, Daugherty developed a test that involved seven questions:

1. Did the employee have notice of the rule and the penalty for violating it
2. Was the rule reasonably related to the efficient operation of the employer’s business
3. Did the employer attempt to learn whether the employee violated the rule
4. Was the investigation conducted fairly and objectively
5. Was there substantial proof that the employee was guilty as charged
6. Were the employer’s rules and penalties applied in a consistent fashion
7. Was the level of discipline imposed reasonably related to the offense and the employee’s record of service.

If the answer to one or more of these questions was “no,” then that generally signified that just cause did not exist. In other words, “no” answers generally meant that the employer’s disciplinary decision was arbitrary, capricious, unreasonable or discriminatory and should not stand. The test developed by Daugherty has been criticized over the years. Some believe that this test does not really address essential elements of industrial due process, for example;

- That an employee had notice of the expected standards of conduct and notice of what the penalties are for failing to meet them
- That an employee was allowed representation during disciplinary interviews
- That a decision to discipline was based on facts established through a complete and thorough investigation,
- That an employee was not disciplined twice for the same offense
- That a disciplinary decision was not based solely on hearsay
- That an employee was afforded a fair pre-disciplinary hearing

Other critics argue that the test is too rigid and that even though an answer to one of the questions may be “no,” evidence supporting the other factors is so strong that the discipline should stand.

Another effort at creating a workable test for just cause comes from two arbitrators who wrote an article published in the *Duke Law Journal* in 1985 {Abrams & Nolan, “*Toward a Theory of ‘Just Cause’ in Employee Discipline Cases,*” 1985 Duke L.J. 594 (1985)}.

Their article sets forth their interpretation of how the “just cause standard” should be analyzed. Their analysis, which is significantly more flexible than the “seven question test,” notes that an employee is obligated to provide satisfactory work including regular attendance, obedience to reasonable work rules, reasonable quality and quantity of work and avoidance of conduct that would interfere with an employer’s ability to carry out its business effectively.

This theory goes on to note that discipline is just if it furthers an employer’s interest in rehabilitating a potentially satisfactory employee, deterring similar conduct in the future and/or protecting the employer’s ability to carry out its business effectively and successfully.

Finally, this theory recognizes that just cause must include certain fundamental employee protections such as industrial due process, progressive discipline, and similar penalties for similar acts of misconduct, otherwise some-

times referred to as industrial equal protection.

Yet another analysis is set forth in a book many of you are probably familiar with, *The Rights of Law Enforcement Officers*, (Fourth Edition), by Will Aitchison. His approach, which focuses strictly on law enforcement officers, simply notes that in any discipline or discharge case an employee can raise any one or more of twelve recognized defenses. The defenses come through the posing of twelve different questions, some of which are part of the Daugherty “seven question test,” some of which are part of the analysis developed by Abrams and Nolan.

From this analysis, and from handling many disciplinary and discharge cases for the LVPPA over the past eight or nine years, I believe that arbitrators consider *all* of the factors used in *all* the different analysis above, to some extent or another. That being said, the remainder of this article will address what I believe to be the factors arbitrators look at in evaluating the propriety of discipline and what those factors mean.

### Elements of Just Cause

*An Employee Has a General Obligation to Provide Satisfactory Work*

One thing arbitrators look at is whether an employee has met his or her obligation to provide satisfactory work. Arbitrators will examine an employee’s work attendance and an employee’s quality and quantity of work when those issues have been raised by the discipline. Likewise, an arbitrator will look at whether an employee has obeyed the employer’s reasonable work rules and whether the employee has engaged in conduct that would interfere with the Department’s ability to carry on its business effectively.

*An Employer’s Rule Should be Reasonably Related to the Effective Operation of Business*

Arbitrators also consider the rule itself and whether it is reasonable, whether it is lawful, and whether it is related to the effective and efficient operation of the Department’s business. In other words, a rule should be related to the orderly and effective operation of the Department’s business and not established for some purely arbitrary or inappropriate reason.

Likewise, if an order or rule is unreasonable or unlawful, discipline for violating or disobeying it will generally not stand. Keep in mind, however, what I told you in a previous article. That is, that the widely accepted rule as to obedience is to “work now, grieve later.” This means that an employee should generally obey an order or follow a rule, even if it is unreasonable, and then file a grievance to address the reasonableness of that rule or order. There is an exception to this rule; an employee is not obligated to follow an order that would threaten his or her health or safety.

*The Elements of Industrial Due Process Must Be Met*

Arbitrators look to whether employees were provided the recognized elements of industrial due process, in essence, looking to whether they were treated fairly during the disciplinary process. They evaluate whether an employee was treated unreasonably, arbitrarily or in a discriminatory fashion. The recognized elements of due process that must be met include:

a. The employer must provide notice of the rule and the likely consequence or discipline for breaking the rule. This almost goes without saying. Nonetheless, arbitrators do look at whether such notice exists because, obviously, an employee cannot be expected to conform his or her behavior to rules they are not aware of. Additionally, however, an employee should be on notice as to what the likely discipline may be if he or she violates a rule.

b. The employer must conduct a thorough, fair and objective investigation. Arbitrators continually stress that an employer must

conduct a thorough and unbiased investigation to establish sound reasons to discipline an employee before imposing discipline upon the employee. In fact, an arbitrator will often look to determine whether the employer made its decision to discipline early on and then just went through the motions of conducting an investigation to find evidence to support the conclusion already made.

Arbitrators find this goal-oriented type of investigation unacceptable. Likewise, arbitrators look to ensure that an investigation was complete; i.e. that all witnesses were interviewed and that all evidence was reviewed.

c. The employee must be afforded the right to representation and an opportunity to respond. Arbitrators almost universally believe that the idea of fairness includes an investigation in which the accused employee is also interviewed and allowed to respond to or address the allegations.

Additionally, this investigation should be conducted in a non-threatening atmosphere and in a non-threatening way. The employee should be allowed to have a representative present. Information in the employer’s possession, such as documentary evidence, videotape evidence, etc., should be shared with the employee so that he or she can address that evidence.

d. The employer must provide a precise statement of the charges, the sustained finding or findings, and the reasons therefore, against the employee. The ultimate findings and the reasons for those findings must be communicated to the employee, preferably in writing. Arbitrators generally feel that such notice is an important part of fairness as the employee must be allowed an opportunity to respond to the charges and prepare a defense.

Arbitrators do not allow the employer to come forward with new or different justifications for a disciplinary decision at the time of arbitration. Rather, these justifications must exist and be articulated at the time the disciplinary decision is made.

e. The action by the employer must be timely. Arbitrators want employers to impose discipline within a reasonable time after learning of the action or misconduct leading to the discipline for a number of reasons.

First, it is believed that when a matter is investigated and dealt with quickly, the parties’ positions are less likely to harden and the matter is more likely to be resolved short of arbitration. Further, arbitrators look unkindly on undue delay as it causes an employee to suffer through stress and uncertainty. Finally, and perhaps most importantly, delay in an investigation or appeal often leads to loss of evidence, inability to locate witnesses, witnesses to suffer from faulty memories and just an overall disadvantage for an employee to defend the allegation.

f. The employer must not discipline twice for the same offense – no double jeopardy. This issue often arises when an employer imposes discipline upon an employee based on facts or information available to it at a certain time and then further investigation or facts are learned that may support a higher level of discipline. If the lack of complete information at the time of the first discipline was not the subject employee’s fault, generally, the second discipline may not stand. Similarly, if one supervisory employee makes and imposes a disciplinary decision, another supervisor who does not like the decision that was imposed may not impose a different decision at a later time.

g. The employee must be afforded *Weingarten* rights. This right, stemming from the case of *NLRB v. J. Weingarten, Inc.* 95 S. Ct. 959 (1975), affords employees the right to representation when they request it.

(continued on page 15)



# Sheriff's Message

SHERIFF DOUGLAS C. GILLESPIE

As of this writing, I have been in office for seven months. It has been an enjoyable learning experience, meeting many members of the community and many experts and innovators in policing. Of course, my main focus is fighting crime in the Las Vegas valley and looking for new ways to do that. Crime is down seven percent over the valley, primarily due to your hard work and diligence. While more officers are hiring on and will soon be on the streets, we can also use any and all tools available to us to help us do our jobs.

One of our goals at Metro is using technology effectively. In keeping with that goal, we are looking at using cameras and that technology to help us be better crime fighters. This includes both red-light cameras and crime cameras. Although we didn't get the support of the legislature for red-light cameras, we're hoping the next time out we will be able to move forward. We have a major traffic problem. To that end, we have a traffic initiative entailing aggressive enforcement, and are partnering with the community and other law enforcement agencies to tackle those problems. Red-light cameras are important since we can't have an officer on every corner or on every part of the highway and this would certainly help us.

You may also have heard about the crime cameras pilot program. The first camera will be at 15<sup>th</sup> and Fremont for a 90-day period. Three vendors will each place their camera for 30 days so we can evaluate the effectiveness of each system. COP/PSU and light duty officers will monitor these cameras initially; however, the cameras will digitally record the video 24/7. The 15<sup>th</sup> and Fremont location was chosen after reviewing violent crime hot spot information for the last four years. This location was selected because of the chronic violent crime problems in the vicinity. These cameras are another tool for us to capture crimes as they are happening on tape. The cameras can catch people in the act and are very useful in prosecution.

Of course, these cameras are not a panacea or a substitute for good police work. Although the cameras are being installed in bulletproof boxes and have the ability to pan and tilt, they will not capture a 360 degree area 24/7. Instead, they will randomly scan the area unless they are manually operated by the officers who are monitoring them.

Even with their limitations, crime cameras have proven to be very beneficial in major cities like Chicago and, internationally, London. Chicago has even gained support for the crime cameras as citizens recognize their value to law enforcement and appreciate the improved quality of life. After the 90-day evaluation period, we will look into the overall effect of the cameras, as well as the usability of each system before determining whether or not the program will be expanded into other high crime neighborhoods.

I've enjoyed my first seven months in office and have been challenged like never before. Our successes have come from your support and cooperation, as well as that of the community and other law enforcement agencies. I look forward to the next three and a half years, and rely on the continued commitment of all of you as we work to deepen those relationships and build upon our outstanding partnership with the community. VB

## Got Your FINANCIAL PLAN Set for 2007?

LVPPA members get their first plan at ..... NO COST!

For over 10 years we have assisted hundreds of officers and their families with their financial planning in areas such as:

- Federally Tax-Free Investments\*
- Supplemental Retirement Programs
- Allocating Officer's Deferred Compensation Funds
- Retirees Deferred Comp Rollovers
- College Education Funding Programs\*
- Mutual Funds\*
- Life Insurance-All Kinds-All Companies
- Financial Planning\*
- Roth IRA\*
- Traditional IRA and IRA Rollovers\*
- Managed Accounts\*
- Exchange Traded Funds (ETF's)\*
- Long-Term Care
- Disability Income Protection
- Medicare Supplements



**AIG AMERICAN GENERAL**

Richard L. Hoover, Investment Advisor Representative  
(702) 221-8866 Ext. #11  
2920 S. Jones Blvd., Suite #110, Las Vegas, Nevada 89146  
www.rlhhoover.com  
Email: rlhhoover@aig.com

\*Reserve and Investment Advisor Representative offered through American General Investment Corporation (AGIC)  
©2007 American General Insurance Company. All rights reserved. AGIC is a member of American General Group  
AGIC, American General Insurance Company

## COURT PARKING



It has come to the attention of the PPA officers are no longer being allowed to park in the garage at CCDC and that no provisions have been made to provide parking for officers attending court. Although it means you have to walk a couple of blocks, we are offering our east parking lot for member use until the court parking facility is completed, or until we move into our new building.

Because the majority of our south parking lot is reserved for building occupants, you will be towed if you parked in a reserved parking space so be sure to utilize ONLY the east parking lot. VB

**LEGAL CORNER**  
(continued from page 13)

Specifically, when an employee is asked to participate in an interview that he or she reasonably believes may lead to a discipline, and when that employee has asked for a representative to assist in that interview, the employer may not legally deny the request.

*The Discipline Imposed Must Further a Legitimate Interest of the Employer*

Arbitrators also attempt to ensure that there is legitimacy to the discipline imposed. Discipline should not be for arbitrary or personal reasons. Rather, discipline should be reasonably tailored to rehabilitate an employee who it is hoped will be satisfactory in the future. Likewise, discipline should be tailored so as to deter similar conduct in the future.

*The Discipline Imposed Must Be Fair and Proper*

Arbitrators also evaluate the proper level of discipline in their review of whether a disciplinary or discharge decision was fair. The part of their analysis essentially involves looking at whether the discipline imposed followed the concept of progressive discipline and whether the discipline imposed was consistent with what other officers engaged in similar acts of misconduct have received. A progressive discipline system uses a series of steps and requires that discipline be imposed in a progressively more severe level each time. The thought is that discipline is designed to correct behavior problems and that the discipline imposed should be at the least level possible while still correcting the problem. In other words, discipline is to teach not to punish.

Similarly, arbitrators recognize that discipline should be consistent to be proper. Consistency requires that rules be enforced in an evenhanded fashion and without discrimination and that the level of discipline imposed should be based on the nature of the offense, should be based on the employee's past record of service with the Department, and should be consistent with what other employees engaging in similar conduct have received by way of discipline.

**Conclusion**

Again, I believe that arbitrators consider *all* of the factors mentioned above, to some extent or another. I also believe that arbitrators apply these factors in a very flexible fashion and really make an effort to look at the case as a whole to determine whether the discipline imposed is fair under all of the circumstances.

So, for example, in one case an arbitrator may determine that an employer's lack of a complete and thorough investigation may be so problematic that the resulting discipline cannot stand whereas, in another, an arbitrator may determine that even though an investigation was lacking in some respects, the proven facts so clearly establish that misconduct occurred that the discipline may stand despite the inadequacies in the investigation.

In other words, determining that a certain factor from the tests above exists or does not exist, may determine the outcome of one case but not necessarily another.

If any of you wish to speak with me personally about this topic, or if you have any other questions, please do not hesitate to contact me. **VB**



A division of Trade News International, Inc.

**To Advertise in  
Vegas Beat  
call (702-987-4789)**

**ADEL F150  
Fingerprint Storage Box**



**FEATURES AND BENEFITS**

- Holds up to 30 fingerprints
- Automatic dead bolt door locks and unlocks quickly
  - Operated with 4 AA alkaline batteries
  - Mechanical key override
- Pre-drilled to bolt to floor or wall
- Dimension: 16"1/2 14"1/2 8"

**\$269** Each + Shipping Cost from Walnut, CA

- |                          |   |
|--------------------------|---|
| <b>Ideal for:</b>        | – Locker rooms  |
| – Weapon storage         | – Classrooms  |
| – Prescription medicines | – All items you want to keep out of reach of children |
| – Jewelry                |   |
| – Dorm rooms             |   |

[www.adelsecuritylocks.com](http://www.adelsecuritylocks.com)

**1-800-969-3334**

# TASER COORDINATOR

OFFICER MARCUS MARTIN

A suspect wanted out of California sits on a couch in the front yard of a house. The subject of “several felony warrants” smokes a marijuana cigarette while, from a distance, Fugitive Detail detectives confirm his identity. A plan is made and detectives approach the suspect, identifying themselves by voice and badge. Quickly, the subject is up and running toward the residence. Any reasonable officer can surmise that nothing good can come from the suspect gaining entry into the house: They will end up with a barricaded suspect, in the best case, or an armed wanted suspect, in the worst case.

Moving at well over 400 feet per second, two barbed, weighted probes rapidly find the escaping wanted felon and strike him in his upper right arm and torso. The detective who fired his ECD (Taser) remains ready to give additional applications, but only if absolutely necessary. Promptly handcuffed, the detectives have safely and effectively taken this person into custody for his all-expense paid trip back to California. This true account happened only a few weeks ago.

Sometimes it seems that California does not extradite criminals for any reason. I wonder if that would change if it was for some heinous crime like “disbelieving global warming” or any other conservative viewpoint. But this article is not about our liberal friends to the west. It is about the Electronic Control Device (ECD) from the “Taser Guy’s” perspective.

The role of Taser Coordinator for Metro is actually more “de facto” than it is official. I noticed that the “Taser Guy” I replaced was completely happy to relinquish the role. (After handing over some training materials, I expected him to start sprinting away from me, hysterically laughing. My predecessor had been tasked with the implementation, training, instructor development and continual training updates concerning the Electronic Control Device – the Taser.

I think he did a great job. Not only did he have to bring the Taser program online patrol-wide, he had to do so “yesterday.” He put up with the natural resistance to change; he had to deal with misconceptions and training errors and, rarely, training injuries. Tom Miller moved on almost 2 years ago and I became the “Taser Guy.”

Since the program’s inception, we have performed very well in most aspects concerning this device, often in ways that are difficult to quantify. The numbers of assaults on our officers that have not occurred because of Taser presentation, or even just presence, is not known, but I’m sure it would be an extraordinary number despite being subjective. The numbers of persons searching for “suicide by cop” who felt the disconcerting, yet temporary, pain of the ECD have also not been officially counted. Persons who, in the past, would have continued fighting despite pepper spray or baton strikes are dissuaded sooner with a proper application of the Taser. Many times, only one application is used.

The accounts of proper and effective use of the ECD are as they should be – numerous; and there are seemingly endless accounts of heroism while facing potential loss of life, violent subjects quickly subdued, lives saved and injuries reduced as a result of a squeeze of the ECD trigger.

What about instances with no trigger squeeze? As I said earlier, we do not know how many times officer presentation of an ECD has dissuaded someone from assault or violent resistance, from flight associated with severe crimes or from harming themselves or another. We do know it occurs very frequently. (In short, the word is on the street and in the prison yards – suspects do not want to feel the effects of the ECD). Word of mouth, coupled with our natural fear of electricity, is enough to cause many to be compliant. Prior to the ECD, many more would commit assault or be violently resistant.

I restate; we have done many things well from implementation to recertification. What things could we have done better? Well, for starters, how about better education of the public concerning our success ratio? Why not tabulate the difference in workers compensation injuries before and after

ECD and make the results known? There are many other related statistics that should be discovered and disseminated. For example, use of force injuries dropped by 33% on the Omaha Police Department *after* implementing the ECD. South Bend, Indiana – officer injuries dropped 66%. Sarasota, Florida, experienced a 45% drop. El Paso, Texas, Police Department experienced a 59% decrease in assaults committed against their officers after Taser deployment. Chief R. Wiles of El Paso Police Department said, “The decrease in assaults is beneficial to the department and to taxpayers because it reduces workers compensation claims filed by officers.”

I’m just getting started here. Suspect injuries have declined 67% in Phoenix, Arizona, since Taser deployment. Austin, Texas cut their officer injuries exactly in half while their suspect injuries dropped a whopping 82%. Charlotte-Mecklenburg Police Department saw a 59% and a 79% drop in officer and suspect injuries respectively. Cop-shops nationwide have seen a drop in citizen complaints of excessive force, prisoner injuries, and officer injuries. Use of impact weapons, OC spray, as well as strikes, punches, and kicks have all dropped precipitously as a result of ECD issuance. (*The above statistics were compiled by Steve Tuttle, Vice President of Communications of Taser International, as supplied by the listed agencies.*)

I could go on and on as the numbers keep rolling in. It is conceivable that the device could begin to pay for itself in reduced litigation costs. These reasons and more are why over 10,000 agencies in our country alone have equipped their officers with the ECD. The military has numerous applications for both standard ECDs and those which have a more, shall we say, “permanent seizure of the person.”

Internationally, the ECD is seeing wider use. Even the French have summoned the courage to buy the device. Whether they will use it remains unknown. We, as a department, could (in my opinion) show the public what a vast success our Taser program is; money well spent.

Another area in which we could improve rests with you and I-the officers. We love to point fingers at “The Brass,” “The Tower,” “Executive staff,” “Supervisors”-all while using various and sundry expletives and descriptors. But we so rarely point fingers at ourselves. Like the real estate mantra, “location, location, location...”, our mantra should be “articulation, articulation, articulation...” Proper application of use of force, coupled with poor articulation of the facts, can be almost as problematic as an improper use.

Far and away, Metro officers apply the ECD properly, judiciously, and within the confines of *Graham v. Conner*. Articulation could improve in our descriptors of the situation the suspect creates...the actions the suspect forced to occur.

Lastly, if any “brain farts” have occurred, we cannot afford to repeat them – even though they have been few. Remember to consider every option when time and instance allows. Weigh all of the elements of use of force whenever possible.

Remaining an issue is use of the ECD as it befits the crime. Officers who are willing to send probes after a running subject – when that is the only crime – risk receiving the proverbial “jackpot.” Policy is being refined to reflect this. Other articulable facts or severity of the crime must precede an ECD application. “Tasing” someone who sprints away for unknown reasons, or because you caught them smoking a joint, may bring your caper unwanted scrutiny. Certainly, simple obstruction, absent more severe crimes, may require more patience and less Zap! Always remember to let “the severity of the crime at issue” be your guide. This pertains to the ECD or anything on your belt or anything that you drive.

## Does Taser Kill?

You know my answer. I maintain that ingesting a controlled substance and going for a jog in the park can kill you. Doing a line and hitting the basketball court can kill you. Taking methamphetamine, PCP, or countless

(continued on page 20)

# THE WRONG WAY & THE RIGHT WAY TO RECRUIT SNATCHING DEFEAT FROM THE JAWS OF VICTORY

JEFFREY CHURCH

Recruiting Contributor for Officer.com

Some agencies seem more concerned about deselecting good candidates than getting good ones. Those that do not get the best candidate will pay for it in liability, turn-over and public acceptance. I won't mention any names, but we'll take a look at two agencies, one eastern and one western, which seem to be stuck doing it the wrong way. They seem to put obstacles in the way of getting quality applicants. The degree to which one large agency goes is mind numbing.

According to the eastern agency Website: "The (name deleted) has a critical need to hire..." yet their Website also says: "...you must also be a resident of the city for at least one year prior to taking the civil service exam." That seems self defeating. The need must not be too critical.

Next, veterans, such as me, are encouraged to apply. However as I understand it, veterans get head-of-the-line privileges. A vet who scores 70 goes to the top of the list over a non-veteran who scored 99. Not all veterans can be good cops. Shouldn't someone smart enough to score 99 be given fair consideration?

Real diversity involves not only race, but people of all ages, backgrounds, cultures and ethnicities. I know a small agency where every supervisor was a veteran and almost all Marines like the chief. Regardless of race or ethnic background, that's not diversity.

So an experienced out-of-state cop who speaks Spanish and has a college degree need not apply. The GED veteran, city resident gets the job. This really seems to be very counterproductive to both getting quantity and quality applicants.

For those who still want to take the test, it is only offered once every two years! According to their Website, the next test is April 23, 2007. You missed it, but you can re-apply in two years! The Website further discourages applicants by saying that it has a consent decree to hire minorities. Apparently, that is outdated information as well.

They have already dramatically dissuaded the applicant pool, but to compound matters they charge \$75 to take the test. Yes, they charge you to fill this "critical need."

Okay, by now they have ruled out the vast majority of potential quality applicants, but it gets even worse. I have found that retired military, many aged 38-42, make excellent cops and many are physically and mentally conditioned. Many can run circles around out-of-shape, much younger applicants. This agency has an age limit: 31 – or 35 for some veterans. Apparently, they plan to up this to age 40 next time. My teaching partner is a retired Army Ranger, almost zero body fat and now a successful police sergeant.

Overall, this agency's deselection process is the most egregious example of poor recruiting and hiring that I have ever seen. A moderate-sized western

(continued on page 33)

## WESTERN STATES POLICE AND FIRE GAMES TO BE HELD IN MESA, ARIZONA OCTOBER 6 – 14, 2007

Now that the World Police and Fire Games, held this past March in Adelaide, Australia is over, competitors are setting their sights on Mesa, Arizona where the Western States Police and Fire Games are scheduled for October 6<sup>th</sup> through 14<sup>th</sup>.

The Western States Police and Fire Games is an event that has taken place each year since 1967, and draws thousands of competitors, both retired and active, from the law enforcement and fire fighting communities. During this particular week in October, police officer and firefighter athletes will gather to test their strength, endurance, and skill in nearly sixty different sporting events. Much of the competition is traditional. Some of it, though, you won't see in any other large organized sporting event.



Angling	Flag Football	Half Marathon
Archery	Golf	Roller Hockey
Baseball	Off-Road Motorcycle	Skeet & Trap
Basketball	Pistol	Soccer
Bench Press	Police Service Dogs	Toughest Competitor Alive
Biathlon	Pocket Billiards	Tennis
Body Building	Push/Pull Lifting	Track & Field
Boxing	Racquetball	Triathlon
Cross Country Run	Rifle – Large/Small	Karate
Cycling – Road/Mountain	Dodge Ball	Horseshoes
Paintball	Western Pistol	Surfing
Table Tennis	Volleyball	Wrestling

Weekend warrior or hardcore amateur, if you're interested in finding out what it's all about check it out at [www.cpaaf.org](http://www.cpaaf.org) or by calling (858) 571-9919. Read the complete list of events offered, the rules of competition and eligibility, and something about this great sporting competition that has been taking place for 40 years. And then, if you're up to testing yourself or your team against others in the law enforcement and fire fighting professions, it'll tell you how you can sign-up. **VB**

# POLICING WITH HONOR

LIERTENANT RANDY SUTTON

*A NJ Officer Charged With Staging Own Shooting@*  
*A Pipe Bomb Hero Cop Arrested@*  
*A Police Department Dealing With Arrests Of Officers@*  
*A Police Corruption Probe Nets Four Cops@*

These are actual newspaper headlines from all over the U.S. I'm having trouble understanding the sheer force of my reaction. Just reading those truncated accusations cuts through me like a dull blade and makes me feel ashamed. I didn't do anything wrong and I didn't know any of those cops. My agency wasn't the P.D. in question in any of them, so why do I have such a visceral, gut-kicking response when read such things? It's simple: Because I'm not alone and those cops who crossed the line aren't alone either.

All of us who wear a badge are members of a profession that is one of the most honorable in the nation. I have proudly worn a badge on my chest for more than 25 years and I've reached a point where even when I'm out of uniform and off duty the imprint of that badge is still there. I take it to heart – my sworn duty to serve and protect. I've knelt by the police memorial wall in Washington D.C. honoring the thousands of cops who gave their lives in the honorable performance of that same duty.

That's why I take those headlines personally. Those dishonored cops are in the same fraternity – men and women alike – as those who have fallen. That makes me both sad and angered and that's why I left the street to become a trainer in my department. Armed with wisdom, street-smarts, experience – all of us who are senior officers are in a position to stem the tide of corruption provided we can understand how it happens.

As a police trainer, I have studied countless volumes on the *Ethics of Law Enforcement*. There's a lot of material out there. I've read treatises by doctors, professors, police chiefs and street cops. I've watched taped interview after interview with former cops recounting their paths to destruction and listened to their accounts of the unraveling of their careers, their marriages, their lives. Despite all this, I'm left with more questions than answers.

- Why did these officers make the decisions that they did?
- Did their agencies fulfill their responsibilities to the public in the training of the officer?
- Could anything have been done to prevent the actions of these officers?

These are the key questions. The answers aren't simple. Where do we start? We start with accountability.

## The Three Levels of Accountability

Accountability in law enforcement has three equally important components that must work in synchronization with one another. First, there is **self-accountability**. Each police officer, from probationary officers all the way up to the head of the agency, plays an important role within the framework of their police organization.

Think of the organization as a living organism, or body, and the personnel within it as being synonymous with the organs, the limbs, the circulatory system, the bones, the skin, etc. For the body to be healthy and performing at its peak, all of its parts must be working in harmony with each other. When even a minor body part, say like the pinky finger, is not functioning well, it affects the functioning of the body as a whole. For example, a dislocated pinky finger will make a hand less agile and useful, creating an inefficient holster draw, a less rapid response, thereby weakening the entirety of the body, or the officer, putting his or her welfare in perpetual jeopardy. Therefore, every little thing in an organism is important; every member of an organization is important and a factor in healthy functionality. Thus, when even one officer or agent within an agency commits a breach of trust, the whole organization suffers.

Almost every police agency has an Internal Affairs Bureau and/or Professional Standards Inspectors but, let's face it, they cannot force a person to act honestly and ethically. An individual's actual behavior, despite whatever oaths he or she takes to uphold, can only be determined by that individual's personal response/action to a given set of circumstances. Those behavioral choices come from within the individual and this taking responsibility for one's actions is determined by one's internal set of values. This is the essence of self-accountability.

The next component is **supervisory accountability**. When law enforcement officers go through the promotional process and take on supervisory roles for the first time, there is too often not enough preparatory training to ready them for their transition. Officers are usually promoted based on seniority and/or field experience, but such a background, no matter how essential it is for one in a supervisory capacity, does not prepare an officer for what he will encounter.

A promoted officer, usually a sergeant, leaves behind being "one of the guys" and that change alone is a difficult change for many. The familiar squad room/locker room banter that the officer once enjoyed and could participate in suddenly ceases once the newly promoted supervisor enters the scene. Sometimes the new supervisor faces resentment from his former peers who believe that the promotion was unearned and occurred because of "politics" or because he or she was "a better test taker."

Another fact of P.D. life is that the majority of police agencies in the country are small, with far less than 20 sworn officers, so there is too often general knowledge of everyone's personal lives, not to mention an in-depth knowledge of everyone's professional career. This familiarity can make taking a supervisory role even more difficult, and yet it is essential that the newly promoted supervisor meet the challenge of above-reproach ethical behavior. The scrutiny that he or she will be under is both a burden and an opportunity to set an example.

Furthermore, the supervisor becomes the second line of defense in the battle for ethical behavior. It is he or she who is in the best position to observe the conduct of their personnel and it is he or she who will most likely encounter the conduct problems that arise from inexperience within the ranks of the unguided. To not take firm and decisive action at the earliest opportunity not only poses its own ethical conundrum but it becomes a lost opportunity to demonstrate leadership. Supervisory intervention, by setting clear examples of expected behavior, and by correcting the transgression early in its commission, may actually save the career of the employee down the road. Ultimately, it is the first-line supervisor who truly sets the standard for departmental work ethic for on duty behavior and for the treatment of the community's citizens.

The final aspect of accountability is **administrative accountability**. Law enforcement agencies throughout the country all have similar hierarchical structures which progress upward to eventually include the head of the agency, most often a chief or sheriff. If the agency is small, the administrative staff above the first-line supervisors may just include a captain or a couple of lieutenants or their equivalents. If the agency is large, there may be a full complement of staff officers or agents who make up "the administration." There is no doubt that the entire "ethical personality" of an agency is determined by the head of that organization and, accordingly, by those who the leader has chosen to surround himself or herself with.

If, upon appointment or election, the chief or sheriff selects men or women who are perceived as competent, fair and ethical, the entire organization, as a body, will respect the decisions made on their behalf and will be optimistic as to how these decisions will affect their professional, even personal, lives. If, however, the head of the agency enjoys a less than savory reputation or if he/she appoints or promotes "administrative bullies," the

(continued on page 26)

# ADDITIONAL BENEFITS TO COMMISSIONED RETIREES

BY KAREN KELLER

Recent revisions of federal law could result in additional benefits to commissioned retirees. The Pension Protection Act of 2006 allows public safety employers an option to implement a tax-free distribution for qualified insurance premiums from pension payments and deferred compensation plans. This exemption only applies to retired commissioned officers.

There are a few requirements for withdrawals to qualify for tax-exempt status:

- There is a **\$3,000 limit annually** that can be exempted. The distribution may come from either a retirement plan (PERS) or a deferred compensation plan (Hartford). While the annual cost of insurance premiums for the retiree may be more than \$3,000, only \$3,000 is eligible for tax exemption.

- This provision is separate and apart from the benefits provided by the post employment medical benefit trust; however, it is doubtful that the same \$3,000 reimbursed through the trust could be claimed as exempt under this new provision. If you are submitting for reimbursement of your premiums through the post-employment benefit trust, you should discuss with your tax advisor to avoid claiming the same payments for duplicate exemptions.

- For a distribution to qualify for the tax exemption, **it must be paid directly to the insurance provider** by either PERS or Hartford and may not pass through the retiree's hands.

- Distributions are **not considered tax exempt until the retiree files his/her tax return** after the end of the tax year. The withdrawal is not tax exempt at the time it occurs. This means that the normal 20 percent tax withholdings will be deducted at the time of withdrawal. To use a withdrawal from a Hartford deferred compensation account as an example: In order to have a net payment to an insurance provider of \$3,000, the retiree will need to take a withdrawal of \$3,750 from their account. Hartford will withhold the 20 percent tax, (\$750) and the remaining \$3,000 would be paid directly to the insurance provider. The retiree will receive a 1099 at the end of the calendar year for the \$3,750 withdrawal and would then claim the \$3,000 exemption when filing their tax return.

- Regular payments from either PERS or the deferred compensation plan that do not comply with the requirements will not qualify for the tax exemption. If you have your monthly insurance premiums withheld from your PERS, and therefore sent directly to the insurance provider, this may satisfy the restrictions and qualify for the exemption. You should seek the advice of your tax professional. To date, PERS has not established any additional process specific to the new provisions in the Act.

The LVMPD Hartford deferred compensation plan has not yet implemented this optional program. We are currently working with Hartford to address procedures to meet the employer requirements of this complex program. We will keep you posted as it develops. **VB**

# DEPARTMENT OF JUSTICE ANNOUNCES FINDINGS ON DRAGON SKIN BODY ARMOR

## PRESS RELEASE

WASHINGTON, D.C. - The Department of Justice (DOJ), Office of Justice Programs (OJP) announced today that it has determined that the Pinnacle Armor, Inc. bulletproof vest model SOV 2000.1/MIL3AF01, is not in compliance with the requirements of OJP's National Institute of Justice (NIJ) voluntary compliance testing program for bullet-resistant body armor. Effective immediately, this body armor model will be removed from the NIJ list of bullet-resistant body armor models that satisfy its requirements. Pinnacle Armor, Inc. is the maker of "dragon skin" body armor.

NIJ, OJP's research, development, and evaluation component, has reviewed evidence provided by the body armor manufacturer and has determined that the evidence is insufficient to demonstrate that the body armor model will maintain its ballistic performance over its six-year declared warranty period.

Notwithstanding NIJ's determination, DOJ encourages public safety officers to wear their Pinnacle Body Armor, Inc. body armor, model SOV 2000.1/MIL3AF01 until replacement because research has shown that officers are more likely to suffer a fatal injury when not wearing body armor.

In addition, DOJ strongly recommends that public safety agencies and officers who purchase new bullet-resistant body armor verify, prior to purchase, that the body armor model appears on NIJ's list of models that comply with its most current requirements, the 2005 Interim Requirements for Bullet-Resistant Body Armor. A list of these models is available

at [www.justnet.org](http://www.justnet.org). DOJ also encourages public safety officers to follow body armor manufacturer "wear and care" instructions, and not to store armor in the trunk of their vehicle or other environments in which armor might be exposed to extreme heat or cold.

Information about the DOJ Body Armor Safety Initiative can be found at <http://vests.ojp.gov>.

The Office of Justice Programs (OJP), headed by Assistant Attorney General Regina B. Schofield, provides federal leadership in developing the nation's capacity to prevent and control crime, administer justice and assist victims. OJP has five component bureaus: The Bureau of Justice Assistance; the Bureau of Justice Statistics; the National Institute of Justice; the Office of Juvenile Justice and Delinquency Prevention; and the Office for Victims of Crime. Additionally, OJP has two program offices: The Community Capacity Development Office, which incorporates the Weed and Seed strategy, and the Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART) Office. More information can be found at <http://www.ojp.usdoj.gov>. **VB**

Friday, August 3, 2007

<http://www.ojp.usdoj.gov/> Office of Justice Programs

Contact: Sheila Jerusalem

Phone: (202) 307-0703

TTY: (202) 514-1888

## TASER COORDINATOR

(continued from page 16)

ther substances, or any combination thereof...and then generating a call by fighting with family, roommates, or otherwise creating a disturbance and THEN fighting with the police CAN KILL YOU!

A dose that is “safe” for you on Thursday is the same dose that claims your life on Sunday. This is known to be true by the medical community—although not fully understood as to why.

“Special interest groups,” such as the ACLU and Amnesty International, seem to always side-step the illicit drug issues that surround the overwhelming majority of in-custody deaths. Oddly, notions of simple social responsibility that should be expected of our average citizens cannot be found in the ACLU or A.I.’s lexicon.

There are instances of in-custody death that are not related to illicit drugs, but they are in the smallest percentiles comparatively. So my answer is an emphatic “No!” when I am asked if the ECD kills. If it did, I would not be here. Many of you would not be here. Hundreds of officers from around the country were tested under various stimuli for 15 continuous seconds. Yes, you read that correctly. The ECD was applied to these OFFICERS non-stop for 15 seconds – no deaths or injuries.

I say Taser does not kill – but I am not a doctor. So what does the medical community say? The New England Journal of Medicine put it succinctly:

**“The question of the safety of the use of “stun-guns” by law-enforcement agencies has been raised in the news. Deaths after discharges from such devices (Tasers) have been reported, although no definite causative link between death and the use of the stun gun has been made.” (2005-N.E. Journal of Medicine)**

That’s it – simple. “No proof.” Who would have thought the New England Journal of Medicine spoke “cop-eeze”? If nothing else, always keep in mind the Department of Justice study that outlined sudden death common factors:

- Chronic/toxic drug use
- Pre-existing heart conditions
- Obesity and poor cardiovascular condition
- Diabetes and other pre-existing diseases
- Protracted physical struggle
- Exhaustive mania/metabolic acidosis
- Agitated/excited delirium
- Positional/Restraint/Compressive asphyxia
- Neuroleptic Malignant Syndrome

The final word on the special interest minions verses the ECD: They believe the ECD should only be used in “deadly force situations.” This is a personal choice officers have made around the nation risking their lives meeting lethal force with non-lethal force. When you lack the courage, training or fortitude to step out and present less-than-lethal devices in the face of lethal risk you probably should not suggest others should do so. Special interest groups decry a loss of life, as they should. But to suggest that greater risk should be incurred by officers to deploy ECDs “only in deadly force situations” is both ignorant and unconscionable. Officers may elect to do so with lethal cover, but there is still the departmental caveat of “should not” written into policy.

When I mentioned that “special interest groups” decry a loss of life, as they should, I should also say that I have yet to hear of such lamentation from the ACLU or A.I. concerning fallen law enforcement. The loss of someone who commits a violent crime and succumbs when their body can’t take the combination of illicit drugs, lifestyle, adrenaline-dumping headlong flight and an altercation with police – all of this produces protest. I wonder what lamentations occurred amongst these types upon news of a murdered police sergeant.

### EDPs/ Excited Delirium

Law Enforcement critics (you know, those folks who are NEVER around when the bullets/probes are flying, or batons are swinging) are not only constantly griping about the ECD, but they will also tell you that Excited

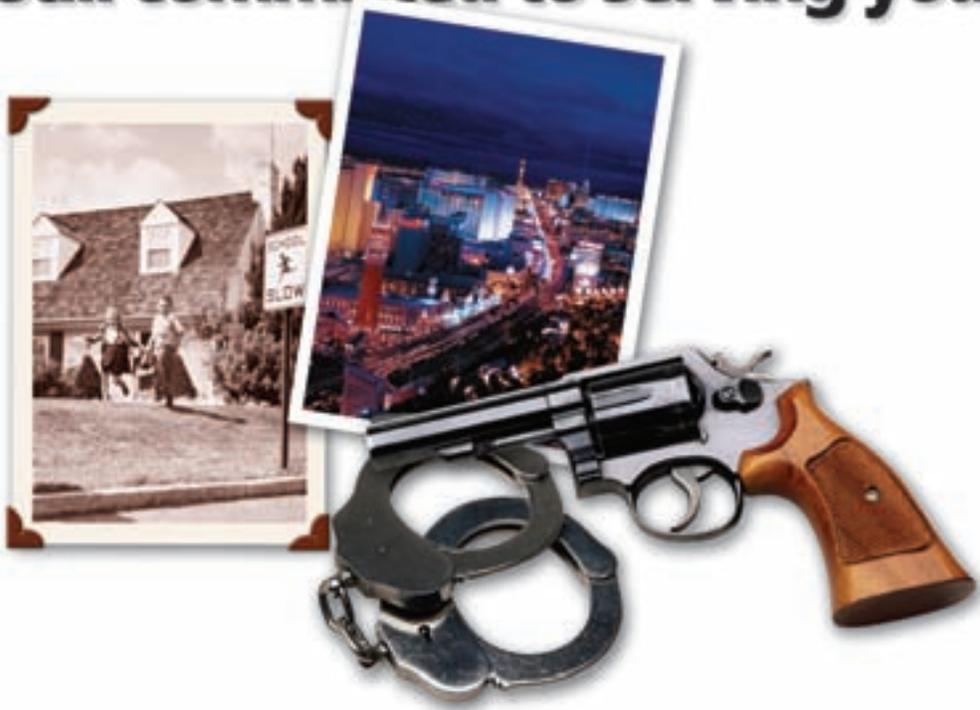
(continued on page 31)



# VEGAS BEAT

IS BROUGHT TO YOU WITH THE  
SUPPORT OF OUR ADVERTISERS.  
PLEASE SUPPORT THEM!

# You're committed to serve, and after 56 years in the community, we're still committed to serving you.



**Clark County Credit Union is Nevada's only  
state-chartered credit union for Metro employees.**

**Does your bank offer you a share of the profits?  
CCCU's Bonus Dividend in January 2007 - \$7.7 Million.  
All CCCU members receive their fair share.**

- Better rates on deposits
- Better rates on loans
- More free and low-fee services
- Owner-builder home construction loans
- Land Loans
- Mortgages / Second Mortgages
- Home equity credit lines
- In-house auto buyer/broker
- Vehicle loans up to 84 months
- RV loans up to 15 years

**[www.ccculv.org](http://www.ccculv.org) • (702) 228-2228**

2625 N. Tenaya, Las Vegas • 3780 E. Flamingo, Las Vegas • 303 S. Water Street, Henderson  
803 Shadow Lane, Las Vegas • 1425 E. Windmill, Las Vegas • 9311 W. Sunset at 215 Beltway

CCCU selected American Share Insurance (ASI) to insure your deposits up to \$250,000 per account, rather than the federal government's \$100,000 maximum. This institution is not federally insured. ASI is not a government agency. Members' accounts are not insured or guaranteed by any government or government-sponsored agency.



# Discount Theme Park Tickets

THEME PARK	TICKET	REGULAR PRICE	LVPPA PRICE
Knott's Berry Farm	One Day Ticket-Adult	\$41.95	\$24.00
	One Day Ticket-Child (3-11)	\$16.95	\$17.00
Soak City-(seasonal)	One Day Ticket-Adult	\$26.95	\$18.00
	One Day Ticket-Child (3-11)	\$16.95	\$17.00
Legoland	One Day Ticket-Adult	\$57.00	\$39.00
	One Day Ticket-Child (3-12)	\$44.00	\$39.00
(Legoland tickets may be upgraded to a Two Day Ticket at Guest Services for an additional \$1.00)			
San Diego Zoo	One Day Ticket-Adult	\$33.00	\$29.00
	One Day Ticket-Child (3-11)	\$22.00	\$19.00
Sea World	Two Day Ticket-Adult	\$57.00	\$44.50
	Two Day Ticket-Child (3-9)	\$47.00	\$38.00
Universal Studios	Three Day Ticket-Adult	\$61.00	\$49.00
	Three Day Ticket-Under 48"	\$61.00	\$49.00
Wild Animal Park	One Day Ticket-Adult	\$28.50	\$25.00
	One Day Ticket-Child (3-11)	\$17.50	\$16.00

The listed "Gate Price" reflects one day admission only.

Tickets may be purchased in person at the LVPPA office located at 201 S. Las Vegas Blvd., Suite #200, during normal business hours. Acceptable methods of payment are cash or check. Credit and Debit cards are not accepted.

For questions and information, please contact the LVPPA at (702) 384-8692.

The LVPPA makes no profit from the sales of theme park tickets; however, our ticket costs are rounded to the nearest dollar.

# WALK THE WALK



## Paxton Walk. Happening daily.

Everything is within steps. Your own fitness club and Olympic-size pool. The Paxton Square Town Center with restaurants, shops and ice cream parlor. A resort-designed clubhouse with game room, gathering lounge and cinema. And of course, home. At Paxton Walk, there is no more waiting for Saturday for a relaxed lifestyle. Come live where even Tuesdays feel like weekends. Visit our sales model today at the inviting Paxton Walk Sales Pavilion.

**We are offering a 4% discount off the price of any townhome or condominium to Law Enforcement employees, both active and retired, in appreciation of your outstanding service to our communities.**

TOWNHOMES,  
CONDOMINIUMS,  
& STOREFRONTS

**Now Under Construction**  
**200's to the 500's**  
**NOW WRITING CONTRACTS**

### From 95 North:

Take exit 91 with the I-215 East/Buffalo Drive option. Turn right on Sky Pointe Drive. Our Sales Pavilion will be on your left located at 7320 W. Centennial Parkway.

Open 10 am - 6 pm seven days | 702.309.3700 | [paxtonwalk.com](http://paxtonwalk.com)



All information regarding site plans, floor plans, elevations, lot, price and location of units associated with the development is preliminary in nature and is subject to change by developer.

# 20TH ANNUAL BRASS CHALLENGE EVENT OCTOBER 20, 2007 VALLEY OF FIRE

The Las Vegas Metropolitan Police Department, in conjunction with the Las Vegas Police Foundation, will conduct its 20th Annual Brass Challenge Event on Saturday, October 20, 2007 at the Valley of Fire. The Brass Challenge is open to Department members only. Each participant, in addition to receiving a T-shirt, is invited, along with race supporters and their immediate families, to a picnic and awards ceremony at Logandale Park immediately following the race. This is a fun day for the whole family so start making your plans now! Team Captains' meetings will be held at DTAC in the Captain's Conference Room at 3:30 p.m. on the following dates:

**September 20, 2007**  
**October 18, 2007**

Further information can be obtained by calling Jerry MacDonald at 756-8803 (cell) or 262-3026 (pager).

# L.V.P.P.A. BOARD OF DIRECTORS

Currently, there are (4) vacant positions on the Las Vegas Police Protective Association's Board of Directors. The positions are:

- Traffic Representative
- Northeast Area Command Representative
- Northwest Area Command/Academy Representative
- Detention Services Division (4) Representative

Please contact the PPA office at (702) 384-8692 if you are interested in being a representative on the Las Vegas Police Protective Association's Board of Directors.



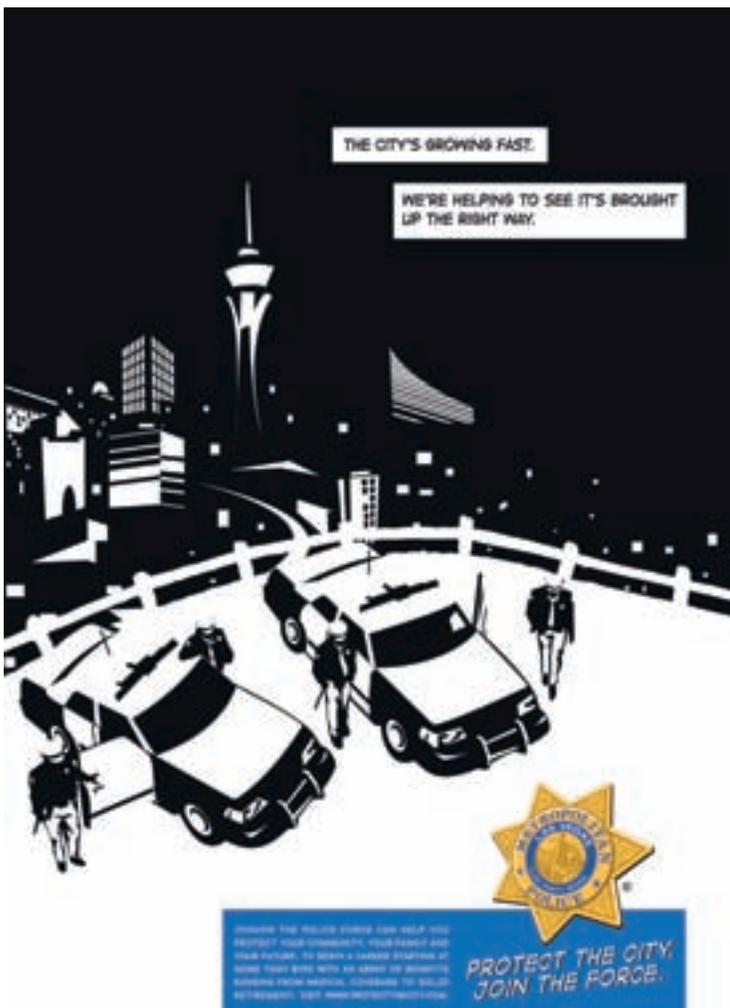
## PROTECT THE CITY. JOIN THE FORCE.

**Salary Range: \$53,000 after the first year -  
maximum base pay over \$77,000**

*This also includes an excellent benefits package that includes health insurance, uniform allowance, court time pay, educational incentive, sick leave accrual, vacation leave accrual, and much more...*

YOU, as an LVMPD Police Officer or Corrections officer, can not only achieve your career goals with endless advancement opportunities, but you can also realize an excellent quality of life including home ownership in Las Vegas or any of the surrounding communities. Now is the time! Our agency must hire 400 Police and Corrections Recruits per year for the next several years to keep up with the "booming" growth of Southern Nevada. Visit [www.protectthecity.com](http://www.protectthecity.com) for details and to apply for one of our six annual Las Vegas testing dates. We may bring our testing process to a town near you.

Department employees who refer applicants that successfully make it through the LVMPD academy will receive \$500 per candidate, provided they list the referring employee's name and P# on their initial application. See PO-40-06 for additional information. VB



# GUNFIGHTS

## DON'T BUY INTO THE HOLLYWOOD HYPE

**JOHN WILLS**

Training Contributor for Officer.com

As an instructor, I try to convey a sense of realism into everything that I teach. Whether it is firearms or defensive tactics, the last thing that I want to have happen is to teach a method or tactic that is not realistic, or that has students thinking the end result will be something other than what I tell them. But try as I may, some still buy into the “hype” that television and Hollywood continue to mass produce.

You know what I am talking about: The guy shot with the shotgun gets blown through a window; or the guy shot with a .45 caliber that does a back flip over a chair. It is never ending. The stuntmen in filmmaking are rich because the more dramatic the result of a gunshot wound, the more the film becomes a “must see.” It has gone to such an extreme now that it almost rivals the Kung-Fu-type movies, with bodies flying all over the place as a result of unrealistic kicks and punches.

I was recently conducting an instructor course involving a firearms simulator with video-based scenarios. The officers that I was training were guys that had time on the job, not fresh-faced rookies. While we were reviewing some of the situations and allowing them to shoot in several scenarios, I was surprised when one of them asked me a question about after having shot someone twice, the subject failed to drop to the ground. The officer asked me if there was a glitch in the filming. I questioned him as to why he would ask me that, and he replied, “If I shot someone twice, I would expect that he would fall down.” Really...?

That was interesting to me, and it was the genesis for a discussion about what really happens in a gunfight. What are your expectations as to how either you or the bad guy will react if struck by a bullet(s)? The simple answer is to expect the unexpected. So many variables come into play when trying to explain terminal ballistics. What are some of these variables? Adrenaline, physical and mental condition, clothing, mental state, drugs present in the system, size of the projectile, motivation, and bullet placement are just some of the components of the gunfight equation that will impact the eventual result of a round(s) striking someone; all influence the outcome.

There can be no “expected” result when you are engaged in a gun battle – I don’t care if you have been involved in one, two or 100 shootings, each battle is unique. I have walked subjects into emergency rooms that have been shot in the head with a .45 pistol. Conversely, I have carried subjects into those same ERs that have died from a single shot from a .22 rifle. How do you explain the disparity? What were the people’s expectations when they took the shot? Moreover, what was their reaction when that expectation failed to materialize? The problem: Too much hype from media and not enough real-world training and research.

Last November, a police department in Pennsylvania had three of their officers involved in a gun battle with a lone 18-year-old cretin. The assailant was armed with a .45 caliber semi-automatic pistol, while the officers had Glock 22 .40 caliber handguns and M-4 223s. The bad guy was shot 16 times with .223 rounds, causing massive internal damage, striking his aorta and collapsing a lung. The incident lasted three and a half minutes; the bad guy fired 26 rounds and also reloaded from a box of ammo. The police shot 117 rounds from both calibers, and from two officers. The first officer on the scene was immediately hit with a round

to the forearm, and was not able to engage. After having been hit that many times, with some pretty formidable projectiles, the officers still had to fight with him to get the handcuffs on. In case you are wondering, the end result was Satan gained another pellet for the fire.

A little over 20 years ago, my good friend and FBI hero Ed Mierles, was involved in a gunfight that took the lives of two other heroes, Gerald Dove and Benjamin Grogan. Their adversaries were two dolts, Matix and Platt, that were completely insane and out of touch with reality. Although outmanned by the agents, and despite being shot repeatedly (the very first shots would later prove to be those that caused their deaths), the two knuckle-draggers continued their assault with rifles and handguns. The autopsy would show that both Matix and Platt were not on any type of drug, yet they continued to fight even though they had been stuck with numerous traumatic gunshots. Although critically wounded himself, Ed eventually brought this “hell on earth” experience to an end, by mustering enough strength and courage to make a final assault. Ed shot both subjects point blank with his revolver. The two scumbags were DRT (dead right there).

So what are the lessons learned from the above incidents? The answer is three-fold: First, expect that your expectations will not be met. There are just too many variables – too many things beyond your control. Remember the phrase: Shoot until the threat is no longer a threat.

Second, bullet placement is always more important than the number of rounds that you fire. Rounds that hit limbs, or are otherwise non-lethal, may actually increase the aggression of your adversary.

Finally, cover is the best predictor of who will win a gunfight. If you are standing out on “Front Street” during a gun battle, your chances of victory are diminished – not eliminated, but the likelihood for survival is not good.

I cannot emphasize strongly enough, that if you are involved in a gunfight, you must not have any unreal expectations. Do not think that your adversary will drop after one shot, or even several. Expect to stay in the fight until you have completely dominated the bad guy’s world. You must take control from the start and never let up. What happens if you get hit? Nothing. Fight on until you win the battle – not just survive, but win! That is the “Warrior Mindset,” that will keep you and your partner alive; anything less than that is not acceptable. Do not buy into the Hollywood hype. It will get you killed. Know the difference between entertainment and reality. Stay safe, brothers and sisters.

*John Wills spent two years in the U.S. Army before serving 12 years with the Chicago Police Department (CPD). He left the CPD to become an FBI Special Agent, working organized crime, violent crime and drugs. John served as the Principal Firearms Instructor, Training Coordinator and sniper team leader in the Detroit Division for 10 years. Before retiring from the FBI, he spent seven years teaching at the FBI Academy at Quantico, VA. He has taught Street Survival domestically and internationally. John is presently a field manager with Advanced Interactive Systems. He also owns his own business – LivSafe, teaching safety awareness classes, and he maintains a blog, Red State Papa. John serves as a judge for Law Enforcement Technology magazine’s Innovations Awards, helping to evaluate new products. He can be reached at john@officer.com or (540) 226-9478. VB*

# NLEOMF UPDATE



## FIRST-EVER NATIONAL MUSEUM TO HONOR AMERICAN LAW ENFORCEMENT MOVES CLOSER TO REALITY

### *Judiciary Square project achieves three key milestones*

**Washington, DC** – The first-ever national museum dedicated to American law enforcement continues to move forward, with the project recently achieving three significant milestones.

Craig W. Floyd, Chairman and CEO of the National Law Enforcement Officers Memorial Fund (NLEOMF), announced that the District of Columbia has approved the issuance of \$80 million of tax-exempt industrial revenue bonds for construction of the National Law Enforcement Museum; Clark Construction, of Bethesda, Md., has been chosen to provide pre-construction and construction services for the facility; and the U.S. Commission of Fine Arts has given preliminary design approval for the Museum, to be located in Washington, DC's Judiciary Square.

"We are very pleased that by achieving these important milestones, this long-overdue tribute to the men and women of law enforcement is moving that much closer to becoming a reality," said Mr. Floyd.

The DC Council approved the revenue bonds during its meeting on July 10, and the NLEOMF is now seeking bond purchase proposals from a short list of qualified financial institutions. "The Council's action underscores the confidence local officials continue to show in the merits of the Museum and its prospects for enriching the cultural and educational fabric of the city," said Mr. Floyd, who noted that Mayor Adrian Fenty expressed support for the project at the Museum's kick-off event in February. The Museum is expected to attract more than half a million visitors a year and generate at least \$550,000 in new tax revenue annually for the city.

The NLEOMF selected Clark Construction to provide pre-construction and construction services from a field of qualified national and regional firms that competed for the assignment, recognizing Clark's expertise and commitment to delivering the project on time and within budget.

"Clark Construction is very pleased to continue our close relationship with the Memorial Fund, a relationship that began in 1990 with construction of the Memorial," said Chairman Peter Forster. "We are particularly excited to be a part of the Museum project not only because of the unique construction challenge it represents, but also because of the special meaning that law enforcement has in all of our lives."

The third milestone occurred June 21, when the U.S. Commission of Fine Arts (CFA) voted unanimously to give preliminary design approval for the Museum. This approval advances earlier concept approvals and leaves only the final design approval by the CFA when construction documents are completed. The CFA action follows the National Capital Planning Commission's vote in April to approve the Museum concept design, which was developed by Davis Buckley Architects and Planners of Washington, DC.

With groundbreaking scheduled for the summer of 2008, the National Law Enforcement Museum will be the largest and most comprehensive museum of its kind when it opens in 2011. The 90,000-square-foot, underground facility will be a high-tech, interactive experience featuring driving and use-of-force training simulators, a forensics lab and a Motorola 911 emergency communications center, as well as historical artifacts and research facilities. Legislation authorizing the National Law Enforcement Museum to be built on federal land in the nation's capital was passed by Congress and signed into law by President Bill Clinton in November of 2000.

In February, the NLEOMF formally unveiled plans for the Museum and launched the public phase of its fundraising campaign, called *A Matter of Honor*. Former Presidents Clinton and George H.W. Bush are the national honorary co-chairs of the campaign, which seeks to raise \$80 million to build the Museum. More than \$30 million has been raised to date through a combination of law enforcement, corporate and individual donors.

To learn more about the National Law Enforcement Museum and the *A Matter of Honor Campaign*, visit [www.LawEnforcementMuseum.org](http://www.LawEnforcementMuseum.org) or call 866-446-NLEM (446-6536). **VB**

## NO \$ FUN

**ROBERT D. JOHNSON JR.**

It wouldn't be fair to call my father a cheapskate. He was a hard-working man who enjoyed having fun. He just never spent a lot of money doing so. That was because he never had much money. Dad was the king of No \$ Fun yet he knew how to turn everything into an adventure.

When I was about five or six, I was riding in the car with my dad. We were driving through downtown Detroit, and as we passed a factory I asked Dad what they made there. The sign said it was a radiator company. Inquisitive, I asked Dad how radiators were made. He said he didn't know and pulled into the parking lot. Dad and I walked in and asked to "see the boss." After a few moments, a gentleman came in and asked what he could do for us. Dad explained that he had a problem, "You see, my son and I were driving past your business and my boy asked me how radiators were made. I didn't know. So I thought we'd stop in and ask." The man was thrilled. He spent the next hour giving us a tour of his factory, explaining everything from smelting to plating to soldering and finally painting. I would point to things and ask questions of a five-year-old nature and the businessman would patiently explain in terms that I could understand. I listened intently, taking it all in, all the while using one hand to hold the over-sized loaner safety glasses on my face.



I can still remember some of the sights, sounds and smells of the place. Mostly, I remember how Dad did stuff like that. He'd drop whatever he was doing to learn and share. Such spontaneity is hard to come by these days. Today's world just seems to be nonstop. If you need to schedule some "no-money-fun" with your kids, I have a suggestion. On Sunday, October 14<sup>th</sup>, from 8:00 a.m. to 5:00 p.m., the Las Vegas Metropolitan Police K-9 Unit will be hosting the 17<sup>th</sup> Annual K-9 Trials inside *The Orleans Arena*. Admission and parking are FREE! In years past, we have had K-9 teams from Connecticut, New York, Wisconsin, New Mexico, Utah, Arizona, California, Idaho, Canada and Mexico.

After a two-year hiatus, The LVMPD reclaimed the Top Agency title last year. Come out and watch us as we defend it. Bring your kids. Invite your neighbors. They will love it and so will your wallet. Your family will have such a good time, they won't even realize you've exposed them to No \$ Fun. So cut this out, highlight the date and put it on your refrigerator. This is an all-day event, so you can come and go as you please. Hope to see you there!

*Robert Johnson is the Special Units Area Representative on the PPA Board of Directors and is currently assigned to K-9.* **VB**

## POLICING WITH HONOR

(continued from page 18)

less-than-a-leader will surely destroy morale and set a low bar for ethical behavior for the agency's employees.

It is essential that administrative staff truly and decisively "walk the walk" ethically, if not morally. And if they don't, lower ranking personnel, when facing discipline for their transgressions, will view any punishment as hypocritical and as having no value. They will feel unsupported and unsubstantiated.

Furthermore, it is equally important that whatever discipline is to be administered is done so in a manner that is *Firm, Fair* and *Fast* and that personal grudges and past relationship issues be put aside when both conducting internal investigations and in determining and administering discipline. None of this is possible if the administration is less than accountable for its actions or less than stellar in its ethical stance.

Ultimately, the question is this: What can we do as a profession to improve the ethical demeanor of our nation's law enforcement officers so that we seldom, if ever, see those damning newspaper headlines again?

First, the creation of an Internal Affairs Office and Professional Standards Bureau, no matter how small the agency, is essential. Also, sending officers in leadership positions to interdepartmental courses in law enforcement ethics is an excellent way to bring knowledge back into the agency. This also encourages officers to continue with their outside-law-enforcement education, such as college degree programs, and is helpful in promoting a "think before you act" ethical mentality. Many agencies, as well, now offer ethical training as early as the academy level.

Despite these educational resources, however, we have not gone far enough. We have not set national standards for the hiring of law enforcement personnel. We have no national clearing house for information on those officers who have lost their certification or jobs as a result of criminality or misconduct and too often this leads to inappropriate rehiring. We have never established a consistent and comprehensive training strategy that addresses ethical issues in more than a superficial way. Before we can have true accountability in all three levels, these are issues we must address nationally and not just as separate agencies.

But what can we do right now? Can we, as police officers and agents, street cops and administrators, do something that will have an immediate impact on our chosen profession? Yes.

The vast majority of those of us who enter the field of law enforcement do so out of a sense of purpose and patriotism. We fully intend to honor our commitment to the ideals of what our badge represents. It is that commitment that we must build on. We must create a **culture of pride**.

A culture of pride is actually a simple concept. It begins with each one of us realizing that we are important, not only as individuals and as members of a noble profession, but also in how we play a vital role in the lives of others. Once we accept that fundamental truth about ourselves, we need to look at our colleagues and coworkers and regard them with the same respect. Ultimately, it's a belief in what one stands for and pride of the healthy, expansive sort that keeps a person from dishonoring themselves and their profession.

What exactly is this sense of pride? It's that same feeling one gets at graduation from a law enforcement academy. It's the feeling of a crisp new uniform and a starched shirt and the weight of a shiny new badge on your chest. It's the feeling of an awesome responsibility coupled with a soaring belief that we, the new officer, can meet whatever challenges we face come hell or high water. There is no feeling like it, no greater sense of optimistic pride. This is the feeling we all, as experienced law enforcement officers, need to strive to recapture. We must seek to cloak ourselves in ethical pride for it is there that we are most invulnerable to our baser instincts.

"Too simple," some say, "too unrealistic," others remark. But why not simply believe in your profession and in yourself? You have absolutely nothing to lose but some stress and maybe some attitude. And on an organizational level, each of us can play a critical role in building up the pride in our agency.

From the cop on the beat taking a little extra time make sure his or her uniform is clean and pressed to the top administrator making sure that his or her personnel is properly equipped and provided with both technical and personal support, are always to instill, foster and promote pride.

### Conclusion

Realistically, in a profession that employs approximately 700,000 people, there will be a certain number who will transgress. Human fallibility has been historically constant throughout the centuries and this isn't likely to change despite our best efforts. But the field of law enforcement is quite unlike any other profession. Within policing, there have been great strides made in recent years and this is amazing if you take into account that law enforcement is relatively new as a profession – it has been less than 200 years since Englishman Robert Peel began what has become the modern police force.

Yet, it will never be enough until each and every one of us, all sworn police officers, make every possible effort to be vigilant and innovative when it pertains to ethical behavior. There is far too much at stake not to take this responsibility seriously. Quite literally, our law enforcement officers hold the power of life and liberty over our nation's citizens. Liberties are the most important rights that a person can possess and the sanctity of these rights must not be tread upon. Modern law enforcement, in its zeal to protect the people of our country in the wake of the reality of terrorism, must be on guard against "noble cause corruption" – doing the wrong thing for "good" reasons.

Administrators and supervisors must do their part and be careful not to send out the message to our eager young officers that they must get the job done "no matter what it takes." Falsifying investigative documents and manufacturing evidence in support of obtaining search warrants is a major cause of ruined careers and lives and cannot be justified even when the goal is to take a criminal of the streets. Such behavior, which is reprehensible in deed though not in thought, is a part of the slippery slope from corruption to criminality. And, in fact, research has shown that in many cases outrageous conduct by law enforcement officers where termination or criminal charges resulted, much like the headlines that began this article, were merely the conclusion of behaviors which began innocently enough, but then escalated over a period of time until simple misconduct became egregious malfeasance. In all probability, had the less serious issues been addressed effectively in the beginning, many scandals could have been averted and many careers saved.

Law enforcement in the United States has never faced tougher challenges than it does today and will continue to face in the future. The rising rates of criminality and the threats of terrorism within our communities together with diminishing resources and budget cuts will exert pressures never before experienced. We must prepare ourselves physically and we must prepare ourselves mentally. Mental preparedness means taking pride in oneself, one's agency, and in the noble profession of law enforcement. By doing so we, as police officers, can prepare ourselves ethically to handle whatever challenges we face. If we do this, we will truly be "Policing With Honor."

*Randy Sutton is a field Lieutenant with the Las Vegas Metropolitan Police Department, currently assigned to the Northwest Area Command, and has spent 30 years as a commissioned police officer. He is the author of TRUE BLUE: Police Stories by Those Who Have Lived Them and A COP'S LIFE. He is a nationally known speaker on the subject of law enforcement ethics and leadership. Randy can be contacted at [www.policingwithhonor.com](http://www.policingwithhonor.com). VB*

## INSIGHT

Integrity without knowledge is weak and useless, and knowledge without integrity is dangerous and dreadful  
-Samuel Johnson

# CHAIN OF COMMAND

**KENNETH LOCHNER**  
Corrections Officer

When we first hired onto the Department, we began using the quasi-military style with the first line of the chain of command being our TAC Officer. They were not there to be nice to you, but to get you ready for the job at hand. For most people, that was the first taste of a chain of command or line of authority.

By definition, *chain of command* is: A system whereby authority passes down from the top through a series of executive positions or military ranks in which each is accountable to the one directly superior.

As line officers, we deal with the first link in our chain being our sergeant, who should be there to support us and mentor us in order to help further our career in the right direction, and make sure things are handled correctly. They also have to answer to their superior and handle their own workload. How a person (sergeant) handles these things affects the chain of command going up to their superiors but, as line officers, it will affect morale and how we, as officers, will use the chain of command.

I can give you an example of a situation where a supervisor knew of an officer that was injured at work and came to work full-duty. The officer was still having problems with the injury and was trying to work through it. He went to work one day and told his sergeant that he felt he was unable to perform his duties of the job. His sergeant told him there was really nothing he could do. The officer, again, had to tell the sergeant later that he wasn't going to be able to protect himself or other officers due to his injury. Still, the chain of command failed him.

This was just one instance where we, as a whole, were let down. How about that supervisor who plays favorites on his or her squad and lets one officer get away with everything and then when you want something, it's always, "No, time is not available," or, "John is going to that class already." We all see this happen and hope that things will even out to be equitable to everyone but, most often, it doesn't.

When I was hired by this department, almost seven years ago, the department had 3100 less P#s. The number of department members from then to now has gone up from the P#7000 to P#10150. The department is growing fast and will continue to do so. In my first three years with the department. I had one sergeant. Over the next three and a half years I've had five different sergeants. Mind you, I've stayed in the same place not moving out of the division/bureau.

People are being promoted at faster rates and they go deeper on the lists- which is good and bad. These people are being promoted and moved around so much and so quickly that they are put in areas where they have little or no experience and then the line officer suffers for it. Often, new supervisors are assigned to areas where it would be more prudent to assign more experienced supervisors (areas such as CCDC booking). It is unclear to me if staff is unaware of this paradox or if they choose to ignore it.

*A man once said, "Nearly all men and women can stand adversity, but if you want to test their character give them power." (A.L.)*

Over time, I have spoken with officers on both sides (CO/PO) about morale and the chain of command. I hear answers like, "things get brushed under the carpet," or "that person just sits around," or "they just collect the pay." As we all know, there are good supervisors out there who do the job that will help you, who will take care of problems, and who do mentor officers. I'll give you an example. Two officers get called in by a supervisor reference an issue the two are having. They end up working it out between the two of them in the office with the sergeant there. When it is all said and done, the sergeant still tells them that they are getting written up for the incident. Is this a good supervisor or one that is trying to show a position of power and not good character? You tell me...

I have seen this work with issues that officers have brought to the association and then we have asked them to try to handle it through the chain (i.e. sergeant, lieutenant, etc.) first. For the most part, it has worked, and when it didn't, we stepped in and tried to get it resolved.

Unless we use the chain of command, we are cutting ourselves short of the tools that are given to us and making our supervisors do what is required of them by the different levels of authority to make this a better department for all of us.

I will leave you with this. None of us have to stand in the back. We, as a whole, do not have to wait for change with the department hiring 400 to 500 officers a year for the next five to 10 years. We need to step up and become part of the chain to make it stronger, to be that supervisor that you wanted to lead with integrity and set the example. You may not always like the person, but you should always respect the rank. **VB**

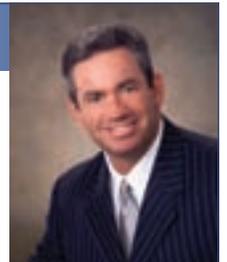
## RETIREMENTS

05/18/2007	George A. Curtis, P# 1694	POII
06/13/2007	Shann R. Ruggles, P# 2723	COII
06/23/2007	Tim A. D'Arcy, P# 1760	COII
07/13/2007	Raymond A. Cummings, P# 1826	COII
07/31/2007	Angelo J. Pezzullo, P# 2283	COII

Welcome home to...LAS VEGAS

**Keller Williams Realty**

office: 702.363.5536  
cell: 702.379.3401  
fax: 702.255.7471  
email: dvradcliff@aol.com  
web: www.daveradcliffevegas.com



**Dave Radcliffe—Realtor**  
Retired Metro police officer  
25 years service  
Active realtor for 16 yrs.

**No one knows Vegas like Dave does!**

## IS PATROL WORTH IT?

(continued from page 8)

violence. The suspect is mumbling something about, “never meaning to hurt anyone.”

It’s a busy night and the primary officer calls his sergeant, using his personal cellular phone, to give him an update of what has transpired. The sergeant informs the patrolman he will be en route as soon as he finishes with his meeting. After an extensive interview with the female, it is determined that she is a victim of home invasion, kidnapping, battery with a deadly weapon and domestic violence. A crime scene specialist is requested for the scene and at the hospital where the victim is being transported.

A confession is given after Miranda because the patrolman has built a rapport with the suspect. This seasoned patrolman knows just what to say and how to be crafty enough to get the suspect to trust him in order to attain his confession statement. An Incident Crime Report is taken. Witness statements are recorded and collected. Evidence is collected, impounded and documented on a Property Report. A Temporary Custody Record is filled out with all of the proper charges. The small group of officers decides who will transport this suspect to jail, who will secure the scene until the crime scene specialist arrives, and who will head to the hospital to finish up with the victim. Two of the three patrolmen need to clean the blood off of their hands, arms, boots and uniforms. Paramedics have learned that the female is HIV positive and have notified the officers who are now worried about their own long term health and welfare.

While at jail, the patrolman books the suspect and completes a lengthy arrest report to include every detail so the District Attorney’s Office will prosecute without fail. Before the patrolman leaves the jail, he completes a Request for Prosecution form listing all the charges and people involved. The patrolman’s arrest package goes directly to the D.A.’s Office after approval and the case is either accepted or denied.

The patrolman cleans up the best he can and heads back to the station to download his Taser into the computer to make sure he is compliant with policy and to ensure he has used it in a valid and responsible way. His sergeant meets him at the station and reminds him not to forget to create a Use of Force report before he leaves and to file an Occupational Injury report, due to his exposure to tainted blood. The patrolman sighs and glances at his watch which now reads 47 minutes past the end of his shift. He creates the Use of Force report right after he calls his wife to let her know he will be late tonight, again. Just as this patrolman thinks he is done, he remembers he must put the details of this call into the Intranet Briefing Log so others may learn about this address, this suspect and the actions taken.

The patrol officer walks into the locker room reflecting on his night. He operated his car driving code three and accepted all the liabilities and consequences associated with it, because he knows if he performed at 99.9% instead of 100%, it wasn’t good enough. He formulated a plan of action while en route to this call even though it contradicted most of his training

## JULY / AUGUST 2007 REPRESENTATION STATISTICS

### LABOR MANAGEMENT BOARD HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
3/23/07	Disobedience	16 hour Suspension	Pending hearing 8/07/07
3/23/07	Consorting w/Persons of Ill Repute	32 hour Suspension	Upheld

### NON-CONFIRMATION HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A

### PRETERMINATION HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
11/9/06	4/102.00 Neglect of Duty 4/101.19 Truthfulness Required at all Times	Recommended for Termination	Pending hearing 8/01/07

### ARBITRATIONS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A

### CITIZEN REVIEW BOARD COMPLAINTS

Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
5	0	0	1

which dictates this as a two-officer call. He arrived and took a tactical position which afforded him safety and intelligence gathering. This patrolman made a sound decision to act immediately to prevent further violence and the escape of a felony suspect. He took upon himself great risk by entering the home, confronting the suspect, and aiding the victim. This patrolman was shot at and luckily the suspect missed. This scenario reminds him why he wears his vest in 110° heat. He feels lucky about that tonight.

He and his partners were again exposed to more of the suspect's violence when confronted at the shed. He wonders why he did not use deadly force to end this situation, but is comfortable with his decision for now. The tainted blood of the person he was there to help may, in fact, end his own life early, or at least make him disabled and unable to lead a normal life. At a minimum, he will go through months of testing and uncertainty. He knows the arrest and the way they handled the call will be scrutinized by others, who, most likely, will be afforded many hours or days to review, question or ridicule. The extra time he spent finishing this call will not be submitted for overtime because it is frowned upon at his station and he fears repercussions from his superiors.

Despite all of these thoughts, one thought really sticks in his mind and he cannot make sense of it. Why is he expected to put himself at all this risk, liability, hardship and sacrifice for 8% less salary than his fellow officers

working in the detective bureau, traffic, gangs, personnel or training? Is his work product less worthy? Is his position less valuable? Do his decisions make less of an impact on society, the Department, or himself?

This is an issue we must address. Patrol isn't what is used to be. One's position should never be confused with one's worthiness. All of our respective positions have some sort of benefit or desirable benefit. To maintain the dignity of our entire group, we must, from time to time, revisit and reevaluate our practices and perceptions. *I certainly am not proposing anyone should earn less than they do now.* I am proposing we increase the pay for our patrol folks so they get what they rightfully deserve.

Like it or not, patrol is the backbone of this Department and we need to treat them as such. Join me in rallying support to increase patrol wages to match those who now receive A.D.P. during our upcoming contract negotiations. If you are currently receiving A.D.P., ask yourself why it would matter to you if others earn what you earn.

*\*Note: This article will hopefully inspire discussion, thought and an exchange of ideas. The PPA welcomes your thoughts and ideas. We encourage you to write a response to this article to be published in the next issue. Contact Assistant Executive Director Michelle Jotz for information regarding your response. VB*

## JULY / AUGUST 2007 REPRESENTATION STATISTICS

### OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS

Date	Use of Force Board Decision	Inquest Decision
6/12//2007	Pending Hearing Date	Pending Hearing 8/23/07
7/27/2007	Pending Hearing Date	Pending Hearing 9/07/07

### INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS

Declined/Cancelled	Represented	Total
71	41	112

### ACCIDENT REVIEW BOARD

Excusable	Non-Negligent	Negligent	Rescheduled
1	2	24	3

(continued on page 34)

### IT'S EASY!!

Just call Paul Marino and Sal Datre  
at

General Realty Group, Inc.

and get

\$2,500.00 at closing when you buy a home  
and you get

\$1,250.00 at closing when you sell a home using our services.

*(Exclusive to Law Enforcement Employees & their families).*

CALL

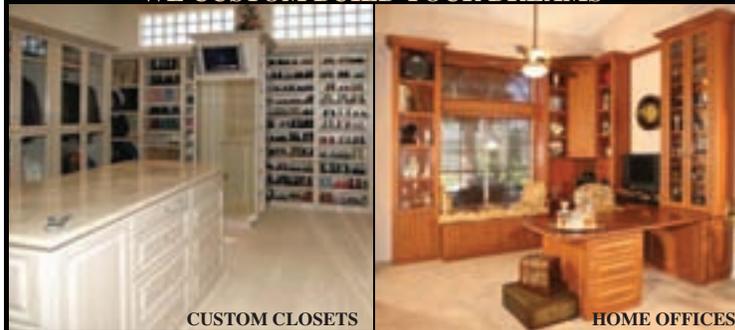
Paul Marino - Broker/Realtor (Ret. NYPD) 497-5865

Sal Datre - Realtor/Agent (Ret. NYPD) 461-9213

*You are our business, and your concerns are our concerns*

*Thank You For Your Participation*

### WE CUSTOM BUILD YOUR DREAMS



CUSTOM CLOSETS

HOME OFFICES

CUSTOM CLOSETS • HOME OFFICES • ENTERTAINMENT CENTERS • PANTRIES • WALL BEDS • LIBRARIES  
SHUTTERS • GARAGE STORAGE CABINETS • HUNTER DOUGLAS WINDOW COVERINGS • CENTURY BLINDS

FACTORY / SHOWROOM

(702) 739-0000

5030 W. OQUENDO ROAD • LAS VEGAS, NV 89118

LICENSED • BONDED • INSURED • NV LIC# 0035905



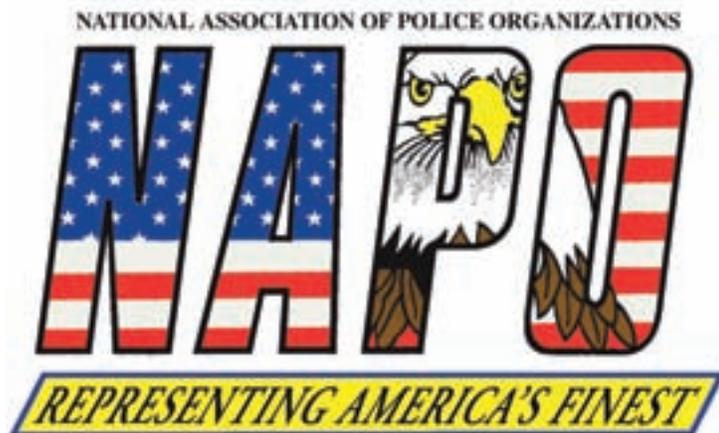
# NAPO NEWS

**ANDREA MOURNIGHAN**

Director of Governmental Affairs

National Association of Police Organizations (NAPO)

In an outstanding victory for NAPO and the rank and file law enforcement community, the House of Representatives passed the *Public Safety Employer-Employee Cooperation Act*, H.R. 980, by an overwhelming vote of 314 to 97!



NAPO President Tom Nee spoke at a rally together with Majority Leader Nancy Pelosi, Majority Whip, Steny Hoyer, members of Congress, and public safety groups on the steps of the U.S. Capitol to commemorate this event:

“On behalf of the National Association of Police Organizations, representing 238,000 rank and file law enforcement officers from across the nation, I want to thank Representatives Kildee and Duncan for sponsoring this important legislation, as well as Chairman Miller and Chairman Andrews for their work moving it through Committee. Your efforts on behalf of the public safety community have been tremendous. This is truly a great day for public safety officers. NAPO has been fighting to extend basic collective bargaining rights to all public safety officers for 12 years. The passage of the *Public Safety Employer-Employee Cooperation Act* today in the House is long overdue recognition to those who put their lives on the line everyday to protect the public. These officers deserve these basic American rights. NAPO looks forward to seeing this bill pass in the Senate and signed into law by the President.”

This victory in the House is a significant step forward for giving public safety officers the right to collectively bargain, but our work is not done. NAPO is now focusing our efforts toward working with Senators Edward Kennedy and Judd Gregg to introduce and pass this important legislation in the Senate. Thank you again for your efforts in helping us to pass this bill!

Sincerely, Andy **VB**

# BULLET PROOF VEST BLUES

The heat within one's vest  
Is compost heat  
Sunshine heat  
Blistering, devastating, oven-baked heat  
The citizens mop sweat from frothy brows  
Remarking about the elevated temps  
As we  
Police  
Wearing 30 pounds of equipment and wool pants  
Burn like desert sand inside our  
Vests  
The heat rises up and hits the eyes  
Tiny wings of fire  
Singeing the lashes  
When one has occasion to put pressure on ones chest  
The hot air blows upward  
Engulfing the face  
It smells of  
Swamp  
Although  
Vegas sports no swamps  
Some of the clever ones  
Have vacuum hoses connected to the A/C vents in the cars  
That snake down inside their shirts and  
Blow cool air against the hot grill of chest that seeps and  
sweats  
I am too  
Old school  
Or stubborn  
Or dumb  
For that but I admit it looks ridiculous yet effective  
With all the tension cops share  
The sadness and trauma  
The adrenaline and freak out  
I still sit and wonder at the  
Absurd cruelty that I have dubbed  
Vest Funk Blues  
Yet another reminder that the path of the warrior is often with  
hazard  
Dear, lovely vest funk  
Long may it reek  
© 2007 Harry Fagel **VB**

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

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

## TASER COORDINATOR

(continued from page 20)

Delirium is a figment of our imagination. The ACLU maintains that “E.D.” is just blanket terminology for a number of symptoms. Worse, some have said it is simply a made-up term. But the most noted in-custody death experts point to E.D. as a derivative of the old clinical term “Agitated Delirium.”

There is ample documentation of its existence. Expect this argument to rage on. My final word is that I sure have been in an altercation or two with subjects who were both excited/agitated and definitely delirious. If this is just a problem of semantics then let’s have the ACLU rename the syndrome, but don’t say it does not exist when we are rolling around in the street with it. Don’t suggest we are imagining it as “it” indiscriminately hurls large rocks from the middle of a busy street while loudly worshipping Marvin the Martian or approaches us sword-in-hand.

You, as the professional officer, simply must be ready while en route to deal with EDPs. Know the symptoms and consider having EMS standing by.

### Symptoms:

- Bizarre or violent behavior
- Signs of overheating/profuse sweating
- Disrobing
- Violence toward/attacking glass
- Superhuman strength and endurance
- Impervious to pain
- Self-mutilation
- Disturbances in breathing patterns or loss of consciousness

These are the warning signs typically exhibited in “Sudden Unexpected Deaths.” Believe it or not, the latest thinking on in-custody deaths reveals that Tasing the subject sooner – allowing for quicker in-custody and thus quicker medical – is better than allowing the subject to remain in his or her uncontained state. It is believed that acidosis worsens or increases with time, hastening death.

There is so much to cover on the subjects of ECD, ED/AD, as well as in-custody deaths. This article touches briefly on the latter topics especially, as time and space allow.

### The Future

As many of you know, we have spent the last year testing the Taser Cam. It is a self-contained, black and white, high-resolution camera with sensitive audio. It replaces your current Taser battery and, yes, displaces a little more on your belt. Download of this device will remain a supervisor function.

As soon as the safety is flipped up (off), the camera begins filming and audio recording. How valuable to have film capability when you face all of the elements discussed previously? Expect the camera to see wider distribution this fall, particularly in light of recent funding. Unfortunately, funding is not substantial enough at this time to support equipping every officer with the Taser Cam.

What? Don’t want a camera on your hip? Why? What kind of police-work are you doing??

### WI-FI?

Taser International has just released its extended-range shotgun round. It has a range of about 100 feet and it is wireless! As the round impacts the subject it separates and sends the second portion into a lower area of the target, delivering the entire charge. We will submit for approval to test and evaluate this round.

### Official Job?

One day, someone will face me as I hand him, or her, a box of materials. I will then turn and sprint, hysterically laughing, toward the door. Only, I hope by then that it will be an actual job-not just a moniker. The “Taser Guy” should become officially the Taser Coordinator – with myriad responsibilities: Liaisons with manufacturers – the future will bring various makers with various capabilities; statistics and tabulation – formal training to produce the figures we need when we need them; training, recertification and lesson plans – DTI instructor certification for the ECD; assist with technical and training issues; Academy initial instruction – lesson plans, instructor coordination, and recruit certification. Smaller departments such as Oakland Police Department use a full-time Taser Coordinator. The smallest I’ve found was Miami Springs, Florida.

Thank you to the hundreds of DTIs who train for no extra pay, plenty of vicarious liability, extra “grumping and griping,” and hardly an acknowledgement from anyone. We could not have recertified this department so quickly and so well without you. If you have any questions, please call me at ext. 4575. If I have offended you in any way, please pay a visit and let me know so that I may render my most heartfelt, “That’s too damn bad!”

The “Taser Guy” *Marcus Martin is a 12-year veteran of the Las Vegas Metropolitan Police Department and is currently assigned to AOST as the “Taser Guy”.* **VB**

## VEGAS BEAT EDITORIAL POLICY

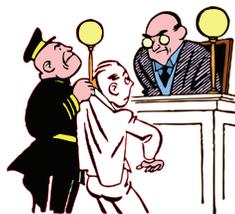
1. Opinions expressed in LVPPA Vegas Beat are not necessarily those of the Las Vegas Police Protective Association.
2. No responsibility is assumed for unsolicited material.
3. Letters or articles submitted shall be limited to 500 words and must be accompanied by writer’s name but may be reprinted without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



“3M2 copy a call at Flamingo and Las Vegas Boulevard. Suspect wearing a ninja suit and wielding a sword.”



“But, Your Honor, I don’t even own a sword. I wouldn’t know how to hold one!”



“Let us view the video from Officer Martin’s Taser Cam that day.”



(Video feed)  
“I am a master samurai!!”



“Guilty!”

# THANK YOU LETTERS

Thank you for your kindness and sympathy at a time when it was deeply appreciated.

Mrs. Linda Mesinar and Family

---

On behalf of the Paradise Democratic Club, I want to thank you for buying an ad in our Commemorative Journal for the "Outstanding Democrat of the Year" award reception honoring Attorney General Catherine Cortez Masto.

It is people like you that have made the Las Vegas community what it is today.

Again, our sincerest thanks from the Club, the Attorney General and myself. If I can ever be of any service to you, please do not hesitate to ask. Thanks for always being there!

Sincerely,  
John Ponticello  
President

The family of Alice Hill and Marie Peralta acknowledges with grateful appreciation your kind expression of sympathy. Thank you for your kindness and understanding.

Alice Hill and Marie Peralta families

---

Bro & Sis,

Thanks for your support of my kick-off for reelection!  
Tom (Collins)

To Our Sponsor:

We would like to take this opportunity to thank you for your generous donation of \$5,000 to this year's Police Unity Tour. Your generosity will benefit the National Law Enforcement Officers Memorial in Washington, D.C.

Your donation is fully tax-deductible, as the Police Unity Tour did not provide you with any goods or services in whole or partial consideration for this contribution. The Police Unity Tour Inc. is a 501©3 non-profit organization.

Sincerely,  
Patrick P. Montuore, CEO/Founder  
Harry E. Phillips, Executive Director

---

Michelle

Had to tell you how much I appreciate you and what you have done for me the past couple years. Someone in your position may never really comprehend how special and important you are. From my point of view and others on "our side" going thru IAB and difficult times can be hard. But someone like you can help us focus on the positives and do what we need to do to get through it. You have gone above and beyond for me and I have often heard about what you have done for others. You are an amazing and special person. Thanks so much. I hope you know how great it is to have you do what you do.

Sonny Bogatay

---



# CALENDAR

## 2007

- September 3** Labor Day
- September 6** LVPPA General Membership Meeting (LVPPA office)
- September 9** Grandparent's Day
- September 11** Patriot Day
- September 23** Autumn begins
- October 6-14** Western States Police and Fire Games (Mesa, Arizona)
- October 8** Columbus Day
- October 16** National Boss Day
- October 20** 20th Annual Brass Challenge Event
- October 24** United Nations Day
- October 26** Nevada Day
- October 31** Halloween
- November 1** LVPPA General Membership Meeting (LVPPA office)
- November 6** Election Day
- November 11** Veterans Day

# THANK YOU LETTERS

Hello Kathryn,

I just wanted to drop you a quick note, after being gone from Metro for just about 3 years, saying thanks again for your help and assistance during my grievance.

To make a long story short, I am having a great time in Colorado and I am still a cop. Since I have returned to Colorado I have also taken on another adventure, which I have you to partially thank...6 months ago I was elected as President of our Police Union. The experience and insight that you gave me during that whole grievance procedure was truly beneficial to my current position-and I just wanted to thank you. I often talk about my experiences in Vegas and how impressed I was with the job you did for me (even though the outcome was not quite what we thought it would be)...

Anyway, I was just looking up some info on the LVPPA contract and saw your name, so I figured I would send you "a way overdue" thank you. I hope things are well for you.

Thanks again for everything,  
Patrick Crane

## THE WRONG WAY & THE RIGHT WAY TO RECRUIT

(continued from page 17)

police department that I have knowledge of is an example of common bad practices.

I have never seen any western or national ads for this agency. A recruiter needs to get out and actively recruit and contact those who call or e-mail. The Website is fair, but not good. A good Website needs to sell and market the agency, the community and the quality of life.

The most serious glitch in their process is the length of their process. They test about twice a year on specific dates. Not good for out-of-towners or those in the military. Now let me tell you about the competition.

Those who do show up for the physical agility and written tests have only just begun a process that can stretch seven to 10 months. If you fail the agility, you can re-apply in six months. Let's look at their competition. Sacramento PD offers mentoring to help applicants understand and succeed in passing the agility test. We want females but frequently the physical agility has a higher failure rate for females.

Okay, so you come from out of town and pass the written and agility for this unnamed department; what's next? Well in a few weeks or months you will be called for an interview. Now the average qualified candidate is probably not waiting by the phone. They need to eat and they want to be a cop. By the time they get around to calling, these good candidates have often accepted employment elsewhere.

One candidate reportedly applied for this agency, was hired by another, and 10 months later already finished their academy before receiving a call from this slow agency – which he declined. I spoke with a candidate who took the written in November and waited two months just to receive a letter with his placement score! The next step would be the oral, and once again about 10 months start to finish. Do they really think that good candidates will sit around waiting for that possible call?

For those who take the oral interview and pass, they don't tell you how you did – just that you passed. You simply wait by the phone a few more months until a background investigator contacts you. Another trip to the city may be required to meet them and do background, medical, psychological tests and other administrative tasks.

If you pass these and are selected, there may be a wait of many weeks or months until you actually show up at the academy and get your first paycheck two weeks later. What happens if another agency you applied with calls you first and offers immediate employment?

In the Pacific Northwest, a number of agencies have coordinated testing that is conducted at various sites in multiple states. One test is used by all these agencies. Some smart agencies will hire successful candidates right away before the academy so as not to lose them. The other agencies that are "old school" get what's left. They will pay for that in academy and field training failures, liability, poor morale among motivated officers, etc.

Defenses I hear to the glacially slow process and impediments of systems like those mentioned and others are things like: "That's how we always did it," "It has worked OK for years," "We are afraid of liability—this is tested," "It is done by Human Resources and out of our control," "It is city or state law," etc.

One innovative way to support your recruiting effort is through grants and similar funding. The Las Vegas Metro Police Department has funded a recruiting & retention position through CPS-Human Resources Solutions and the IPMA: International Public Management Association for Human Resources.

According to Lieutenant Charles Hank of Las Vegas Metro, they recruit about 40% of the force from out-of-town applicants and found they were losing many for family reasons. Many of the spouses were not adapting to the new environment. Lieutenant Hank said, "We hire the entire family." As he put it, the recruit "has 90 friends in the academy but the spouse and family have none." Those of us who have served in the military have seen it and the military has programs for the spouse, but most law enforce-

ment agencies do not. LVMPD submitted a grant proposal to CPS for the HIRE program: Household Inclusion Recruitment and Employment. They received a \$25,000 grant. Part of that money went to hire a Recruiter Assistant who happened to be a police spouse and a former police officer herself, so she understood both sides of the issue. By including the family in activities including a message board, housing advice, bringing the spouses and families together, etc., they believe they will see a major decrease in turnover of new officers. Now that's a well thought out and innovative approach, with or without the grant!

Finally, California has often led the field in law enforcement innovations. Their state standards commission (POST) has an individual assigned to recruiting research and dissemination. They have sponsored seminars and publications. California has further been very innovative with Assembly Bill (AB) 325. While still under consideration, it would create a mechanism for the state to take a leadership role in actively recruiting candidates to consider California law enforcement in general, not directing them to a state agency, but just selling the concept of being a peace officer in the state. This would help both large and small agencies who can't afford the high costs of job fairs, travel, expensive media ads, etc.

The look at the two agencies that put up obstacles is interesting. The look at others that use innovative and expedited techniques shows the competition what others are up against. The California idea of recruiting, for state-wide jobs, is innovative and perhaps the way of the future.

*Sgt. Jeff Church (Ret.) may be contacted at 800-554-9519. He is the owner of DRS (Diversity Recruiting Specialists) and consults, assists and teaches on recruiting matters. He is a retired police sergeant and USAF reserve officer.*

*DRS will be holding a seminar and job fair on "Effective Law Enforcement Recruiting," hosted by the Las Vegas Metropolitan Police Department and DRS, in Las Vegas, Nevada, November 7-12. The seminar will teach the basics and secrets of effective law enforcement recruiting in a 12-hour class. Experienced instructors will cover topics including legal issues, recruiting techniques, job fairs, secret locations and methods, obtaining free advertising, getting the most from your advertising budget and other valuable subjects. Please visit the DRS Website at [www.tobeacop.com](http://www.tobeacop.com) for further information. VB*

## The Las Vegas Police Protective Association:

*Celebrating 60 years protecting those who protect others.*

**BATTLE BORN TACTICAL AND SURVIVAL GEAR**  
6640 N. Durango Suite 130  
Las Vegas, NV 89149  
DOMESTIC PREPAREDNESS  
LAW ENFORCEMENT & MILITARY

Full Line BlackHawk and 5.11 Tactical Dealer  
Propper, Tropic, Under Armour, PMA, B&B, Armat  
Dixie, H&M, K&N, J&S, J&S, J&S & M, J&M  
Long, T&M, P&S, S&S, S&S, S&S, S&S, S&S  
Custom Logos, Stickers, Signage, and More  
[www.battlebornmg.com](http://www.battlebornmg.com)

MONDAY-SATURDAY 10-6  
(702) 393-7206

**REPRESENTATION STATISTICS**

(continued from page 29)

## MAY/JUNE 2007 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
3/23/07	Disobedience	16 hour Suspension	Pending hearing 7/12/07
3/23/07	Consorting w/Persons of Ill Repute	32 hour Suspension	Pending hearing 7/12/07
NON-CONFIRMATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
11/4/06	Use of Force / Truthfulness	Non-Confirmation	Upheld
PRETERMINATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A
ARBITRATIONS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A
CITIZEN REVIEW BOARD COMPLAINTS			
Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
1	0	0	5
OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS			
Date	Use of Force Board Decision	Inquest Decision	
2/9/2007	Justified	Determined to be suicide	
2/27/2007	Justified	Justified	
INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS			
Declined/Cancelled	Represented	Total	
34	90	124	
ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
5	1	43	2

## MARCH/APRIL 2007 REPRESENTATION STATISTICS

LABOR MANAGEMENT BOARD HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
7/28/2006	Use of Force	8 hour Suspension	Written Reprimand
8/14/2006	Use of Force	16 hour Suspension	Upheld

NON-CONFIRMATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A

PRETERMINATION HEARINGS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
8/15/2006	Conduct Unbecoming an Employee	Recommended for Termination	Upheld

ARBITRATIONS			
All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A

CITIZEN REVIEW BOARD COMPLAINTS			
Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
0	0	0	6

OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS		
Date	Use of Force Board Decision	Inquest Decision
2/9/2007	N/A	Pending 05/25/2007
2/27/2007	Pending 05/08/2007	Pending 04/27/2007

INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS		
Declined/Cancelled	Represented	Total
23	60	83

ACCIDENT REVIEW BOARD			
Excusable	Non-Negligent	Negligent	Rescheduled
5	2	24	2

(continued on page 36)

**REPRESENTATION STATISTICS**

(continued from page 35)

**JANUARY/FEBRUARY 2007 REPRESENTATION STATISTICS**

<b>LABOR MANAGEMENT BOARD HEARINGS</b>			
<b>All. Violation Date</b>	<b>Alleged Violation(s)</b>	<b>Original Discipline</b>	<b>Decision</b>
7/28/06	Use of Force	8 hours	Pending Hearing 3/8/07
<b>NON-CONFIRMATION HEARINGS</b>			
<b>All. Violation Date</b>	<b>Alleged Violation(s)</b>	<b>Original Discipline</b>	<b>Decision</b>
2006	Consorting w/Persons of Ill Repute; Truthfulness Required at all Times; Use of Alcohol; Drug Free Workplace - Use of Controlled Substances; Authorization to Carry Firearms	Recommended for Non-Confirmation	Resigned Prior to Hearing
2006	Truthfulness	Recommended for Non-Confirmation	Unfounded
<b>PRETERMINATION HEARINGS</b>			
<b>All. Violation Date</b>	<b>Alleged Violation(s)</b>	<b>Original Discipline</b>	<b>Decision</b>
8/15/06	Conduct Unbecoming an Employee	Recommended for Termination	Pending Hearing 2/15/07
<b>ARBITRATIONS</b>			
<b>All. Violation Date</b>	<b>Alleged Violation(s)</b>	<b>Original Discipline</b>	<b>Decision</b>
02/17/06	Truthfulness Required at all Times; Conduct	Terminated	Reinstated - received 320 hours
<b>CITIZEN REVIEW BOARD COMPLAINTS</b>			
<b>Dismissed</b>	<b>Referred to IAB for Review</b>	<b>Concurred w/IAB Finding</b>	<b>Pending CRB Decision</b>
2	0	0	3
<b>OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS</b>			
<b>Date</b>	<b>Use of Force Board Decision</b>	<b>Inquest Decision</b>	
10/19/06	Justified	Excusable	
01/01/07	Pending Scheduling	Pending 2/9/06 Hearing	
<b>INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS</b>			
<b>Declined/Cancelled</b>	<b>Represented</b>	<b>Total</b>	
14	51	65	
<b>ACCIDENT REVIEW BOARD</b>			
<b>Excusable</b>	<b>Non-Negligent</b>	<b>Negligent</b>	<b>Rescheduled</b>
1	1	22	0

# NOVEMBER/DECEMBER 2006 REPRESENTATION STATISTICS

## LABOR MANAGEMENT BOARD HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
N/A	N/A	N/A	N/A

## NON-CONFIRMATION HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
10/9/2006	Cheating on Employment/ Promotional Exams	Recommended for Non-Confirmation	Resigned prior to Non-Confirmation Hearing

## PRETERMINATION HEARINGS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
05/19/06	Truthfulness Required at all Times; Obedience	Recommended for termination	Written Reprimand

## ARBITRATIONS

All. Violation Date	Alleged Violation(s)	Original Discipline	Decision
02/17/06	Truthfulness Required at all Times; Conduct	Terminated	Pending Closing Briefs/ Arbitrator Decision

## CITIZEN REVIEW BOARD COMPLAINTS

Dismissed	Referred to IAB for Review	Concurred w/IAB Finding	Pending CRB Decision
2	0	1	2

## OFFICER INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS

Date	Use of Force Board Decision	Inquest Decision
07/09/06	Justified	Justified
07/26/06	Justified	N/A - no death
08/09/06	Justified	N/A - no death
09/16/06	Justified	N/A - no death
09/30/06	Justified	Exusable Homicide
09/30/06	Justified	N/A - no death
10/19/06	Pending 1/24/07 Hearing	Pending 1/11, 12/07 Hearing
11/03/06	Ruled an Overdose	Ruled an Overdose

## INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS

Declined/Cancelled	Represented	Total
20	77	97

## ACCIDENT REVIEW BOARD

Excusable	Non-Negligent	Negligent	Rescheduled
4	2	43	3

(continued on page 38)

**REPRESENTATION STATISTICS**

(continued from page 37)

**SEPTEMBER/OCTOBER 2006 REPRESENTATION STATISTICS**

<b>LABOR MANAGEMENT BOARD HEARINGS</b>			
<b>All. Violation Date</b>	<b>Alleged Violation(s)</b>	<b>Original Discipline</b>	<b>Decision</b>
N/A	N/A	N/A	N/A
<b>NON-CONFIRMATION HEARINGS</b>			
<b>All. Violation Date</b>	<b>Alleged Violation(s)</b>	<b>Original Discipline</b>	<b>Decision</b>
8/11/06	DUI w/Accident	Recommendation for Non-Confirmation	Non-Confirmed
<b>PRETERMINATION HEARINGS</b>			
<b>All. Violation Date</b>	<b>Alleged Violation(s)</b>	<b>Original Discipline</b>	<b>Decision</b>
01/29/06	Neglect of Duty; Use of Force; and Truthfulness Required at all Times	Recommended for termination	160 hours suspension
5/19/06	Truthfulness Required at all Times; Obedience	Recommended for termination	Pending Hearing 11/01/06
<b>ARBITRATIONS</b>			
<b>All. Violation Date</b>	<b>Alleged Violation(s)</b>	<b>Original Discipline</b>	<b>Decision</b>
02/17/06	Truthfulness Required at all Times; Conduct	Terminated	Pending Closing Briefs/ Arbitrator Decision
<b>CITIZEN REVIEW BOARD COMPLAINTS</b>			
<b>Dismissed</b>	<b>Referred to IAB for Review</b>	<b>Concurred w/IAB Finding</b>	<b>Pending CRB Decision</b>
2	1	0	2
<b>OFFICER-INVOLVED SHOOTINGS/USE OF DEADLY FORCE INCIDENTS</b>			
<b>Date</b>	<b>Use of Force Board Decision</b>	<b>Inquest Decision</b>	
06/27/06	Justified	N/A - no death	
06/27/06	Justified	N/A - no death	
07/04/06	Justified	Justified	
07/06/06	Justified	N/A - no death	
07/09/06	Justified	Justified	
07/26/06	Justified	N/A - no death	
08/09/06	Pending Scheduling	N/A - no death	
09/16/06	Pending Scheduling	N/A - no death	
9/30/06	Pending Scheduling	Pending Scheduling	
9/30/06	Pending Scheduling	N/A - no death	
10/19/06	Pending Scheduling	Pending Scheduling	
<b>INTERNAL AFFAIRS SECTION and BUREAU LEVEL INTERVIEWS</b>			
<b>Declined/Cancelled</b>	<b>Represented</b>	<b>Total</b>	
30	58	88	
<b>ACCIDENT REVIEW BOARD</b>			
<b>Excusable</b>	<b>Non-Negligent</b>	<b>Negligent</b>	<b>Rescheduled</b>
5	4	45	5

## MOVING FORWARD

(continued from page 5)

already been dug, the decision was made to actually have a “Ground-broken Ceremony.” Mayor Goodman, Councilman Brown, Undersheriff Jett, and Captain Mayo (representing the Northwest Area Command and welcoming the PPA to the area) joined us to toss some dirt. Area residents from Sun City have been extremely supportive of our moving into their neighborhood and several residents were able to join us for the event. Our contractor, Dean Bryan of Bryan Construction, gave the group hardhats and shovels and helped us get the dig going.

Daryl, the project manager, has taken photos of the building development and I’ve included his photos (up to July 27, 2007) and photos from the Ground**broken** Ceremony for your perusal. The hope (fingers crossed) is that the building will be ready for move-in some time in January of 2008. Since we are cops and tend to see the glass as half empty, I am less opti-

mistic. Dean Bryan has kept a great pace though and I have been informed that, not only has the basement been poured, but the first floor and the elevator shaft are also in process. Chris Collins visits the site nearly every day to see how things are progressing.

The completion of this building means that we will no longer be paying someone else’s mortgage, but will be increasing the PPA’s assets by increasing the equity in our own building. Along those same lines, we are working on securing our funding for the building. Because of that, all requests for donations have been put temporarily on hold. There has been no determination on what the reimplementation date for donation requests will be, but we will begin accepting them again in the near future.

VB



# WE'LL DO ANYTHING TO SELL YOU A CAR!



**Findlay**  
**TOYOTA**

[www.findlaytoyota.com](http://www.findlaytoyota.com)