

**North Las Vegas Police Department
Chief's Advisory Council Meeting Minutes
February 12th, 2007**

ATTENDEES

Laura Marscheck	Mimi Devore-Rigg	Connie Holtmann-Spangler
Ted Johnson	Dwayne Miller	Chief Paresi
Florence Buchanan	Susan Sayegh	John O'Carroll
Al Greer		

ABSENT

Gregory Troutman	Dan Morris	Dana Phillips
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GUEST SPEAKERS

Lt. Michael Rose - IA	Officer	Clinton Ryan - Detective	Officer Dwayne Miller - POA
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GUEST

Oscar Saldana

- 1) Connie opened the meeting and introduced the guest speakers, Lt. Rose, Det. Ryan, and Officer Miller.
- 2) Lt. Rose spoke about the role played by Internal Affairs (IA) during administrative investigations and Detective Ryan spoke about the criminal investigations of Use of Force and Deadly Use of Force incidents. It was discussed how important documentation is to these investigations - the reports should have very comprehensive accounting of all officer actions. During 2006, there were 300,000 public contacts. Of those contacts, 7,725 arrests were made or approximately 1 out of every 38 contacts resulted in an arrest. There were 127 incidents that involved use of force during those arrests or approximately 1 out of every 1,960 arrest.

It was explained that Use of Force is the amount of force deemed necessary to either overcome resistance, effect a lawful arrest, or any other lawful objective. Deadly Use of Force occurs when the amount of force used is likely to produce serious injury or death.

IA's role is to ensure that the officer(s) adhere to current laws and policies. The involved officer(s) is on paid administrative leave during the entire process. During the criminal investigation, the officer may waive his right to talk about the incident due to the Miranda Warning. During the administrative investigation, the officer is mandated to speak due to the Garrity Warning, but per law, anything said cannot be used in any criminal investigation.

Regular Use of Force incidents are investigated administratively. In incidents where regular force is used, an After Action Report is completed by the sergeant. It critiques the actions of the officer(s) to see if the action(s) taken were reasonable and lawful. The sergeant then submits the report to the lieutenant who, after making comments, forwards it to the captain. It is then sent to the Use of Force board to answer six standard questions:

- Was there a need for force and what was the relationship between the need for force and the amount of force used;
- What was the extent of the injuries inflicted;
- Was the force applied in good faith or was it maliciously and sadistically used for the purpose of causing harm;
- What was the severity of the crime at issue;
- Did the suspect pose an immediate threat to the safety of officers and/or others;
- Did the suspect resist arrest or attempt to evade arrest by flight.

Once these questions are answered, a summarized report is sent to the Chief.

Deadly Use of Force incidents are investigated both administratively and criminally. During the criminal investigation, detectives (four detectives and one supervisor) respond to the scene to see if there was any criminal intent on the part of the police officer. The Crime Scene Investigation Bureau (CSI) is called to the scene to collect all physical evidence and to take photographs. The officer(s) involved do not write reports regarding the incident. They are interviewed by the detectives who record the interview. Witnesses are located and interviewed and the 911 tapes, along with any video and surveillance tapes, are reviewed. The detective then types up the complete report and includes transcribed statements. If intent is found, the file is turned over to the D/A for arrest. If no intent is found, the case goes to the Coroner's Inquest.

After a determination is made at the Coroner's Inquest, the administrative investigation continues. The file, in the form of a power point presentation, is given to the board to review by an IA sergeant. Once all of the board's questions are answered, a report is sent to the Chief with recommendations.

- 3) Officer Miller spoke about the role played by the Police Officers Association (POA). The POA is called out to the scene once it is secured. The POA explains to the officer(s) what to expect during the investigations. A POA representative and attorney will be with the officer(s) during interviews. The POA explains the process of the review board and the IA investigation. If the review board finds there were policy violations, a mitigation hearing takes place where the Chief makes a decision. If discipline is given, the officer must contact the POA if they feel a grievance is warranted. The POA then determines whether or not to file a grievance.
- 4) Susan asked about psychological problems that may arise from an incident. There are support groups such as the Employee Assistance Program (EAP) and the Employee Assistance Resource Representative (EARR) that the involved personnel may contact. They are also sent to professional doctors directly after the incident with follow-up visits conducted during certain intervals.
- 5) Chief Paresi advised that the Department was given a 7% cut for materials and services, but the operational standards would not be affected.
- 6) Connie introduced Oscar Saldana as a prospective council member.

THE NEXT MEETING WILL BE HELD MARCH 12TH 2007 AT 5:00 P.M. AT THE SOUTH AREA COMMAND ON BRUCE AND E. LAKE MEAD.