COLLABORATIVE REFORM MODEL

Final Assessment Report of the Las Vegas Metropolitan Police Department

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COPS
Community Oriented Policing Services
U.S. Department of Justice

CNA
ANALYSIS & SOLUTIONS

COLLABORATIVE REFORM MODEL

Final Assessment Report
of the Las Vegas Metropolitan
Police Department

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Letter from the Director

Dear colleagues,

From its beginnings the COPS Office has always emphasized the importance of training and technical assistance to the field as part of its mission to advance community policing. One of the numerous ways in which we fulfil this objective is through the Collaborative Reform Initiative for Technical Assistance.

Launched in 2011, Collaborative Reform is an initiative where the COPS Office, in partnership with a designated technical assistance provider, works with a law enforcement agency to assess an issue that affects police and community relationships. Grounded in the principles of constitutional policing and procedural justice, it is a means to organizational transformation through an analysis of policies, practices, training, and tactics around a specific issue that can jeopardize an agency's legitimacy within its community. It is not a short term solution for a serious deficiency, but a long term strategy that identifies the issues within an agency that affect public trust and offers recommendations on how to improve the issue and enhance the relationship between the police and the community.

I would like to thank the Las Vegas Metropolitan Police Department, and in particular Sheriff Gillespie, for their participation and commitment over the last two years as the first agency to engage in this Collaborative Reform process. This report marks the end of the COPS Office and CNA Corporation's involvement in LVMPD's efforts, but serves as a guide for their continued work to address the public safety needs and concerns of their community.

The COPS Office is and will always remain committed to assisting law enforcement agencies with enhancing relationships in the communities they serve. By deploying comprehensive and needs-based technical assistance grounded in the basic elements of community policing—partnership development and problem-solving strategies—the Collaborative Reform Initiative will ensure agencies are provided a roadmap to reform.

Sincerely,

Ronald L. Davis, Director
Office of Community Oriented Policing Services

Executive Summary

Background

In January 2012, under growing community concern and scrutiny of its use of deadly force practices, the Las Vegas Metropolitan Police Department (LVMPD) agreed to take part in an initiative sponsored by the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office), known as the "Collaborative Reform Model."

As part of this initiative, LVMPD agreed to an in-depth assessment of its use of deadly force policies and practices. In support, the COPS Office and CNA would assist the LVMPD in adopting national standards and best practices as they relate to officer-involved shootings (OIS), while ensuring that LVMPD's implementation was comprehensive and integrated. CNA conducted the assessment, focusing on four issue areas: (1) policy and procedures, (2) training and tactics, (3) investigation and documentation, and (4) external review. CNA completed the assessment in November 2012, which documented a total of 75 reforms and recommendations. These included both new recommendations from the assessment team and reforms that LVMPD initiated before and during the assessment process.[1] CNA published the final report, *Collaborative Reform Model: A Review of Officer-Involved Shootings in the Las Vegas Metropolitan Police Department* (referred to as the "2012 report" throughout the remainder of this report) in November 2012.

The publication of the 2012 report did not complete the process. Sustainable policy and organizational change requires careful planning, implementation, and monitoring. The COPS Office, CNA, and LVMPD have continued in their collaboration throughout 2013. The COPS Office asked CNA to document reforms previously completed by LVMPD and to actively monitor those that resulted from the 2012 report. In September, CNA and the COPS Office published *Collaborative Reform Model: Six-Month Status Report of the Las Vegas Metropolitan Police Department*. The six-month report showed that LVMPD had made significant progress. A total of 56 reforms had been completed by the department and another 15 were in progress.

This report is the final assessment of LVMPD with respect to the Collaborative Reform Model. It has been two years since the beginning of the reform process, and one year since the reforms were recommended. The purpose of this report is to inform all stakeholders and interested parties of the progress made toward reforming LVMPD's policies and practices with respect to OISs.

Approach

CNA undertook a multifaceted approach in assessing LVMPD's progress, including site visits, direct observation, document reviews, and interviews. The assessment process was a holistic, comprehensive approach to assessing LVMPD's reforms that places an emphasis on the quality of the implementation as well as technical completion. The goal of the assessment was for the assessors to fully understand the steps the department had taken toward implementing the reforms, and to collect as much evidence as necessary to confirm that those steps had been completed.

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1. In this status report, the number of reforms and recommendations totals 80. This includes 41 new recommendations and 39 early reforms. The original report combined several new recommendations. In order to assess the LVMPD completely, these recommendations are parsed out in this status report.

Over the past year, LVMPD submitted for review more than 500 documents and files, including investigative reports, internal bulletins and memoranda, training videos and lesson plans, attendance records, evaluation plans, policies, audio recordings of review board hearings, and section manuals. The assessors critically reviewed these files for relevance and consistency with the recommendations, as well as for clarity and quality of the documents.

In this report, each recommendation is assigned one of five statuses, defined in Table 1.

Table 1. Recommendation status definitions

Status	Definition
✔ **Complete**	**The recommendation has been sufficiently demonstrated to be complete, based on the assessors' review of submitted materials, observations, and analysis.**
P✔ **Partially Complete**	**The agency has submitted materials that they believe demonstrate completion of the recommendation. However, the assessors have deemed that additional effort is needed to complete the recommendation. As per the agency, no further work will be forthcoming on the recommendation.**
▲ **In progress**	**Implementation of the recommendation is currently in progress, based on the assessors' review of submitted materials, observations, and analysis.**
✖ **Not complete**	**The agency has not sufficiently demonstrated implementation of the recommendation, nor does the agency have future plans to do so.**
No assessment at this time	**At the present time, not enough information is available to make a determination.**

LVMPD Progress

LVMPD has made impressive progress over the past year. The number of OISs by LVMPD continues to be historically low thanks, in part, to a cascade of events over the past three years that include changes to policy, and increased training, scrutiny, and oversight of OISs by LVMPD. LVMPD's internal review process for deadly force incidents continues to evolve as well. Over the past two years, the Use of Force Review Board (UoFRB) has issued an unprecedented number of findings that are critical of the officers' actions and how they were managed. Consequently, the board has recommended significant remedial action, including training, discipline, one demotion, and the termination of two officers.

Table 2 shows that, to date, LVMPD has initiated and completed 72 reforms, which account for 90 percent of the totality of reforms that have been initiated and recommended over the past three-plus years. Thirty-nine of the reforms were completed prior to the issuance of the 2012 report, whereas an additional 33 have been completed since. The department has made considerable progress on five reforms, but more

work remains. Two reforms remain incomplete. Notably, one of the incomplete reforms is outside of the purview of the department and addresses the Police Protective Association's continued discouragement of officers involved in shootings to give interviews as part of the criminal investigation.

Table 2. Status of LVMPD reforms

Status	Recommendations / Reforms (N)	Percent (%)
✔ Complete	72	90%
P✔ Partially Complete	0	0%
▲ In progress	5	6%
✘ Not complete	2	3%
No assessment at this time	1	1%
Total	**80**	**100%**

The department has completed two key policy reforms, regarding its use of force policy. The policy is now divided into smaller sub-components that can stand alone, making them easier to teach and learn for LVMPD officers. LVMPD has also begun an annual review of its policy to ensure that it is up to date with recent court rulings and other major events that can influence the direction in which the department wants to take the policy.

LVMPD has significantly revamped its training program and is now on the cutting edge of data-driven training. Ten training reforms have been implemented this past year. Together, the reforms enhance training requirements and departmental oversight of training development and delivery through audits. LVMPD officers are now being trained and recertified in essential skill sets more than ever before. There is still room for growth, however, with respect to de-escalation training. Although the department does well in training officers to tactically de-escalate a situation, more focus could be given to verbal de-escalation skills for all officers.

Use of force investigations and documentation in LVMPD has significantly improved. Ten out of 12 recommendations have been completed. The department has made significant changes to its administrative review of OISs. A new section manual dictates the review process and codifies a multi-tiered structure of findings that allows for remediating and disciplining officers when necessary. The process has now been split into two components, which, together, the department calls the Critical Incident Review Process (CIRP). A UoFRB, with a majority of citizen voting members, reviews the use of deadly force, whereas a Tactical Review Board (TRB), without voting citizen members, reviews all tactics and decision making of

all officers, then makes recommendations. The process is impressive in many respects but is not without its design flaws. The assessors support the overall objectives, but remain concerned with the potential for conflict between the two boards. The department is actively working to address the conflict.

With respect to criminal investigations of OISs, the department has recently decided to reconstitute a stand-alone Force Investigation Team (FIT) that specializes in deadly force investigations. The team will be separate from the Robbery and Homicide Bureau. LVMPD plans to ensure that FIT detectives have specialized training on the unique circumstances of OISs. The department, however, declines to video-record officer interviews. On a related note, the police association continues to encourage officers involved in shootings to not give interviews to homicide investigators.

The department continues its impressive commitment to engage with the community and improve the transparency of OIS investigations. Various new policies have been put into place, which formalize the dissemination of OIS statistics and incident summaries. The department's new communications policy clearly describes the role of the Public Information Officer (PIO) and the sheriff's office in public information sharing with respect to OISs.

Chapter 1: Introduction

Background

In January 2012, the Las Vegas Metropolitan Police Department (LVMPD) agreed to take part in an initiative sponsored by the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office) called the "Collaborative Reform Model." This involved an in-depth assessment of the department's deadly force policies and procedures, training and tactics, the investigation of officer-involved shootings (OIS), and the external review of these incidents. CNA completed the assessment in November 2012. At the conclusion of the assessment CNA published and distributed the report, *Collaborative Reform Model: A Review of Officer-Involved Shootings in the Las Vegas Metropolitan Police Department* (hereafter referred to as the "2012 report"), throughout the police department and community. The 2012 report documented a total of 75 reforms and recommendations, accounting for new recommendations made by the assessment team and reforms that LVMPD initiated before and during the assessment process.[2]

The COPS Office, CNA, and LVMPD continued in their collaboration to ensure that LVMPD implemented the recommended reforms. It has been approximately two years since the beginning of the reform process, and one year since new reforms were recommended. Beginning in January 2013, the COPS Office and CNA began assessing LVMPD's progress in implementing recommendations from the 2012 report.

Of the 41 reforms recommended in the 2012 Report, 33 have been completed to date. Table 3 illustrates a broader perspective, tallying the status of all LVMPD reforms and accounting for the total volume of work the department has put into addressing OISs prior to, during, and following the Collaborative Reform Model.[3] Prior to the issuance of the 2012 report, LVMPD completed 39 reforms; therefore, Table 3 shows that LVMPD has completed a total of 72 reforms, accounting for 90 percent of the totality of completed and recommended reforms. Five reforms are still considered to be in progress. Two have not been completed.

Table 3. Status of LVMPD reforms

Status	Recommendations / Reforms (N)	Percent (%)
✔ Complete	72	90%
P✔ Partially Complete	0	0%
▲ In progress	5	6%
✖ Not complete	2	3%
No assessment at this time	1	1%
Total	**80**	**100%**

2. In this report, the number of reforms and recommendations totals 80. This includes 41 new recommendations and 39 early reforms. The original report combined several new recommendations. In order to assess the LVMPD completely, these recommendations are parsed out in this status report.

3. The reforms completed by LVMPD prior to the Collaborative Reform Model, while laudable, are not the subject of the current assessment, nor were they the recommendations of the authors of the 2012 Report. The assessors were tasked with monitoring, assessing, and reporting progress on the reforms recommended in the 2012 Report, based on the analysis conducted by CNA.

By continuing in the Collaborative Reform Model and implementing reforms from the 2012 report, LVMPD has worked with CNA and the COPS Office to proactively identify problems within its organization and work toward solutions that are consistent with community expectations and professional standards. The recommendations in the 2012 report are intended to support a cultural transformation, in which the department trains officers, crafts policies, and adjudicates OIS investigations, so that the officers' need to use deadly force is minimized and they are held accountable when their actions fall short of the department's standards. Many of the recently adopted policies and procedures have the potential to serve as national best practices, which other departments can learn from and adapt to their own organizations. While LVMPD deserves credit for what it has accomplished as an organization, more work is needed, as documented in this report.

Approach

The goal of the assessment process is for the assessors to fully understand the steps the department has taken toward implementing the reforms and to collect and review as much evidence as necessary to confirm that those steps have been completed. To this end, the assessors took a multifaceted approach to assessing LVMPD's progress that included site visits, direct observation, document reviews, and interviews.

To aid the process, the assessors supplied LVMPD with a workbook that provided examples of important steps the department could take in completing the reforms, as well as formal documentation that could be furnished to CNA as evidence that the reforms had been implemented. The process, however, was not guided by a checklist. The process should be viewed as a holistic, comprehensive approach that emphasizes the quality of the implementation, as well as technical completion. The department provided documentation to the assessors as they determined reforms had been fully implemented, at which time assessors reviewed the materials and made a judgment as to whether more work was needed or more materials needed to be reviewed. In the body of this report, reviewed materials and the assessors' observations are comprehensively documented.

To date, LVMPD has submitted more than 500 documents and files, including investigative reports, internal bulletins and memoranda, training videos and lesson plans, attendance records, evaluation plans, policies, audio recordings of review board hearings, and section manuals. The assessors critically reviewed these files for relevance and consistency with the recommendations, as well as for clarity and quality.

On a biweekly basis, the assessors held conference calls with LVMPD's Office of Internal Oversight (OIO) staff to discuss progress toward each recommendation. Twenty-three status calls were conducted, as well as three in-person briefings.

The assessors conducted three site visits. During January 22–24, 2013—the first site visit—the assessors met with several LVMPD divisions to discuss expectations for the duration of the assessment. This was also an opportunity for LVMPD stakeholders to express any concerns or ask clarifying questions on the recommendations from the 2012 report. During this visit, the assessors met with the civilian Metro Multicultural Advisory Committee (MMAC) to discuss the approach. The assessors also observed LVMPD Advanced Officer Skills Training (AOST) in real time, as well as the department's beta testing for the latest Reality-Based Training (RBT) module.

The second site visit was conducted May 14–15, 2013. The team participated in LVMPD's executive retreat, briefing LVMPD command staff on the department's progress. The team also met with the Rebuilding Every City Around Peace (RECAP) executive committee to discuss various community initiatives and LVMPD's involvement. Lastly, the team observed the Critical Incident Review Process (CIRP) for the OIS of Stanley Gibson in December 2011.

For the third site visit, on September 25, the team met with OIO and several other LVMPD components to discuss reforms and the department's progress to date. In addition, the team presented the six-month status report to MMAC and responded to questions from community members.

This is the final report that CNA and the COPS Office will publish on LVMPD's progress. The purpose of this report is to inform all stakeholders (i.e., LVMPD, the U.S. Department of Justice, and the Las Vegas community) of LVMPD's progress. In this report, each recommendation is assigned one of five statuses, which are defined in Table 4.

Table 4. Recommendation status definitions

Status	Definition
✔ Complete	The recommendation has been sufficiently demonstrated to be complete, based on the assessors' review of submitted materials, observations, and analysis.
P✔ Partially Complete	The agency has submitted materials that they believe demonstrate completion of the recommendation. However, the assessors have deemed that additional effort is needed to complete the recommendation. As per the agency, no further work will be forthcoming on the recommendation.
▲ In progress	Implementation of the recommendation is currently in progress, based on the assessors' review of submitted materials, observations, and analysis.
✖ Not complete	The agency has not sufficiently demonstrated implementation of the recommendation, nor does the agency have future plans to do so.
No assessment at this time	At the present time, not enough information is available to make a determination.

Organization of this report

This report is organized optimally for readers of the 2012 report and *Collaborative Reform Model: Six-Month Assessment Report of the Las Vegas Metropolitan Police Department* (hereinafter, the "six-month report").

Chapter 2 of this report details LVMPD organizational reforms leading up to the collaborative reform model. The assessors provide updates where appropriate. Chapter 3 provides a snapshot of key indicators of organizational transformation and cultural change with respect to LVMPD's use of lethal force. This chapter also measures the prevalence of OIS incidents against key events over the past three years. Lastly, this chapter reviews the outcomes of Use of Force Review Boards since key reforms have been implemented.

Chapters 4 through 9 cover the same topic areas as the corresponding chapters in the 2012 report. Each recommendation from each chapter is assessed in the same order as in the 2012 report. Evidence supporting the assessments is thoroughly documented in footnotes.

Chapter 10 provides the assessors' conclusions and impressions on LVMPD's progress. Appendix A provides a table summarizing the status of all LVMPD reforms. Appendix B provides a list of abbreviations used throughout this report.

Assessors' note to the reader

Readers should consider this report the final and definitive chapter on the Collaborative Reform Model with LVMPD. There are a number of challenges in producing a report such as this. For example, it is essentially a third installment of a multi-volume set. The assessors made judgments as to which information to carry over from the previous reports. In some cases, the assessors have chosen to update the language; while in others, the language is identical. The assessors' self-imposed guidelines for which information to include were rather simple: provide the reader with an understanding of what LVMPD has been recommended to do and whether or not they have done so. Another challenge in producing a report such as this is the amount of technical language required. In many cases, only technical language sufficed. When there was an opportunity to explain in layman's terms, it was taken. The amount of work expended by all parties involved in the process cannot be boiled down to a checklist. The assessors urge readers of this report to read the supporting text of the compliance assessments in the following chapters for more nuanced observations. Note that the volume of requests made by the assessors necessitated a 15 day grace period. Any documentation submitted by LVMPD by January 15, 2014, was taken into consideration for this final report. This was truly a collaborative process. At times, the assessors and LVMPD could not come to an agreement on the best way to approach a recommendation. In other instances, the department exceeded the requirements of a recommendation. Ultimately, it was the judgment of the assessors that determined whether a recommendation would be designated as complete.

Chapter 2: LVMPD Early Reforms

In 2010, amid the record high of 25 OISs by LVMPD, the department began to take significant steps to reform its policies and practices related to deadly force, including its use of force policy, training, investigations, post-incident review, and accountability mechanisms. The COPS Office requested that LVMPD document its reforms leading up to the Collaborative Reform Model, which were detailed in the 2012 report. They are not part of the formal monitoring and assessment by CNA and the COPS Office. However, many of LVMPD's early reforms are inextricably tied to the Collaborative Reform Model. Therefore, this chapter reviews some seminal early reforms initiated by LVMPD and provides updates where appropriate. A complete enumeration of these reforms is part of Appendix A.

Organizational Reforms

LVMPD implemented several new organizational positions and changes to ensure systemic and long-lasting change. Beginning in 2012, the department created the Office of Internal Oversight (OIO) under the command of a captain who directly reported to the undersheriff. This office was the primary liaison to the community as well as the COPS Office and CNA for the Collaborative Reform Model. One of the OIO's core missions was to significantly reduce unnecessary deadly force incidents.

Update: OIO remains in place and has undertaken various new initiatives as a result of the 2012 report. The office remains an integral driver of reform in LVMPD.

In 2010, the agency revamped its criminal and administrative investigations of OISs by forming the Force Investigative Team (FIT) and Critical Incident Review Team (CIRT). The FIT was tasked with the criminal investigation and came under the purview of the Robbery-Homicide Bureau (RHB). The Critical Incident Review Team (CIRT) was responsible for all administrative investigations of OIS and was part of OIO. CIRT conducts in-depth, administrative reviews of incidents involving use of deadly force.

Update: In April 2012, the department elected to disband the stand-alone FIT, citing that it was an inefficient allocation of personnel resources for the infrequent number of OISs. At present, the criminal aspects of all OISs are investigated by RHB detectives on a rotating basis. Recommendation 7.1 stated that the "LVMPD should reestablish a specialized group of investigators to conduct comprehensive OIS investigations, in conjunction with the district attorney's office, that are legal in nature. These investigators should undergo specialized training." The agency has decided to implement this recommendation, which will be discussed in detail in Chapter 7: Use of Force Investigation and Documentation Compliance Assessments.

Use of Force Policy and Procedures

LVMPD made substantial changes to its use of force policy in 2012. These were driven by several factors, including Ninth Circuit Court rulings and an internal review process. The department mandated that every commissioned police and corrections officer attend a four-hour training class focused on the revisions made to the policy. Some key changes are described below.

LVMPD updated their policy to explicitly include a "sanctity of human life" statement. LVMPD's Use of Force Policy now states:

> It is the policy of this department that officers hold the highest regard for the dignity and liberty of all persons, and place minimal reliance upon the use of force. The department respects the value of every human life and that the application of deadly force is a measure to be employed in the most extreme circumstances.[4]

LVMPD also expanded on its guidance for what constitutes "objectively reasonable" use of force. This term had traditionally been explained using the three factors from the U.S. Supreme Court case, *Graham* v. *Connor*:

- The severity of the crime

- Whether the subject poses an immediate threat to the safety of the officers or others

- Whether the subject is actively resisting arrest or attempting to evade arrest by flight

LVMPD added five new factors to its policy that are meant to give their officers more context for decision making in use of force situations:[5]

- The influence of drugs/alcohol or the mental capacity of the subject

- The time available to an officer to make a decision

- The availability of officers/resources to de-escalate the situation

- The proximity or access of weapons to the subject

- The environmental factors and/or other exigent circumstances

Update: The department continually reinforces the eight factors of the "objectively reasonable" standard in RBT and AOST, through classroom instruction and scenario-based training.

The Ninth Circuit ruling has significantly changed the way officers now use some of their weapons—specifically, the baton (when used as intermediate force), oleoresin capsicum (OC) spray, and electronic control devices (ECD). LVMPD policy now clearly puts the use of these weapons into an "intermediate force" category and clearly defines when these weapons are appropriate to use based on the subject's actions. It also includes the practice of de-escalation and force transition. This model is intended to give better guidance to officers on how to comply with the Ninth Circuit analysis of use of force.

Update: During the 2013 monitoring period, the assessors identified that the department's training needed to emphasize the distinction between tactical and verbal de-escalation. Tactical de-escalation slows down the situation and creates distance between the threat and the officers by deploying additional resources and supervision of the incident. Verbal de-escalation is the use of interpersonal communications skills to create empathy and understanding with the suspect, with the prospect of voluntary compliance and a peaceful resolution. These issues are explored in more detail in Chapter 6 of this report.

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4.   LVMPD, "Use of Force," General Order, Directive No. GO-0XX-13, November 2013.

5.   Ibid.

LVMPD also determined that it needed to strengthen its policy requiring officers to intervene when observing excessive force. The revised policy states:

> Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such excessive force. Officers shall promptly report these observations to a supervisor.[6]

Update: Since the new use of force policy was put in place, there has been one internal affairs investigation against an officer for failure to report excessive force by another. In addition, an excessive force case has been opened based on the complaint of a fellow officer. To put this in context, 15 internal affairs investigations related to use of force have opened up since the new policy was established.[7] The "duty to intervene" cases are still under investigation at the time of this report.

Rifle Use

Regarding LVMPD's rifle policy, a number of changes were made regarding the deployment and tactical use of the rifle. These changes came in the wake of the shooting of Stanley Gibson, an unarmed subject who was shot by an LVMPD officer with a department-issued .223 caliber rifle, while sitting in his vehicle in a residential neighborhood. The policy for rifle deployment now reads:

> If there is a potential for deadly force, an officer may deem an approved rifle is appropriate based on distance, available cover, and tactical situation presented. It is important for an officer to understand terminal ballistic capabilities and limitations of the rifle to be deployed. It is incumbent on the officer to use discretion when deploying and displaying the rifle, and to only deploy the rifle when the situation dictates. The officer must also be aware of the number of rifles already deployed. Officer(s) deploying rifle(s) will:
>
> 1. Announce intent to deploy the rifle via the radio and receive an acknowledgment from dispatch;
>
> 2. Whenever possible, deploy the rifle using a two-officer team consisting of a single rifle carrier supported by a cover officer to ensure security of the scene;
>
> 3. Advise dispatch, via the radio, of deployment location and update dispatch and others assigned to the event whenever deployment location changes, thus providing situational awareness to all personnel on-scene of location of deployed rifle(s);
>
> 4. Advise dispatch, via the radio, of whether or not the deploying officer is accompanied by a cover officer; and
>
> 5. Communications will re-broadcast that a rifle has been deployed and notify the area supervisor of the deployment.[8]

Update: To date, there have been no statements of complaint filed against officers for violating the new rifle deployment policy.[9]

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6. Ibid.
7. This data is accurate as of December 2, 2013. At the time of this report's publication, these figures may be different.
8. Ibid.
9. Personal communication with LVMPD OIO staff.

Less-lethal weapons

LVMPD's CIRT reviewed ECD deployments and found that the weapon was often unsuccessful—consequently causing difficulty when officers tried to transition to a different weapon—and that officers had problems successfully handcuffing "under power." CIRT and AOST personnel discovered that neither a formal process of inspection for the tool nor a consistent mandatory/hands-on annual ECD training existed. A number of changes were specifically made to the ECD policy, including more stringent standards for the use of such devices. Significant changes included (1) defining appropriate use of an ECD and (2) placing ECDs into the intermediate force category.

The revised policy now gives the following directives:[10]

- When displaying an ECD, officers will give a warning, when practical, to the subject and other officers before firing the ECD. Officers shall give the subject a reasonable opportunity to voluntarily comply.

- Officers are not authorized to draw or display the ECD, except for training and inspection, unless the circumstances create a reasonable belief that use may be necessary. The ECD will be handled in the same manner as a firearm and will be secured prior to entering any detention facility.

- The intentional use of more than one ECD simultaneously on the same subject is prohibited.

- Initial use of the ECD shall be a standard 5-second cycle, and then the officer will evaluate the need to apply a second 5-second cycle after providing the subject a reasonable opportunity to comply. Each subsequent 5-second cycle requires separate justification. Once the subject has been exposed to three cycles, the ECD shall be deemed ineffective and another use of force option will be considered, unless exigent circumstances exist.

LVMPD also implemented a mandatory ECD inspection program and designed an ECD-specific recertification training requirement of four hours annually.

Update: The department's ECD training was removed from the quarterly defensive tactics training and now stands alone as a mandated annual four-hour refresher class.[11] RBT and AOST have incorporated exercises to reinforce the smooth transition from one force option (ECD, OC spray, gun, etc.) to another when appropriate.

LVMPD also changed its policy on less-lethal shotguns. The policy now identifies the level of control in which this weapon can be used. In addition, a new requirement is that officers must announce a warning to the subject and other officers of the intent to deploy the weapon.[12]

Update: To date, there have been no statements of complaint filed against officers for violating the new less-lethal shotgun deployment policy.[13]

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10. LVMPD, "Use of Force," General Order, Directive No. GO-0XX-13, November 2013.

11. LVMPD, "Advanced Officer Skills Training," Procedural Order, Directive No. PO-041-13, December 2013.

12. LVMPD, "Use of Force," General Order, Directive No. GO-0XX-13, November 2013.

13. Personal communication with LVMPD OIO staff.

Moving Vehicles, Foot Pursuit, and Flashlights

In 2011, LVMPD restricted when officers could shoot at a moving vehicle, establishing a policy that officers are not authorized to discharge their firearm, "either at or from a moving vehicle, unless it is absolutely necessary to do so, to protect against imminent threat to life of the member or others. The imminent threat must be by means other than the vehicle itself."[14]

Update: To date, there have been no statements of complaint filed against officers for violating the moving vehicle policy.[15]

In 2011, LVMPD developed a foot pursuit policy to establish parameters surrounding decision making and officer safety. The policy details the factors to consider when deciding to engage in a pursuit and transitioning from pursuit to apprehension.[16] The policy also details the roles and responsibilities of the officer initiating the pursuit, assisting officer(s), supervisor, and dispatcher. The department distributed a training video that discussed various tactics to stay safe and alert during foot pursuits.

Update: To date, there have been no statements of complaint filed against officers for violating the foot pursuit policy.[17]

After a review of a critical incident in January 2011, LVMPD realized the need for a policy that governed flashlight-mounted weapons. LVMPD policy was updated to state:

> The only approved flashlight mounts will be those that do not affect the functionality of the weapon. It is recommended that officers contact range armorers prior to selecting a flashlight mount to ensure compatibility. Flashlight mounts must be inspected by FTTU [Firearms Training and Tactics Unit] prior to mounting.[18]

In addition, the LVMPD range began including flashlight techniques as part of the quarterly qualifications.

Update: To date, there have been no statements of complaint filed against officers for violating the mounted flashlight policy.[19]

Accountability

The Use of Force Review Board (UoFRB) is composed of police officers and supervisors, as well as civilian members of the community. Historically, a deputy chief chaired the UoFRB. In June 2012, the sheriff assigned the assistant sheriff of law enforcement operations as the chairman of the UoFRB. This change was designed to raise the level of accountability for all incidents being reviewed in the future.

Update: The review process of OISs continues to evolve. The chair of the review board remains the assistant sheriff of patrol operations. Today, the chair oversees a two-part review process known as the Critical

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14. LVMPD, "Use of Force," General Order, Directive No. GO-0XX-13, November 2013.

15. Personal communication with LVMPD OIO staff.

16. LVMPD, "Foot Pursuits [Policy Manual]" (no date).

17. Personal communication with LVMPD OIO staff.

18. LVMPD, "Authorized Firearms and Associated Equipment [Policy Manual]" (no date).

19. Personal communication with LVMPD OIO staff.

Incident Review Process. It comprises the traditional UoFRB and a newly designed Tactical Review Board, which reviews tactical issues that go beyond the use of deadly force itself.[20] This process is discussed in detail in Chapter 7 of this report.

Six years ago, the accountability mechanisms that LVMPD had in place to review OISs were extremely limited. For example, the UoFRB focused its review on the moment an officer discharged his or her firearm. This narrow scope produced judgments in which the officer's actions were almost always found to be justified, even in questionable circumstances. The scope of review was greatly expanded to include not just the decision making at the moment the officers employed deadly force, but also the tactics, communications, and supervision of all personnel involved. LVMPD determined that more finding categories were needed to provide greater accountability for all involved officers. These included:

- Administrative approval
- Tactics/decision making
- Policy violation not directly related to use of force
- Policy/training failure
- Administrative disapproval

Update: As recommended, the department continues to use the new finding system for reviews of OISs. A full update and observations on the review process are in Chapter 7 of this report.

Training and Tactics

The LVMPD has made numerous reforms to its training programs over the past three years. In October 2010, LVMPD began designing individualized training programs for officers involved in deadly force incidents that were found to have committed policy, procedural, or tactical errors.

Update: LVMPD continues this practice. Officers involved in OISs are routinely sent to Advanced Officer Skills Training (AOST) to complete a standard return-to-duty training module. Also, officers who are found to have committed errors in the course of an OIS are required to complete individualized programs, as decided by the review board.[21]

The department also revamped its mandatory AOST, to include decision-making training using video simulation scenarios. Traditionally, these video simulations were not a part of AOST.

Update: The recent reforms to AOST remain intact. MILO[22] continues to be part of AOST.[23]

In 2011, LVMPD developed a Reality-Based Training program. The program was designed to prepare officers to handle dynamic, critical incidents as a team, and to use analysis of critical incidents to address emerging challenges. The program includes classroom lectures and scenarios. It was made a mandatory

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20. LVMPD, *Critical Incident Review Process Manual* (November 11, 2013).

21. LVMPD, *Critical Incident Review Process Manual* (November 11, 2013).

22. MILO is a computer-simulated system for officer training.

23. LVMPD, "Advanced Officer Skills Training," Procedural Order, Directive No. PO-041-13, December 2013.

semi-annual requirement for all of patrol, the community oriented policing (COP) units, and for problem solving units (PSU). In addition, all supervisors are required to complete an RBT module that is specifically designed to emphasize leadership skills in a critical incident.

Update: The department has greatly expanded the number of units that are required to attend RBT. As a result of this increase, squads are scheduled to attend once every eight or nine months instead of semi-annually. In September 2013 the Organizational Development Bureau (ODB) began its fourth phase of RBT with new classroom instruction and scenarios. The RBT staff continues to utilize real-world examples of police encounters in their scenarios. Chapters 4 and 6 of this report provide more updates on RBT.

Internal Communications

LVMPD recognized a need to quickly notify its workforce of issues that the department is made aware of as the result of a deadly force incident. To that end, CIRT began distributing "Awareness Reports," which provide the workforce with a general, factual summary of events known to the CIRT detectives shortly after an incident occurs.[24] The reports reference policies, protocols, or training doctrines related to the incident.

Update: The department continues to keep its employees informed of the circumstances surrounding an OIS through the mass distribution of the Awareness Reports.

External Communications

LVMPD created a policy that prescribes an annual review of deadly force incidents. This research is designed to identify trends that should be addressed either through training or changes in policy. The report is published and disseminated to the public via the LVMPD website.[25]

Update: In the third quarter of 2013 the department released its second annual deadly force statistical report.[26] This report is now available to the public and can be found on the department website. LVMPD also posts summaries of each OIS, the homicide officer's report (redacted for personally identifiable information), the district attorney's decision letters, and the findings of the CIRP.[27] LVMPD has also revised its policy to require the posting of a video report of each OIS. LVMPD's commitment to public information dissemination with respect to OISs is impressive and deserving of emulation from other departments nationwide. Chapter 9 of this report provides more updates on LVMPD's public information activities.

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24. LVMPD, *Office of Internal Oversight Manual* (October 1, 2013).

25. Ibid.

26. LVMPD, *Deadly Force Statistical Analysis* (September 16, 2013).

27. To access these OIS summaries, homicide reports, decision letters, and other material, go to http://www.lvmpd.com/AboutLVMPD/OfficeofInternalOversight/StatisticalData/tabid/440/Default.aspx.

Chapter 3: By the Numbers: Reducing OISs, Improving Accountability, Enhancing Officer Safety, and Changing the Culture

The COPS Office determined that the 2012 report provided LVMPD with a roadmap toward organizational reforms that would contribute to the following goals: reduce OISs, reduce the number of persons killed as a result, enhance officer safety, and change the culture of LVMPD as it relates to the use of deadly force.

This chapter presents various indicators on the impact of the reforms, as they relate to the goals above. As stated in the six-month report, the data and analyses presented herein should not be considered definitive. The assessors are not tasked with formally evaluating the impact(s) of the reforms. However, given their breadth of knowledge on LVMPD and the reforms and data that have been made available to the assessment team, it is incumbent on the assessors to review these early indicators and provide their observations.

Officer-Involved Shootings: Counts over Time

Historical context

LVMPD has averaged approximately 14.7 OIS incidents per year since 1991.[28] Annual figures fluctuate considerably. The smallest annual number of OISs on record is 8, which occurred in 1992.[29] The largest number of OISs in a single year is 25, which occurred in 2010. Figure 1 illustrates the historical annual prevalence of OISs. The number of OISs in the last two years is lower than the historical average.

Figure 1. LVMPD OIS historical trend 1991–2013

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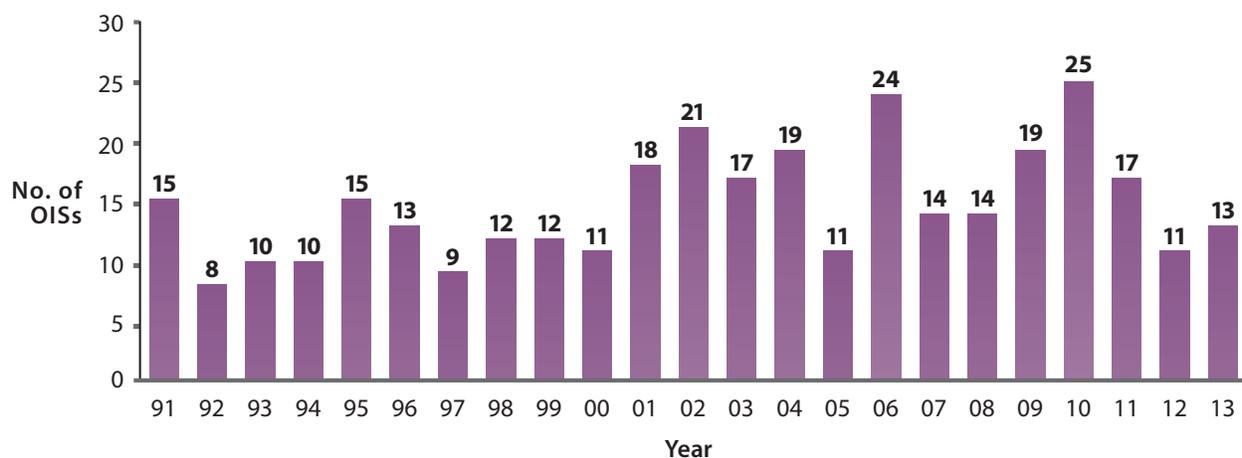
28. Since the publication of the six-month report, the assessors have been made aware of several discrepancies in the counting of OISs. After reviewing archived homicide logs and newly updated LVMPD administrative data, the assessors have made a number of adjustments. These updated numbers do not change the overall trends reported previously or in the current report. The adjustments are as follows:

(1) The total number of OISs in 1999 was previously reported as 11. Based on information recently provided to the assessors' by LVMPD, this number has been updated to 12.

(2) The total number of OISs in 2001 was previously reported as 15. Based on information recently provided to the assessors' by LVMPD, this number has been updated to 18.

(3) The total number of OISs in 2000 was previously reported as 12. Based on information recently provided to the assessors' by LVMPD, this number has been updated to 11.

(4) The total number of OISs in 2009 was previously reported as 17. Based on information recently provided to the assessors' by LVMPD, this number has been updated to 19.

(5) LVMPD official records count 18 OISs in 2011. One incident involved two OISs involving the same suspect that were approximately 8 hours apart. The assessors classify them as one incident, consistent with the counting method in the 2012 report.

29. The Las Vegas Review Journal reported two OISs in 1990. Sources inside the department, however, were skeptical of the accuracy of this count. The assessors exclude it from this analysis.

Benchmarking OISs

Although the total number of OISs per year is an informative figure, the assessors would be remiss to not account for some relevant benchmarks that place OIS counts into context. Between 1991 and 2013, LVMPD's jurisdiction population increased by about 125 percent. The number of sworn officers in LVMPD has grown from 1,484 sworn personnel in 1999[30] to 2,505 today—representing a net increase of 68 percent. Comparing these two benchmarks over time shows that they are highly correlated. When normalizing OISs by each of these figures, a similar trend emerges (see Figure 2). Therefore, for the current analysis, whether OISs are normalized by sworn personnel or Las Vegas population may be more of a conceptual matter than a substantive one.

Figure 2. Normalized OIS rates[*]
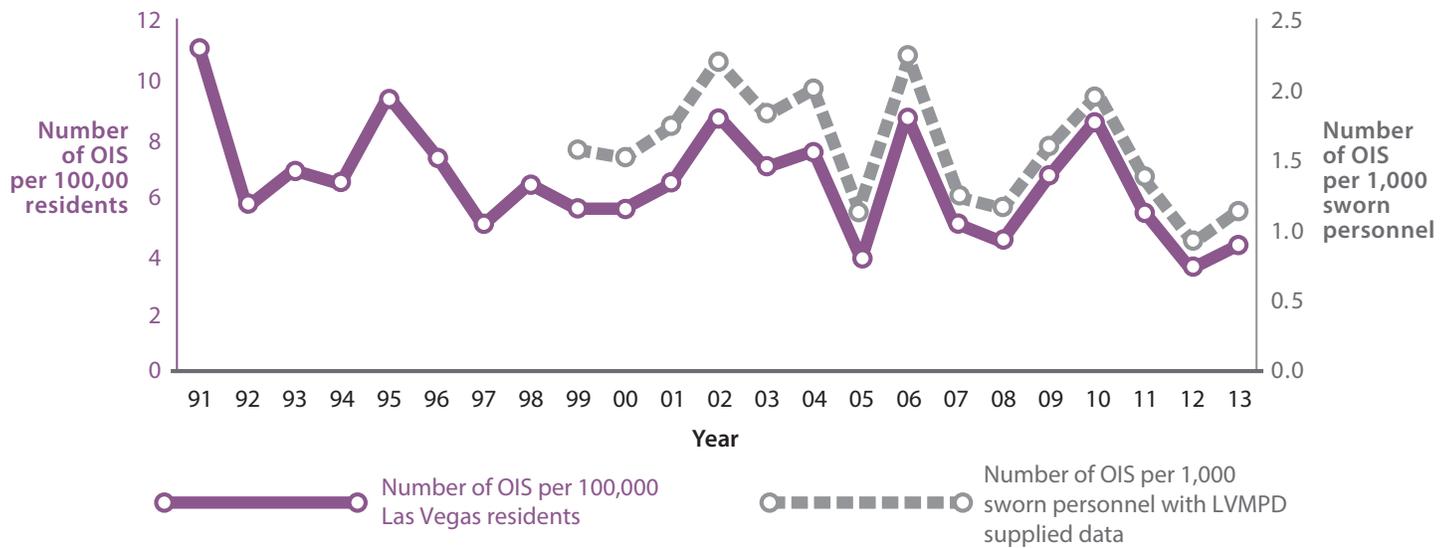
* The trend line for OISs per sworn officer begins in 1999.

Table 5 details annual OISs and places them in the context of LVMPD's population and sworn personnel. When normalizing OISs by the population, Table 5 shows that 2012 and 2013 were among the least active years on record for OISs. The 11 OISs that occurred in 2012 accounted for a rate of .74 OIS per 100,000 residents in the Las Vegas Metropolitan area. This is the lowest rate on record. In 2013, the rate of OISs was .88 – which is the third lowest on record. Only one other year (2005) on record had an OIS rate lower than 1.0. Likewise, 2012 was the lowest rate of OISs on record when normalizing by the number of sworn officers in LVMPD. 2013 was the second lowest number of OISs per 1,000 sworn officers on record.

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30. 1999 is the earliest year for which LVMPD personnel data is available through the department's Finance and Budget Office.

Table 5. LVMPD annual OIS rate

Year	OIS	Population*	Sworn Officers**	OIS Rate Normed by Population†	OIS Rate Normed by Sworn Officers‡
1991	15	656,391	- -	2.29	- -
1992	8	678,385	- -	1.18	- -
1993	10	717,441	- -	1.39	- -
1994	10	752,577	- -	1.33	- -
1995	15	793,432	- -	1.89	- -
1996	13	831,303	- -	1.56	- -
1997	9	869,696	- -	1.03	- -
1998	12	908,596	- -	1.32	- -
1999	12	922,450	1,484	1.30	8.1
2000	11	1,060,541	1,695	1.08	6.5
2001	18	1,117,763	1,833	1.61	9.8
2002	21	1,153,546	1,968	1.82	10.7
2003	17	1,189,388	1,960	1.43	8.7
2004	19	1,239,805	1,977	1.53	9.6
2005	11	1,281,698	2,088	0.86	5.3
2006	24	1,315,625	2,190	1.82	11.0
2007	14	1,341,156	2,340	1.04	6.0
2008	14	1,353,175	2,447	1.03	5.7
2009	19	1,377,282	2,649	1.38	7.2
2010	25	1,416,401	2,738	1.77	9.1
2011	17	1,446,280	2,687	1.17	6.3
2012	11	1,479,393	2,608	0.74	4.2
2013	13	1,479,393§	2,505	0.88	5.2

*　Population figures are from the FBI's Uniformed Crime Reporting system.

**　Sworn officer figures are from LVMPD's Finance and Budget Office. This count includes all sworn officers, including command staff, who are not likely to be on the street and be involved in an OIS. Figures were not available for 1991–1998 at the time of this report.

†　Rate is calculated as number of OISs per 100,000 residents.

‡　Rate is calculated as number of OISs per 1,000 sworn officers.

§　2013 population figures have not been reported at this time. This figure assumes that the population base has not changed significantly from the previous year.

Recent history of OISs: Rates and Reforms

In order to gain a greater understanding of the decline in OISs and the potential impact of recent events, this section of the report reviews OISs since 2007. The assessors use monthly OIS counts to observe any potential temporal patterns. By using a more granular measure (monthly OIS counts), the assessors can establish a statistically defensible baseline for comparison with post-event OIS counts. However, the data presented here is largely descriptive, and readers should refrain from drawing conclusions based on this information alone. The assessors present their interpretations of the data based on their knowledge of LVMPD, OISs, and reforms that have taken place over the past two years and more.

Figure 3 illustrates the trend from 2007 to present day. The six-month moving average (see the gray line labeled "six-month moving average") is displayed to illustrate the general trend. Each point on the trend line represents the previous six months' average. Milestone events are included in the graphic to provide context for assessing LVMPD's progress. The assessors believe that these milestones were major drivers of organizational change in LVMPD. They are discussed in detail below.

Figure 3. LVMPD OIS trend 01/2007 – 02/2014 (monthly)
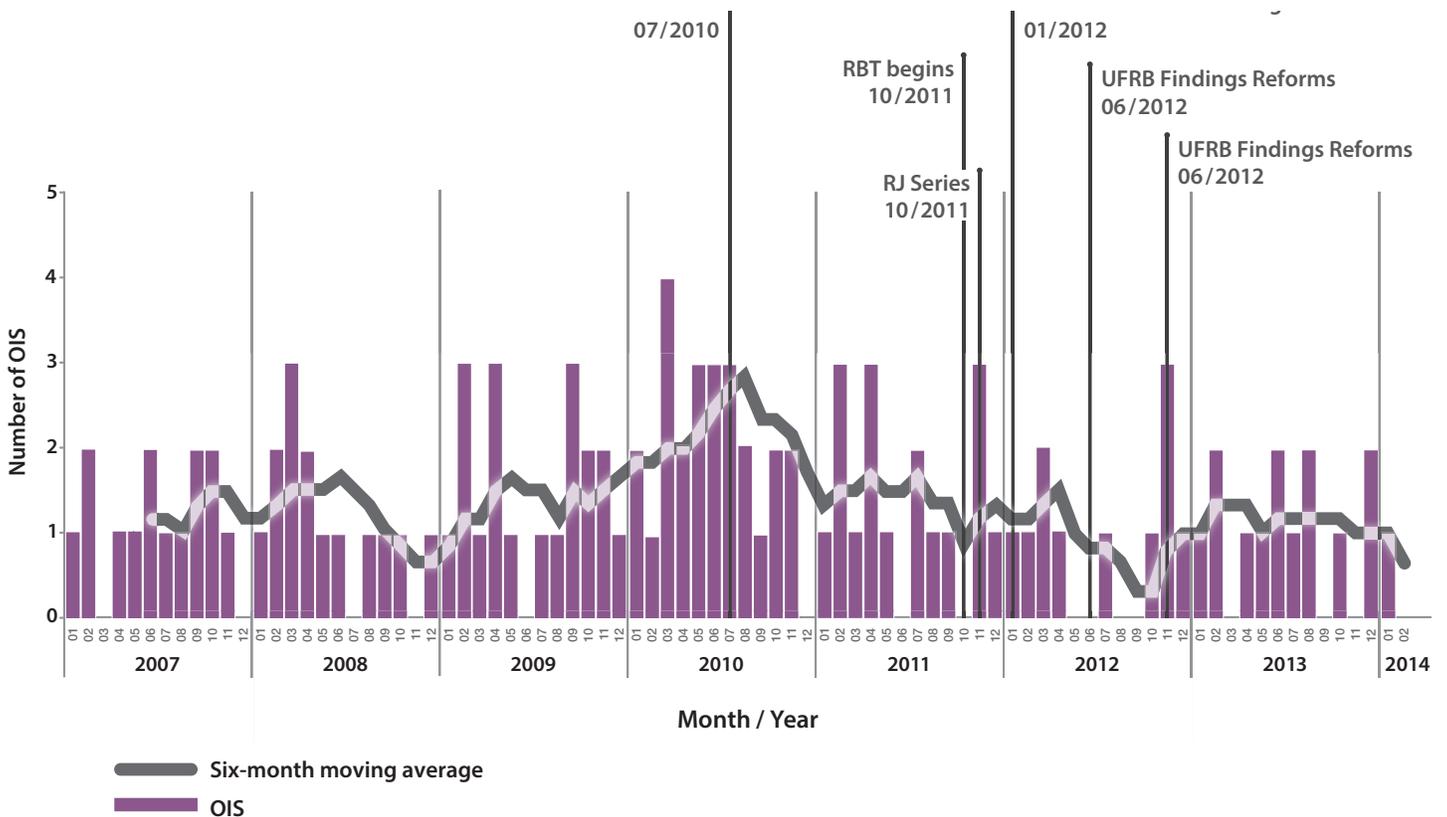
Milestones

The establishment of the Critical Incident Review Team (CIRT) in July 2010 was the first major milestone. CIRT conducts administrative reviews of the tactical, policy, and decision-making elements of an OIS. With this new team in place, the department substantially enhanced the level of administrative oversight and investigations into OIS incidents. As a result, the internal scrutiny of LVMPD officers rose to an unprecedented level.

In October 2011, LVMPD launched a new training program—Reality-Based Training—aimed at preparing officers for deadly force situations. RBT trains officers individually, as well as in squads, and focuses on decision making and coordination. LVMPD designed the program to address emerging issues, as identified through LVMPD's reviews of deadly force incidents. RBT is currently in its fourth phase, and recent iterations have incorporated issues identified in the 2012 report.

In November 2011, the *Las Vegas Review Journal* (RJ) published a five-part series on OISs in Clark County. The special report was read widely throughout the community and the department. The RJ reported that there was a lack of accountability across all Clark County law enforcement agencies when it came to deadly force. Being the largest department in the county, LVMPD was at the core of this concern.

In January 2012, the COPS Office and LVMPD mutually agreed to engage in the Collaborative Reform Model. In doing so, the department opened its entire agency to CNA and so began an in-depth investigation of LVMPD's policies, training, and practices as they related to deadly force. The investigation spanned all bureaus, commands, and ranks of LVMPD. At the same time, CNA actively worked with the department on several deadly force issues. Notably, the American Civil Liberties Union of Nevada (ACLUNV) and the Las Vegas chapter of the National Association for the Advancement of Colored People (NAACP) filed a joint petition to the U.S. Department of Justice Civil Rights Division that same month.[31]

Historically, the department's UoFRB would make a finding of "justified" or "not justified" for each OIS. This dichotomy was found to be too limited for the complexity of most OIS incidents. In June 2012, LVMPD implemented a major reform to its UoFRB by expanding its structure of findings to reflect a more nuanced understanding of officers' actions during a deadly force incident. This, in effect, also opened up the review process for increased scrutiny of officers, and the use of remedial or disciplinary action when appropriate.

On November 15, 2012 CNA and the COPS Office published the report on its investigation. The 2012 report detailed 41 new recommendations for LVMPD to implement in order to reduce the number of OISs and increase accountability. The department began working on the recommendations immediately. In January 2013, the assessment phase began, in which the COPS Office and CNA began monitoring and assisting in the implementation of recommendations for a 12-month period.

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31. See American Civil Liberties Union of Nevada, Petition for an Investigation into the Las Vegas Metropolitan Police Department by U.S. Department of Justice Pursuant to 42 USC [4], January 12, 2012.

Before and After: OIS Rates and Key Milestones in Organizational Reform

LVMPD has implemented more than 70 new reforms over the past three years in an effort to reduce OISs. The sheer volume of reforms and the speed with which they've been implemented makes identifying their relative impact on OISs a methodological challenge. For this report, the assessors offer a comparison of OIS rates before and after reforms, while acknowledging that more robust analyses may uncover different findings.

Table 6 compares the average number of OISs per month before and after each milestone, along with the number of months for each time period. A means comparison test indicates that the lower incidence of OISs after five of the six milestones is statistically significant. In layman's terms, the significance level tells the reader the probability that the difference in the means between pre- and post-milestone monthly OIS rates was just a chance occurrence. The establishment of CIRT and RBT, the publication of the RJ article, initiation of Collaborative Reform, and the reform of the UoFRB findings are each marked by significantly lower post event OIS rates. Since the Collaborative Reform Model began, LVMPD's OIS rate has declined from 1.48 per month to .96, representing a 35 percent reduction.

Table 6. OIS Rates by milestone

Milestone*	Month/Year	Pre- Milestone OIS Rate (Months)	Post-Milestone OIS Rate (Months)	Percent Change
CIRT established	07/2010	1.51 (43)	1.14 (43)**	- 25%
RBT established	10/2011	1.49 (58)	1.04 (28)**	- 30%
RJ article published	11/2011	1.49 (59)	.96 (27)**	- 36%
Collaborative Reform Model initiated	01/2012	1.48 (61)	.96 (25)**	- 35%
UoFRB Reforms	06/2012	1.42 (66)	1.00 (20)**	- 30%
Collaborative Reform Report published	11/2012	1.39 (71)	1.00 (15)	- 28%

* For each milestone, the period for which the milestone is present begins one month after it is established. For example, CIRT was established in July 2010. For this analysis, CIRT is absent through July 2010 and present from August 2010 forward.

** p < .05.

The assessors are optimistic that the decline in OIS rates shown above represents a trend, rather than random fluctuations. Rather than label a single event as the primary contributor to the decline, the assessors' believe that these milestones represent a cascading series of events that increased training, scrutiny, and oversight of LVMPD OISs over the past three years, contributed to the decline in OISs. The first major reform identified by the assessors came in 2010, when the department established CIRT. Before then, the monthly OIS rate was 1.51. From July of 2010 through present, the department has undergone major transformations, as the result of internal and external pressures. Yet the department is just getting underway in implementing many of the reforms recommended in the 2012 report. Now is the time to begin measuring the collective impact of LVMPD's various reform efforts.

Accountability: Use of Force Review Board Outcomes

Before the newly devised UoFRB findings in June 2012, OISs were nearly always found to be justified. Until recently, the department did not track any remedial action (e.g., training or discipline) resulting from the UoFRB. The public's general perception was that officers faced little, if any, consequence if they were involved in an OIS. At the time of the 2012 report, no officers had ever been terminated as the result of their actions in an OIS.

In February 2013, the department made more significant changes to its review process. The new process, called the Critical Incident Review Process (CIRP), is made up of two boards: the UoFRB and the Tactical Review Board (TRB). The two boards are convened sequentially, on the same day, with the UoFRB meeting first. The substantive differences between the two can be summarized as follows:

- The UoFRB reviews the tactics and decision making relative only to the use of deadly force, whereas the TRB reviews all other tactics and decision making related to and occurring before the use of deadly force.

- The UoFRB's scope is limited to the officer(s) who either used deadly force or the supervisor who ordered the use of deadly force, whereas the TRB's scope covers all officers involved in the incident.

- The UoFRB issues findings for the officer(s) involved in the shooting, whereas the TRB makes recommendations for further action (e.g., commendation, remedial training, discipline, or termination) for every officer involved in the incident.

Since June 2012, when the new structure of findings was put in place, the UoFRB has heard 13 cases. Six cases were heard only by the UoFRB, as it was designed at the time of the 2012 report. The latter seven cases were reviewed as part of the newly designed CIRP.

The UoFRB has issued findings on 26 officers who used deadly force in the 13 incidents since June 2012.[32] The six-month report showed that the board made critical findings over a third of the time. Over the past six months, all subsequent OISs have been adjudicated with a finding of administrative approval. It is important to acknowledge that, although critical findings may demonstrate that the board has "teeth,"

Figure 4. UoFRB findings since June 2012

Tactics/ Decision Making, 4 — 15%

Administrative Disapproval, 3 — 12%

Policy/Training Failure, 0 — 0%

Administrative Approval, 19 — 73%
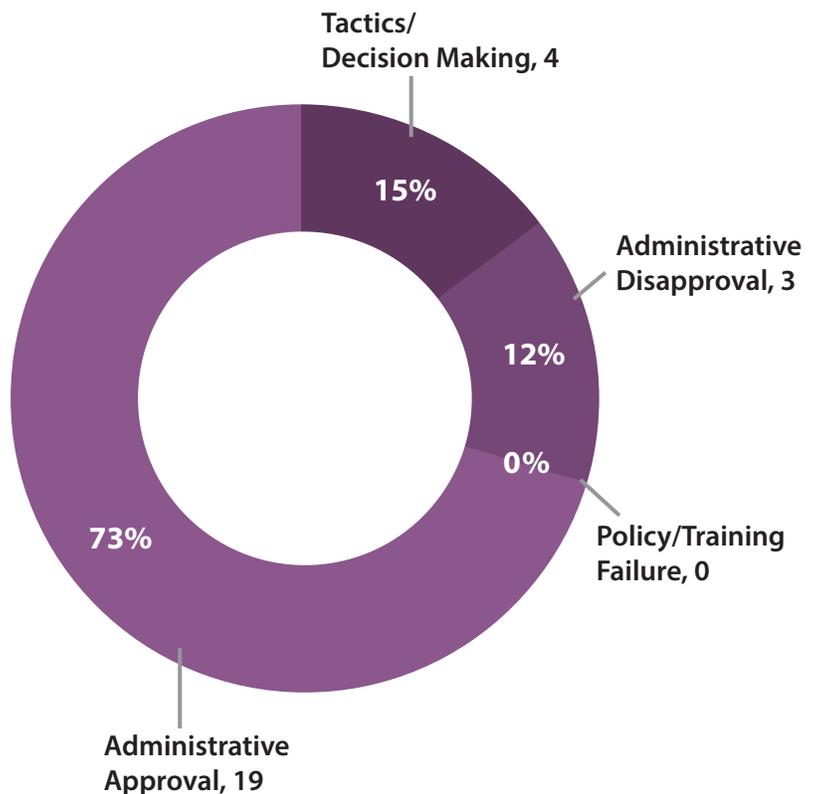
32. Information is current as of December 30, 2013.

the proper proportion of critical findings vs. administratively approved incidents is not a determinable measure. A six-month timeframe with no OIS reviews resulting in remedial action is not necessarily a cause for concern. Figure 4 shows the distribution of UoFRB findings since June 2012.

LVMPD defines each finding as the following:[33,34]

Administrative Approval. No Recommendations: Objectively reasonable force was used under the circumstances based on the information available to the officer at the time. This disposition acknowledges that the use of force was justified and within departmental policy. There are no concerns surrounding the tactics employed. Within policy/good to excellent performance.

Tactics/Decision Making. This disposition considers that—even though the use of deadly force was lawful and within policy—the tactics and/or decision making employed were flawed and worked to limit alternatives that may have otherwise been available to the officer. A different approach may have reduced or eliminated the need for the officer to employ deadly force.

Policy/Training Failure. A deadly force outcome was undesirable but did not stem from a violation of policy or failure to follow current training protocols. A department policy and/or specific training protocol is inadequate, ineffective, or deficient; the officer followed existing policy and/or training, or there is no existing policy and/or training protocol that addresses the action taken or performance demonstrated. Global policy or training deficiencies.

Administrative Disapproval. The UoFRB has concluded through this disposition that the force used was not justified under the circumstances and violated department policy. This outcome is reserved for the most serious failures in adherence to policy, decision making and/or performance. A violation of the use of force policy.

Table 7. UoFRB/CIRP recommendations since June 2012

Recommendation	Number (N)*	Percent (%)
None	17	53%
Remedial training	7	22%
Supervisory Contact	3	9%
Termination	2	6%
Commendation	2	6%
Suspension	1	3%
Demotion	1	3%

* Because officers may be recommended for a combination of actions, percentages will not add up to 100.

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33. At the time of the six-month report, the process included a finding of "policy violation not directly related to the use of force." This has since been removed from the UoFRB process, given that the focus of the board is the use of deadly force itself and not tangential actions.

34. LVMPD, *Critical Incident Review Process Manual* (November 11, 2013).

A significant amount of remedial action and discipline has been meted out as a result of the last 13 board hearings. Accounting for the fact that the CIRP has the authority to issue recommendations to officers who were not directly involved in the use of deadly force itself, the actions of 32 officers were subject to review during the last 13 board hearings. Forty percent of the recommendations were for some form of remedial action: remedial training, termination, suspension, or demotion. Notably, the most significant actions against officers have taken place during the department's new CIRP hearings.

Although these numbers indicate that the department's reformed review process is amenable to disciplining officers when necessary, it is important to note that all action recommended must be executed by the sheriff. Further, any significant action taken against officers often results in arbitration. This means that the fate of any officers recommended for termination and demotion will be determined outside the CIRP. One of the two recommendations for termination was contested in the officer's pre-termination hearing; ultimately, the sheriff chose to suspend the officer rather than terminate him. In the other instance where the board recommended termination, the sheriff agreed and has ordered that the officer be terminated. The officer retired before termination and is no longer with LVMPD.

Officer Safety

LVMPD has undertaken numerous efforts in the past three years that have the potential to improve officer safety. A number of new training initiatives, including RBT, CIT, and de-escalation better prepare officers to engage in potentially violent situations and defuse them through a variety of means.

New policies have been put in place that help create a safer operating environment for officers, including clearly defined rules for weapons-mounted flashlights and engaging in foot pursuits. The newly developed "STAR[35] Protocol" requires supervisors to respond to calls for service involving armed persons. Providing that level of oversight and command presence can enable officers to make smarter, safer decisions during critical incidents.

The department has also increased organizational learning through the development and dissemination of awareness reports regarding recent critical incidents and the institutionalization of tactical reviews of OIS incidents. In doing so, the department continues to learn from past events and make adjustments to policy and training as needed. Officers are better prepared and safer when tactics and training are continually honed through critical review and analysis.

Lastly, LVMPD has initiated community policing initiatives in every area command throughout the city. Community policing has the potential to engender community trust and partnerships. Officers are safer in environments where such trust exists.

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35. Supervisor Tactics for Armed Subject Response.

Chapter 4: Compliance Assessments – Five-Year Detailed Analysis of LVMPD OISs, 2007–2011

Chapter 4 of the 2012 report enumerated six recommendations. The commonality in these recommendations is that each was derived from an analysis of the prevalence and nature of OISs in LVMPD over the previous five years. Their impact ranges from the department's policies to its operational capacity to its training requirements. LVMPD has completed four recommendations out of six and has made considerable progress on the other two. This chapter provides a detailed assessment of LVMPD's progress in implementing each recommendation enumerated in Chapter 4 of the 2012 report.

Table 8. Status of Chapter 4 recommendations

Status	Recommendations (N)	Percent (%)
✔ Complete	4	67%
P✔ Partially Complete	0	0%
▲ In progress	2	33%
✘ Not complete	0	0%
No assessment at this time	0	0%

Report Recommendation 4.1:

LVMPD should continue to implement reforms, monitor the progress of these reforms, and evaluate their impact on officer-involved shooting (OIS) incidents.

When the 2012 report was published, the number of OISs in the department had been gradually declining since the third quarter of 2010, which coincided with various reforms LVMPD had taken up on its own initiative, as well as through the Collaborative Reform Model. This first recommendation meant that LVMPD should continue to transform itself and work with the COPS Office, CNA, and the community to monitor its progress and the impact of these reforms on OIS incidents.

Current Assessment of Compliance

✔**Complete**. By continuing its engagement in the Collaborative Reform Model, LVMPD has demonstrated its commitment to this recommendation. Since January 2013, LVMPD has collaborated with the COPS Office and CNA to implement the reforms enumerated in the 2012 report. This has included the consistent monitoring of progress and technical assistance to ensure that the recommendations are

being implemented. At present, OIO remains an integral driver of reform in LVMPD and will continue in that role beyond this engagement. The fact that LVMPD has remained engaged in the process and has operated in good faith with the assessors means they have fulfilled their obligation under this recommendation.

Report Recommendation 4.2.1:

LVMPD should be proactive with respect to fair and impartial policing and provide commanders, supervisors, and officers with advanced, specialized training that includes an emphasis on deadly force decision making.

An analysis of the characteristics of LVMPD OISs revealed that, while only 30 percent (N = 26) of the OIS subjects were black, the proportions of unarmed subjects and those stopped by officer-initiated contact who were black were 70 percent (7/10) and 66 percent (6/9), respectively. In addition, 90 percent of unarmed suspects were black or Hispanic, and every suspect shot as the result of an officer-initiated stop was found to be black or Hispanic. These proportions were of concern. As a result, it was recommended that the department train all of its officers in fair and impartial policing to address the issue of unconscious bias and develop fair and impartial decision-making practices in LVMPD officers.

Current Assessment of Compliance

▲ **In Progress.** LVMPD has made some progress in this effort but has not yet initiated a training program. In early 2013, the department assigned a command team to this effort, which spent much time learning about the concept of fair and impartial policing and attending numerous training sessions. Team members met with instructors and discussed options for developing a training module that fits LVMPD. According to the department, they plan to develop a one time, stand-alone six hour course on fair and impartial policing based on material from www.fairandimpartialpolicing.com. The department has been working closely with Dr. Lori Fridell, a researcher who specializes in fair and impartial policing and has developed a training program on the topic. The training will be mandatory for all current employees and will be incorporated into the recruitment curriculum for future employees. The draft lesson plan trains students in understanding bias, its effects, and what fair, impartial and effective policing looks like. Although a lesson plan is in the development stages, to date, no LVMPD officers have received this training nor have any been scheduled to receive the training.

Recent trends in unarmed subject OISs

It is important for LVMPD to eliminate shootings of all unarmed persons who are not threatening the life of the officer or another citizen. Table 9 shows the recent history of unarmed suspects and race in LVMPD OISs. The table provides annual figures for the following: total OISs, OISs where the race of the subject was known, percent of OISs where the subject was black, the total number of OISs involving unarmed subjects, and percent of unarmed subjects who were black. Although these are sporadic, relatively rare incidents, the overall trend is of concern nonetheless. Since 2007, 63 percent of unarmed subjects were black; and more than a quarter (10/36) of black OIS subjects were unarmed.

Table 9. LVMPD OISs - race/unarmed

Year	OISs	OISs (Race Known)	% Black OIS Subjects (N)	Unarmed OIS Subjects*	% Black Unarmed Subjects (N)
2007	14	13	62% (8)	1	100% (1)
2008	14	14	29% (4)	1	0% (0)
2009	19	19	26% (5)**	3	33% (1)
2010	25	24	29% (7)	5	60% (3)
2011	17	16	25% (4)	2†	100% (2)
2012	11	11	64% (7)	2	100% (2)
2013	13	13	8% (1)	2	50% (1)
Total	**113**	**110**	**33% (36)**	**16**	**63% (10)**

* This category excludes subjects with fake firearms and "suicide-by-cop" incidents, whereby the subject intentionally presented an object as if it were a firearm. Although some may consider this a conservative approach to measuring unarmed incidents, the assessors believe such an approach brings more credibility to the findings related to unarmed incidents. To exercise caution, the assessors only regarded incidents where the case file clearly stated the subject had presented an object (e.g., a cell phone) as if it were a firearm..

** One incident involving an off-duty officer involved two black subjects. For counting purposes, this is considered one incident involving a black suspect(s).

† Total unarmed is three; however, race is not reported for one subject who was a minor at the time of the incident.

In 2012, there were two OISs that involved unarmed subjects and in both cases the subject was black; this was also the case in 2011. In 2013, two OISs involved unarmed subjects.[36] One of the subjects was black and the other was Hispanic. Although the proportion of OIS subjects who are black was significantly lower in 2013 than past years, it is important to note that the one black OIS subject was, in fact, unarmed. The trend of unarmed, black OIS subjects persists. Over the past six years, the proportion of unarmed subjects who are black is consistently greater, often by a factor of 2 or more, than their proportion of all OIS subjects.

Outcomes of recent reviews of unarmed subject OISs

CIRP has not reviewed any new unarmed subject OISs since the six-month report. Of the four most recently reviewed OISs involving unarmed subjects, LVMPD officers received various remedial actions. Two incidents were reviewed by LVMPD's UoFRB in 2012. Two were reviewed by LVMPD's new process, CIRP, in 2013—each of which resulted in a recommendation that the shooting officer be terminated. This stands in contrast to LVMPD's lack of administrative sanctions in previous years concerning the shooting of unarmed persons. Because remedial action is protected personnel data under the LVMPD Officer Bill of Rights, the details of the incidents will not be disclosed here; rather, cases are referred to as **Case 1**, **Case 2**, **Case 3**, and **Case 4**, and they are assigned randomly.

Case 1: The shooting officer was subject to remedial training, which covered foot pursuits, dark lighting, and shoot/don't shoot decision making. The department also invited a member of the district attorney's office to make a presentation on the legal parameters of consensual stops.

36.   One OIS involved a subject with a pellet gun; in another case, the subject presented a cell phone as a firearm. These are not included in the unarmed count.

Case 2: The shooting officer was recommended for termination.[37,38] One supervisor at the rank of lieutenant was recommended for demotion to the rank of patrol officer.[39] One supervisor at the rank of sergeant was recommended for the maximum suspension time of 40 hours.[40] The department also substantially revised portions of its Use of Force Policy as a result of this incident.[41] Ultimately the shooting officer retired.

Case 3: The shooting officer was recommended for termination for escalating the incident and not using sound tactics.[42] The shooting was referred to as a "gross, inappropriate use of force."[43] The sheriff elected to spare the officer's job, but adjudicated the maximum suspension of 40 hours.

Case 4: The shooting officer was subject to remedial training.[44] The officer completed several shoot/don't shoot scenarios in low light situations and was found to be fit for duty by LVMPD training staff.[45]

Report Recommendation 4.2.2:

LVMPD should also offer advanced training in procedural justice to officers at all levels of the organization and in the academy.

While fair and impartial policing training entails strategies to mitigate and reduce unconscious bias, training in procedural justice can educate officers on how their actions influence those of the community they police, including citizens who are involved in one-on-one interactions with them. By approaching and interacting with the public in a fair and transparent way, officers are positively influencing public perceptions and, thereby, enhancing the department's legitimacy and the public's cooperation in public safety matters.

Current Assessment of Compliance

⚠ **In Progress.** The department plans to incorporate a two-hour block of instruction on procedural justice into the aforementioned fair and impartial policing training, while recognizing that the two concepts are distinct. LVMPD is working with Dr. Fridell to develop a training module that combines the two concepts. The procedural justice portion will build on a training program currently offered by the Chicago Police Department. The department has identified trainers within LVMPD and has developed a tentative schedule for delivery of the training over the next year. As of the writing of this publication, no officers in LVMPD have received this training and no officers are scheduled to receive the training. Since this will be part of the fair and impartial policing training, all current and future employees will receive this training.

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37. LVMPD, "Event 11211-415, [Adjudication of Complaint]" (no date).

38. LVMPD, "CIRT201--030 [Interoffice Memorandum]," Tactical Review Board Case, 2013.

39. Ibid.

40. Ibid.

41. Policy changes are documented in *Collaborative Reform Process: A Review of Officer-Involved Shootings in the Las Vegas Metropolitan Police Department.*

42. LVMPD, "Event 1121111-3873 [Adjudication of Complaint]" (no date).

43. LVMPD, "Key CIRT/UoFRB Recommendations Regarding a Categorical Use of Force Incident Officer-Involved Shooting," *Office of Internal Oversight Review* (no date).

44. LVMPD, "Subject: Use of force summary of findings [Interoffice Memorandum]," July 7, 2012.

45. LVMPD, "Remedial Training Ofc. XXXXXX [Memo]," May 15, 2012.

Report Recommendation 4.3:

LVMPD should conduct uniform training on the legal parameters of officer-initiated contacts (e.g., consensual stops and investigative detention) throughout the department, starting with proactive entities such as the Gang Crimes Bureau.

Beyond basic recruit training, LVMPD did not have a standard for training officers on the legal parameters of officer-initiated contacts. Given that approximately 13 percent of all OISs reviewed in the 2012 report began with an officer-initiated contact, it is apparent that these interactions have the potential to become deadly incidents.

Current Assessment of Compliance

Complete. LVMPD developed four new training videos that address the legal parameters of officer-initiated stops. The videos cover consensual encounters, investigative detentions, in-custody issues, and strikes and protests. They are distributed through LVMPD's internal network (called "University of Metro Las Vegas," or "UMLV"). Supervisors were directed to show the latest training video for labor strikes and protests during roll call. According to LVMPD, this served two purposes: it meant that there was greater oversight to ensure that all officers watched the videos, and supervisors would have the opportunity to discuss the video with their squads before beginning their shift.

Recently, LVMPD has begun electronically monitoring the viewing of these training videos. For the latest videos, the department has implemented a viewer acknowledgment function into its intranet system, which requires officers to acknowledge that they viewed the video. However, the system has no way of validating that the video has been viewed beyond the officers' input. The UMLV system can generate the number of acknowledgments and compare this with the number of authorizations to view the video. This is the only way LVMPD can currently monitor these types of training requirements. According to the UMLV system, the total authorizations for the in-custody issues video was 2,473. The total number of acknowledgments for viewing the video was 2,441, which equals approximately 98.7 percent of the authorizations.[46]

The training videos for consensual stops and investigative detentions were re-issued in 2013 with the viewer acknowledgment requirement. As of December 30, 2013, the viewer acknowledgment system shows that 94 percent of the workforce had acknowledged viewing both the consensual encounters and investigative detention training videos.[47] This includes 64 (97 percent) out of the 66 detectives from the Gang Crimes Bureau.

The proportion of OISs preceded by an officer-initiated stop has remained about the same over the past 24 months. In this timeframe there have been five OISs preceded by officer-initiated stops, including one stakeout, one investigation, and three person or vehicle stops. Four of the five subjects were armed with a deadly weapon. Forty percent of these cases involved black subjects, and 40 percent involved Hispanic

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46. These numbers were generated from LVMPD's UMLV Training System on July 1, 2013.

47. These numbers were generated from LVMPD's UMLV Training System on December 30, 2013.

subjects. The unarmed, officer-initiated OIS incident was of a black male. The subject was mistaken for a homicide suspect by the officer. When the officer approached the subject, he made a provocative movement, according to preliminary reports from the department.

Report Recommendation 4.4:

LVMPD should ensure that supervisors and officers are prepared to handle multiple officer situations in the context of deadly force. It should use reality-based incident command scenarios to train supervisors and officers on the management and direction of multiple officers during a critical incident.

On average, LVMPD OISs have between four and five officers on the scene at the time of the shooting, including the shooter and witness officers. The 2012 report documented that having five or more officers on the scene was associated with a greater prevalence of tactical errors, including flaws in communications, the officers' approach, firearms tactics, and incident command. Similarly, incidents with multiple officer shooters had a greater frequency of tactical errors, such as crossfire and poor coordination. These errors were prevalent both with and without supervisory presence. As a result, training was recommended to address these issues that could affect the outcome of OISs.

Current Assessment of Compliance

✔**Complete.** LVMPD's Phase III Reality-Based Training program fully addressed this recommendation. The training module included RBT scenarios for supervisors and officers that involve potentially deadly force situations with multiple officers. The assessors directly observed the development of this program and the scenarios during its beta-testing period in January 2013. In addition, assessors reviewed the final lesson plans, classroom presentation slides, evaluation forms, and attendance records for the program. RBT is composed of several scenarios and has separate tracks for supervisors and officers, described below.

Officer RBT

Although this recommendation specifically refers to reality-based training, note that, as with previous modules, LVMPD's RBT program for 2013 includes both classroom training and practical scenarios. The classroom portion provides a refresher on the Supreme Court decision in *Graham v. Connor* and additional factors to consider as per LVMPD policy. The classroom portion of RBT also provides a number of case studies and key findings from the 2012 report (specifically, trends in tactical errors during OIS incidents). RBT entails several scenarios, two of which comply with Report Recommendation 4.4.

The first scenario involves an armed, suicidal suspect in a vehicle in a vacant lot. Officers train in squads of three or four. The scenario is designed to assess several instructional objectives. Specifically, the scenario calls for students to demonstrate:[48]

- "A tactically sound approach"

- "Taking control of the incident and slowing down the momentum"

- "Clear, appropriate radio and/or verbal communication"

- "Appropriate verbal communication with subject"

- "Proper awareness and/or use of cover and concealment"

- "Ability to take an appropriate, legally defensible enforcement action"

- "Developing a sound plan"

- "Proper use of force at an appropriate level"

- "Appropriate use and/or deployment of low-lethal weapons"

The evaluation sheet for officers during this scenario is vastly improved from previous years. It requires that the evaluator(s) assess officers individually, as opposed to a single squad-based assessment. For all student officers, the evaluation sheet requires their identifying information and specific actions taken during the scenario, including whether they attempted to find cover, requested additional resources, established containment, attempted to establish rapport with the subject, identified the situation as a barricade, attempted to de-escalate the incident, and used effective communications, as well as whether the level of force was necessary given the subject's actions.[49] The evaluation form also requires evaluators to identify the outcome of the scenario (e.g., was deadly force used?).

The second scenario is different in that it involves just two officers, without a supervisor present. The officers respond to a domestic disturbance call. Upon arrival, two male subjects are sitting on a couch, one of which quickly turns away from the officer reaching into his waistband. The subject then turns back toward the officers, raising his hands in the air to demonstrate compliance. This is a "mistake of fact" scenario.[50] This scenario aims to train officers in effective team communication and threat identification in a dynamic incident.[51] The evaluation sheet captures whether each officer used cover, lethal force, and verbal communications.[52]

Supervisor RBT

Supervisors complete the same suicidal subject scenario described above, only with training staff role-playing as their squad. The role-playing officers intentionally put themselves in a dangerous position. The objective of the training scenario is for the supervisor to take control of the incident, slow the momentum, and recognize the situation as a barricade, among various other common tactical objectives.[53] After

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48. LVMPD, "Threat Assessment and Mistake of Fact," *Standardized Lesson Plan,* January 23, 2013, p. 33.

49. LVMPD, "Car Stop," *AOST/RBT Officer Performance Assessment Phase III* (2013).

50. LVMPD, "Threat Assessment and Mistake of Fact," *Standardized Lesson Plan,* January 23, 2013.

51. LVMPD, "MOF Domestic Battery Scenario," *AOST/RBT Officer Performance Assessment Phase III* (2013).

52. LVMPD, "MOF Domestic Battery Scenario," *AOST/RBT Officer Performance Assessment Phase III* (2013).

53. LVMPD, "Car Stop," *AOST/RBT Officer Performance Assessment Phase III* (2013).

completing the scenario with role-players and an evaluation by the training staff, supervisors observe the training of their squad with the benefit of having learned the scenario and the proper responses.

Since the six-month report, the department has completed Phase III of RBT. A total of 1,107 officers have completed this phase, as have 116 sergeants.[54]

In September 2013, the department began the fourth phase of RBT. The training modules continue to prepare officers for dynamic, critical incidents involving multiple officers. The structure of the training remains largely the same.

Report Recommendation 4.5:

LVMPD should have a policy that requires supervisors to respond to any call for service that involves an armed person or persons.

LVMPD policy did not require supervisors to respond to calls for service involving armed persons. Supervisors were on the scene of OISs that originated as armed person calls 32 percent of the time. Yet, armed person calls were found to be the most likely scenario in which an LVMPD officer would become engaged in an OIS.

Current Assessment of Compliance

✔ **Complete.** After piloting the program in three area commands, LVMPD officially implemented a department-wide policy known as Supervisor Tactics for Armed Subject Response (STAR) Protocol in September 2013.[55] The policy specifies that when a call for service with credible information of an armed person's involvement is made, a minimum of three officers and one supervisor will be dispatched to the scene, at which point they can manage the scene, guide tactics, deploy additional resources as needed, and gather intelligence.

The department distributed a detailed roll-call training that clearly described the new policy and presented several scenarios to illustrate when STAR Protocol would and would not be initiated.[56] The Communications Bureau Quality Assurance Coordinator now includes the STAR Protocol as part of their duties to audit adherence to policies and protocols related to dispatch via the department's computer aided dispatch (CAD) system.[57]

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54. Completion figures reported by LVMPD's Organizational Development Bureau.

55. LVMPD, "Supervisor Tactics for Armed Subject Response (STAR Protocol)," Directive No. PO-034-13, September 16, 2013.

56. LVMPD, "Use of Force Roll Call Training: STAR Protocol," December 2013.

57. LVMPD, "Quality Assurance Coordinator [Policy Manual]" (no date).

Chapter 5: Use of Force Policy and Procedures Compliance Assessments

Chapter 5 of the 2012 report enumerated two recommendations on LVMPD's Use of Force Policy. LVMPD has completed both recommendations.

Table 10. Status of Chapter 5 recommendations

Status	Recommendations (N)	Percent (%)
✔ Complete	2	100%
P✔ Partially Complete	0	0%
▲ In progress	0	0%
✖ Not complete	0	0%
No assessment at this time	0	0%

Report Recommendation 5.1:

LVMPD should review and update its Use of Force Policy at least annually and as needed to incorporate recent court decisions, analysis of use of force data, and lessons learned from incidents in Las Vegas and other jurisdictions.

LVMPD substantially reformed its Use of Force Policy in 2012. The newly revised policy provided officers with appropriate guidance and complied with constitutional standards. However, the department did not have a routine process for reviewing the policy to ensure that it was up-to-date and reflected recent court decisions and lessons learned from within LVMPD, as well as elsewhere.

Current Assessment of Compliance

✔**Complete.** LVMPD has assigned OIO the responsibility of reviewing the Use of Force Policy. The new section manual for OIO states that the office will facilitate the review of the department's Use of Force Policy and that the review will be conducted "at least annually."[58] Furthermore, the review is to cover use of force assessments from CIRT, annual assessments of use of force, and major court rulings. The Office of the General Counsel for LVMPD will be responsible for keeping abreast of current laws and the continual monitoring of Supreme Court, Ninth Circuit Court, and local rulings to ensure that the policy is up-to-date.[59]

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58.   LVMPD, *Office of Internal Oversight Manual* (October 1, 2013).
59.   LVMPD, "Office of General Counsel," General Order, Directive No. GO-009-13, March 28, 2013.

Report Recommendation 5.2:

LVMPD should separate its Use of Force Policy into several smaller, specific policies. This should include a core policy that serves as the foundation for the other related policies.

LVMPD's Use of Force Policy was found to be overly cumbersome and could have been improved by separating it into smaller policies. For instance, the department should develop stand-alone policies for specific uses of force such as Electronic Control Devices (ECD), less-lethal shotguns, and rifle deployments. Policies on using these tools should not be combined into a single, general use of force policy.

Current Assessment of Compliance

Complete. LVMPD established a working group in 2013 to address reforming the use of force policy. A new set of policies were finalized and approved in November 2013 that covers use of force, procedures, tools and equipment, reporting, and post use of force procedures. The policies are now in a format that allows them to be referenced as stand-alone documents.[60] Policy 6/002.00 serves as the core of the policies and covers definitions, the reasonableness standard as determined in *Graham* v. *Connor*, and the department's use of force model.

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60. LVMPD, "Use of Force," General Order, Directive No. GO-0XX-13, November 2013.

Chapter 6: Use of Force Training and Tactics Compliance Assessments

Chapter 6 of the 2012 report enumerated 12 recommendations for the department to improve its training programs as they relate to deadly force. In all, LVMPD has made substantial progress in these reforms. To date, 83 percent have been completed and 17 percent are in progress.

Table 11. Status of Chapter 6 Recommendations

Status	Recommendations (N)	Percent (%)
✔ Complete	10	83%
P✔ Partially Complete	0	0%
▲ In progress	2	17%
✖ Not complete	0	0%
No assessment at this time	0	0%

Report Recommendation 6.1:

LVMPD should exercise the necessary oversight and control to ensure consistency through a policy of instructor audits.

Defensive tactics training in LVMPD was found to lack consistency in quality and quantity. Furthermore, 15 percent of officers failed to meet their annual defensive tactics training requirement without cause. Without a system of audits for the department's vast training program, problems like these are bound to persist, not only for defensive tactics, but also for other training throughout the department.

Current Assessment of Compliance

✔**Complete.** LVMPD has established an auditing function for all training modules throughout the department. A cadre of 56 auditors has completed a training session. The two-hour session covers the purpose of the audits, the role of the auditors, and an introduction to the process.[61] The department's auditing function is being led by the Quality Assurance (QA) Section, which has been moved from ODB to OIO. This is an important organizational restructuring, because it places the office in charge of audits (i.e., QA) in a position of independence from the bureau that is subject to the audits (i.e., ODB).

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61. LVMPD, "Course Auditing Certification," *Standardized Lesson Plan*, November 19, 2013.

The audits review the essential components of a training session, including the following:[62]

- Course title

- Length

- Instructor(s)

- Lesson plan

- Performance objectives

- Instructor evaluation

- Synopsis of the course

- Auditor's conclusion

Defensive Tactics Instruction

Regarding defensive tactics, LVMPD has begun ensuring that Advanced Defensive Tactic Instructors (ADTI) observe and evaluate a minimum of two squad-level Defensive Tactics Instructors (DTI) annually.[63] In 2013, ADTIs evaluated 34 percent (99/287) of DTIs throughout the department. The department has recently set up an internal calendar in which DTIs make appointments for their defensive tactics sessions. ADTIs are able to view the calendar and can select training sessions to evaluate from there.

Advanced Training Courses

To date, the following eight advanced training courses, conducted by a total 13 instructors, have undergone audits:

- Firearms Qualification Course

- AOST

- AOST-Traffic

- ECD

- "Enduro" (motorcycle) Certification[64]

- RBT

- Use of Force

- Motorcycle Recertification

The audits have shown that the courses are largely meeting the criteria set forth by LVMPD. Some common administrative issues have been uncovered and resolved. In two instances, the lesson plan was not on file with the training section. One instructor failed to administer the pre-test for the course. Another instructor had not completed instructor development training (although it is worth noting that this particular course was taught by several instructors that day). Auditors made several recommendations to improve classroom instruction as a result of their review.

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62. LVMPD, "Internal Classroom/Instructor Audit," 2013.

63. LVMPD, "Defensive Tactics," Procedural Order, Directive No, PO-023-12, 2012.

64. Enduro refers to a specific type of motorcycle for off-road use. It is not the traditional motorcycle used by LVMPD officers.

Report Recommendation 6.2.1:

LVMPD should follow existing policy and audit the Bureau Training Coordinator program to ensure that it is accurately monitoring and tracking completion of training requirements.

In 2010, LVMPD developed a Bureau Training Coordinator program to assist in the monitoring and completion of Nevada Police Officer Standards and Training (POST) and department-mandated training requirements. The deficiency rate for defensive tactics indicated that the Bureau Training Coordinator program might not be functioning effectively. As per policy, QA was to audit the program. At the time of the 2012 report, however, the program had not been audited.

Current Assessment of Compliance

🔺 **In Progress.** LVMPD has taken a number of positive steps to improve the Bureau Training Coordinator (BTC) program. The department distributed a survey to all BTCs and captains to gauge the respondents' perceptions about the program, as well as the frequency with which training requirements are monitored. The survey showed that a majority of BTCs and captains approve of the program and review training deficiencies on a monthly basis.[65]

In addition, LVMPD has made a major change to the program that it believes will strengthen it and help ensure that officers are meeting their training requirements. UMLV tracks all training completed by LVMPD personnel. The new BTC policy states that UMLV will conduct a "deficiency audit report" on a quarterly basis.[66] This report will be pushed directly to the BTCs via e-mail.

The department has made some effort to learn more about the BTC program and made a change that it believes will strengthen it. However, the department has not completely fulfilled the requirement for this recommendation because a formal audit of the program has not been conducted.

LVMPD's Office of Quality Assurance plans to audit the program this year (2014). A formal proposal has been submitted that will use the U.S. Government Accountability Office (GAO) "Yellow Book" standard of auditing. The audit will check for the fidelity of internal controls that are in place and identify strengths, weaknesses, opportunities, and challenges for the program.[67] The captain of OIO has committed to completing the audit this year. Given the documented plan and the captain's commitment, the status of this recommendation is "in progress."

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65. LVMPD, *Training Bureau Coordinator's Survey,* June 24, 2013.

66. LVMPD, "Bureau Training Coordinator," Procedural Order, Directive No. PO–028-13, August 14, 2013.

67. LVMPD, Audit Process Regarding Mandatory Training and the Training Bureau Coordinator's Function, 2013.

Report Recommendation 6.2.2:

LVMPD should update its training database to accurately reflect officer rank and update its archiving process to include this information for all future years.

The UMLV training database archives training hours for each officer in the department. However, it does not archive ranks of officers for each respective year. Because many requirements differ according to rank, this makes identifying training deficiencies and trends over time unnecessarily onerous.

Current Assessment of Compliance

✔ **Complete.** LVMPD's UMLV system has been merged with its Human Resources system so that officer rank is accurately reflected for each year. When an officer is promoted or demoted, the system will now be updated so that current and historical training requirements can be reviewed accurately.

Report Recommendation 6.3:

LVMPD should update its training policies to reflect the Crisis Intervention Team (CIT) recertification requirement and increase its number of hours and frequency.

At the time of the 2012 report, LVMPD's recertification process for CIT officers was only in the development stage. This meant that many officers had gone as long as nine years without being recertified. The department had planned to recertify officers every three years through a four-hour course. It was recommended that the department increase the frequency and duration of recertification training.

Current Assessment of Compliance

✔ **Complete.** The department updated its recertification requirement and increased the duration and frequency to a six-hour course every two years.[68] The assessors evaluated the training curriculum and determined it to be well-designed as a recertification program. Training includes a tabletop exercise composed of two scenarios. Each scenario requires the students to discuss the situation they are facing, their objectives, and the proper tactics to employ. The scenarios highlight two major instructional points: slowing down the momentum of the situation and using tactics that lessen the risk of forcing a confrontation and potential deadly force situation. Recertification training also includes lessons on:

- Nevada State laws regarding the mentally ill
- Department policy regarding the mentally ill
- Depression, suicide, and suicide by cop
- Active listening skills and de-escalation

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68. LVMPD, "Handling Persons with Special Needs and/or Considerations…" Procedural Order, PO-014-13. May 17, 2013.

The department is making sufficient progress in recertifying officers. In 2013, the department held five recertification classes and recertified 178 officers. Since the CIT recertification process began in June 2012, the department has recertified 305 officers. At the same time, 384 officers have been newly certified. In all, 960 patrol officers throughout LVMPD are CIT certified, which accounts for approximately 40 percent of patrol officers. The department has scheduled five new certification courses and 10 recertification courses in 2014.

Report Recommendation 6.4:

LVMPD should update its policy manual to reflect the actual Advanced Officer Skills Training (AOST) program.

Requirements set forth in LVMPD's AOST policy did not reflect the reality of AOST. Two requirements included in the policy were no longer part of the program: one hour of firearms qualification and two hours of ECD recertification. These training requirements were still in place; however, they were not being satisfied in AOST. Rather, they were satisfied independent of AOST.

Current Assessment of Compliance

✔**Complete.** The AOST policy was updated to reflect the actual requirements satisfied by the program: use of force, defensive tactics, and reality-based use of force decision-making scenarios.[69] The policy no longer identifies ECD and firearms qualifications as part of the program.

Report Recommendation 6.5.1:

LVMPD should establish an annual requirement for officers at the rank of sergeant and below to undergo a minimum number of hours of de-escalation training and formalize assessments of de-escalation tactics in AOST and RBT.

An analysis of trends in LVMPD OISs showed that failing to de-escalate and slow the momentum of the incident was among the most common tactical errors made by LVMPD officers. Although the department had begun to recognize this issue, it had not formalized de-escalation into a training requirement. Furthermore, the evaluation of de-escalation in training modules was lacking.

Current Assessment of Compliance

✔**Complete.** The department has determined that officers will receive a minimum of four hours of de-escalation training per year. The hourly requirement will be completed through officer participation in AOST, RBT, and defensive tactics training.[70] Training evaluation criteria have been updated to include specific metrics on de-escalation.

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69. LVMPD, "Advanced Officer Skills Training…" Procedural Order, PO-041-13, December 2013.

70. Ibid.

De-escalation training requirement

Through a variety of instructional mediums (lectures, scenarios, case studies, and training performance evaluations) officers and supervisors receive repeated instruction on how to tactically de-escalate an incident by:[71,72]

- Slowing the momentum

- Creating distance between the officers and the subjects and, therefore, increasing the time necessary to react to danger

- Assembling additional resources, including personnel and less-lethal options

- Proper supervisory management of multiple-officer incidents

Tactical de-escalation is an invaluable technique in which all officers need proficiency. This skill enables officers to request and deploy resources and the appropriate tools needed to bring the situation to a safe conclusion. De-escalation can also be achieved through verbal skills. Verbal de-escalation training prepares officers to verbally engage a subject and demonstrate empathy, with the goal of gaining voluntary compliance. At present, LVMPD's CIT program delivers the most comprehensive training in verbal de-escalation skills. Approximately 40 percent of LVMPD patrol is CIT certified—meaning a sizable majority of officers have not received rigorous training in verbal de-escalation. With the current rate of CIT certified officers, it is impractical to have a CIT officer involved in all calls that involve persons in crisis.

In the past year, AOST, RBT, and Defensive Tactics training lesson plans have included a plethora of references to de-escalation. However, this typically does not involve any actual training in verbal de-escalation. Rather, there are mere references on the importance of de-escalation. One notable exception is in RBT. The recent modules of RBT have included intensive de-escalation scenarios. However, being in a team setting, roughly only a quarter of officers completing RBT will benefit from that exercise. The assessors believe there is an opportunity for growth in this area for LVMPD training. The department's de-escalation requirement would benefit from the inclusion of more verbal skills training on a periodic basis.

De-escalation training evaluation criteria

Evaluation criteria for new training modules have been updated to include de-escalation skills. The Phase III RBT module evaluation sheet includes the following questions:[73]

- Did officers attempt to establish rapport with the subject?

- Did officers attempt to de-escalate the incident?

The instructional objectives also specify that officers should "demonstrate tactics for dynamic incident de-escalation."[74]

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71. LVMPD, "Threat Assessment and Mistake of Fact," *Standardized Lesson Plan,* July 11, 2013.

72. LVMPD, "AOST Scenarios," *Standardized Lesson Plan,* 2013.

73. LVMPD, *AOST/RBT Officer Performance Assessment: Phase III* (2013).

74. Ibid.

The evaluation sheet for supervisor Phase III RBT also includes a number of de-escalation components, focusing mostly on tactical de-escalation. This includes the following evaluation criteria:[75]

- Did sergeant attempt to de-escalate the incident?
- Did sergeant call officers back to cover?

The 2013 AOST student evaluation sheet includes the following criteria for one of the four scenarios:

- Did the officer attempt to de-escalate the situation?

The updated evaluation sheets are sufficient and meet the requirement of the recommendation. However, the assessors urge the department to consider more rigorous ways to evaluate de-escalation in a training environment and to differentiate between tactical and verbal de-escalation in their evaluation criteria.

Report Recommendation 6.5.2:

LVMPD should also devote one quarter of its defensive tactics training to de-escalation.

LVMPD previously devoted one quarter of its defensive tactics (DT) training to the use of ECDs. However, that requirement was overridden by a new, specialized ECD recertification course. The 2012 report recommended that LVMPD fill that quarter with training on de-escalation tactics, to include communication skills and recognition of when/how to "slow down the action."

Current Assessment of Compliance

✔**Complete.** The department has elected to disperse de-escalation training throughout each quarter of defensive tactics training. The Defensive Tactics Lesson Plan for 2013 includes force transition (e.g., moving down the force continuum) as a form of tactical de-escalation. Instructors are also required to emphasize that, "whenever possible, de-escalation of a situation is preferred. Prior to transitioning to a hands-on technique, if possible officers should try to de-escalate the situation."[76] Although the department is not devoting one quarter of DT to de-escalation, it is sufficient and within the bounds of the recommendations that all DT will include de-escalation.

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75. LVMPD, *AOST/RBT Supervisor Performance Assessment: Phase III* (2013).

76. LVMPD, "Defensive Tactics AOST 2013," *Standardized Lesson Plan,* 2013.

Report Recommendation 6.6:

LVMPD should proceed with the current schedule of RBT and conduct a manpower study in order to ensure that it can accommodate the completion of twice yearly RBT training.

The department established its RBT program in 2010, as a result of the increasing number of OISs that year. The program trains officers in deadly force decision making, both as individuals and as squads. It includes scenarios designed for officers, squads, and supervisors. The program essentially doubles the amount of scenario training that LVMPD officers receive in a year.

Current Assessment of Compliance

✔**Complete.** LVMPD has continued to mature and expand its RBT program. The number of scenarios included in RBT has increased, and the program now has two team scenarios and several individual decision-making scenarios. The department has also decided to expand RBT to other bureaus. As per LVMPD policy, all police personnel at the rank of lieutenant and below are required to attend RBT.[77] Exceptions will be allowed but must be approved through the chain of command and by two deputy chiefs in the department. Although these changes make the prospect of RBT being a semi-annual requirement less likely, the assessors believe this is a worthwhile tradeoff. The goal of this recommendation was to support the development of RBT and ensure that it is institutionalized into the department.

Table 12 shows the department's rate of RBT completion in 2013. As projected, it took LVMPD seven months to complete RBT. In that timeframe, 1,107 officers and 116 sergeants completed the training module. Overall, 95 percent of required personnel completed the training. According to LVMPD's training bureau, the "total required" figure is generated at the beginning of an RBT phase. Therefore, the remaining 5 percent of officers who appear to have missed their requirement are officers who may have changed positions, been promoted, or retired, or who are on family and medical leave, among other excused absences.

The latest phase of RBT is slated to take eight months to complete, due to the increased participation of students from the lieutenant rank and officers from other bureaus in the training module.

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77. LVMPD, "Advanced Officer Skills Training," Procedural Order, Directive No. PO-041-13, December 2013.

Table 12. 2013 RBT completion rate*

Month	Number of Officers Who Completed	Number of Sergeants Who Completed	Total Number of Officers and Sergents Who Completed
March	163	20	183
April	224	23	247
May	218	19	237
June	188	20	208
July	153	15	168
August	133	12	145
September	29	3	32
Total	1,108	112	1,220
Total Required	1,161	126	1,287
Percent Completed	95.4%	88.9%	95.0%

* Data provided by LVMPD Organizational Development Bureau.

Report Recommendation 6.7:

LVMPD should develop a greater data collection and evaluation capacity for all training conducted throughout the department and should use that data to identify and proactively address any deficiencies.

LVMPD's Training Bureau conducts performance evaluations on a daily basis. Yet, the 2012 report identified that these evaluations were not being used to their greatest potential. Performance trends can feed into the department's early intervention system and various reports that supervisors can use to initiate remedial training, identify officers with exceptional skills, and proactively address any noted deficiencies. The deficiencies could involve individual officers or indicate widespread patterns of unacceptable performance.

Current Assessment of Compliance

🔺 **In Progress.** LVMPD has a detailed plan for implementing a training statistics and performance program that would satisfy the recommendation. The plan requires close collaboration among various LVMPD components, including the Advanced Training Unit (ATU), Analytics Section (ANSEC), and OIO, in order to collect, store, analyze, and report performance trends identified in the training environment. All components have agreed to their roles. However, a lack of staff in ATU is delaying progress. ATU projects that

it can develop the data collection and storage capacity for AOST within six to eight months. More time would be needed to develop data collection and storage capacity for RBT.[78] The department is also in the process of redesigning its student evaluation criteria, so that it is consistent across multiple training modules and critical incident reviews. A mock-up of a standardized evaluation form has been developed and is under internal review.

Report Recommendation 6.8:

LVMPD instructors should express support for new policies. When illustrating policy violations, they should take the opportunity to explain that they are not only potentially illegal, but that they do not represent the best in policing or reflect the values of the police department. This should be ensured through instructor training and audits of instruction conducted throughout the department.

Through direct observation, it was learned that LVMPD instructors did not consistently express support for portions of the newly revised Use of Force Policy. It is important that all LVMPD instructors be ambassadors of the policies, procedures, and tactics they are teaching. Instructors throughout the department must be made aware of this role. In addition, the department must ensure that instructors are fulfilling this role through an auditing system that covers classroom, scenario-based, and video-based training.

Current Assessment of Compliance

✔**Complete.** The newly designed instructor audit form specifically covers the issue of instructor support for LVMPD policies with a pass/fail portion of the instructor evaluation stating, "Did the instructor express support for LVMPD policies?"[79] LVMPD auditors are able to attend classes without pre-registering and are not to be known as auditors when attending the class.[80] Thus far, out of nine courses audited, no instructors have been found unsupportive of departmental policies and procedures by LVMPD auditors.

Report Recommendation 6.9:

In all scenario-based training, trainees should be using actual LVMPD radios to enhance the experience and make it as realistic as possible.

Radio communication was the single most prevalent tactical error that occurred during LVMPD OIS incidents. Forty percent of LVMPD OIS incidents from 2007 to 2011 involved some sort of breakdown of radio communications. Based on observations of scenario-based training, it was found that actual radios were only used a quarter of the time. Lack of radio discipline makes it difficult for incident commanders and patrol officers to coordinate tactics and assign tasks. All scenario-based training modules provide an

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78. LVMPD, "Subject: TrainStat [Memorandum]," December 23, 2013.

79. LVMPD, "Internal Classroom/Instructor Audit," 2013.

80. LVMPD, "Course Auditing Certification," *Standardized Lesson Plan*, November 19, 2013.

opportunity to practice radio discipline and effective communication techniques. Given the need for improved radio communications during critical incidents, it is essential that LVMPD use these training opportunities to improve radio use during actual incidents.

Current Assessment of Compliance

✔**Complete.** In April 2013, LVMPD issued a notice to all employees that live radios are required for AOST, RBT, and ECD training.[81] This was the department's first step in institutionalizing this practice.

LVMPD has also updated its AOST Lesson Plan to include new emphasis on proper radio communications. One of the instructional objectives for each practical scenario in the four-hour block of training is that students will "Effectively communicate utilizing a department-issued radio during all scenarios."[82] The lesson plan also lists the department-issued radio in the required "items and materials" section. Lastly, for each scenario, the department-issued radio is among the items listed for students to use.

The ECD recertification training includes two practical scenarios. The lesson plan states that students will "demonstrate clear, appropriate radio communication with dispatch" as an instructional objective. The plan also lists "department-issued radio" as a requirement in the "items and materials" section.[83] The department has updated the ECD performance assessment forms to include a metric for officer radio use.

The 2013 RBT lesson plans clearly state that officers and sergeants will need their portable radio to complete the training.[84,85] The officer and supervisor performance evaluation forms for the team scenarios include up to three metrics directly related to radio communications:[86,87]

- Did officers request additional resources?
- Did officers broadcast pertinent radio traffic?
- Did officers request medical?

Notably, the RBT classroom lecture also emphasizes the importance of clear and appropriate radio communications in critical incident responses, noting that it is the most common tactical error in OIS incidents over the past five years. LVMPD has begun involving real dispatchers in RBT to make the experience more realistic. The department plans to continue this practice.

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81. LVMPD, "AOST, ECD, and RBT Mandatory Training... [LVMPD News]," April 3, 2013.
82. LVMPD, "AOST Scenarios," *Standardized Lesson Plan*, May 2013.
83. LVMPD, "ECD Scenarios," *Standardized Lesson Plan*, May 2013.
84. LVMPD, "Car Stop," *AOST/RBT Supervisor Performance Assessment Phase III* (2013).
85. Ibid.
86. Ibid.
87. Ibid.

Report Recommendation 6.10:

LVMPD should take the appropriate steps to understand whether the failed test questions were problematic due to the clarity of the question or to officers' lack of comprehension.

After the department's 2012 revision to the Use of Force Policy training, 2,404 officers were asked 13 questions to gauge their understanding of the policy. For 11 of the 13 questions, approximately 99 percent of officers answered correctly. However, the two questions that presented scenarios to the officers yielded a much lower rate of accurate responses. About 20 percent of officers were unable to accurately describe a subject's level of resistance and the appropriate level of control to use. Approximately 12 percent of officers were unable to accurately identify the basis for an authorized use of an ECD on a fleeing suspect.

Current Assessment of Compliance

Complete. LVMPD's OIO authored an Awareness Report in order to educate the entire workforce on the correct answers from the Use of Force Policy exam. LVMPD distributed this awareness report in February 2013.[88] It sufficiently describes the correct answers to all questions on the policy exam. In addition to the awareness report, the department re-emphasized the new Use of Force Policy in mandatory roll-call training and in the development of new scenario-based training modules. The concepts covered include the elements of deadly force decision making, levels of suspect resistance, and levels of control.[89] Roll-call training in March 2013 instructed supervisors to review three use of force scenarios and discuss with the officers' their decision-making process for each.

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88. LVMPD, "Use of Force Test Exam Overview," January 2013.

89. The LVMPD issued five training briefs—one each month from November 2012 to March 2013— titled "Use of Force Roll Call Training," through the Office of Internal Oversight Use of Force Training Scenario.

Chapter 7: Use of Force Investigation and Documentation Compliance Assessments

This chapter documents LVMPD's progress in implementing reforms to its investigations and internal accountability system for deadly force incidents. This system includes both the criminal and administrative investigations of deadly force. The department has made substantial progress since the six-month report, completing a total of 10 of the 13 recommendations. One recommendation remains in progress. Two recommendations are considered not complete, one of which is not within the purview of LVMPD, because it is an issue having to do with the police associations. The other recommendation that LVMPD will not implement is the video-recording of officer interviews after an OIS.

Table 13. Status of Chapter 7 recommendations

Status	Recommendations (N)	Percent (%)
✔ Complete	10	77%
P✔ Partially Complete	0	0%
▲ In progress	1	8%
✖ Not complete	2	15%
No assessment at this time	0	0%

Report Recommendation 7.1:

LVMPD should re-establish a specialized group of investigators designated to conduct comprehensive deadly force investigations, in conjunction with the district attorney's office, that are legal in nature. These investigators should undergo specialized training.

OISs possess unique characteristics that make the investigation of such incidents different from other criminal investigations, including homicide cases. As a result, interview questions and techniques, crime scene analysis, and approaches to canvassing for OIS incidents may differ from other criminal investigations. LVMPD recognized this need in 2010 when the department developed a Force Investigation Team (FIT), which had the sole responsibility of investigating OISs. That model, however, was found to be unsustainable from a staffing perspective. In 2012, the department returned to its traditional model for investigating OISs, in which homicide detectives would take on these cases on a rotating basis. Nonetheless, to ensure

that OIS investigations are accurate, thorough, and fair, LVMPD officers need specialized training and exper-
tise. At the time of the 2012 report, homicide detectives conducting OIS investigations had no such train-
ing requirement.

Current Assessment of Compliance

🔺 **In Progress.** LVMPD deliberated with the assessors and internally within the organization on this rec-
ommendation for a long time. At the department's executive retreat in May 2013, this recommendation
was discussed in great detail during a workshop on the benefits and challenges of implementing a stand-
alone FIT. It was noted that LVMPD has the in-house capability to develop specialized training on OIS inves-
tigations. LVMPD executives also readily recognized that specialized units develop expertise that enables
consistent standards for investigatory practices. However, manpower concerns were raised. A specialized
unit could be overwhelmed or underwhelmed, because the number of OIS incidents can vary widely in
any given month. The assessors stressed that the dedicated team did not have to solely conduct OIS inves-
tigations and that the goal of the recommendation is that select investigators with specialized training
conduct OIS investigations.

At present, the department has elected to move forward with the development of a stand-alone FIT that
solely investigates OISs and has developed a plan for implementing this recommendation.[90] The plan has
been approved by the sheriff's management team and LVMPD is in the process of recruiting detectives for
the reconstituted unit.[91] The new team will be under the command of OIO and be comprised of one lieu-
tenant, one sergeant, six detectives and two support staff.[92] The department's plan is for FIT to investigate
the following cases:[93]

- Any use of deadly force, as per LVMPD policy
- Officer-involved shootings
- Precision Immobilization Technique (PIT) maneuvers conducted at over 40 MPH
- Ramming
- In-custody death involving police or corrections officer(s)
- In-custody death of an inmate housed at Clark County Detention Center (CCDC) or medical facility
- Other jurisdiction requests meeting these criteria

As it stands today, the LVMPD has 5 supervisors and 3 detectives who have received specialized training
for OISs. The department projects that the FIT unit will be constituted by February of this year and fully
operational by the end of 2014.

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90. LVMPD, "Proposal: Stand-Alone Force Investigation Team [Interoffice Memorandum]," December 12, 2013.

91. E-mail communication from Undersheriff Jim Dixon, January 13, 2014.

92. Personal communication with OIO staff.

93. LVMPD, "Proposal: Stand-Alone Force Investigation Team [Interoffice Memorandum]," December 12, 2013.

Report Recommendation 7.2:

As part of their investigatory and interview procedures in an OIS, homicide investigators should video and digitally record all interviews with the involved officers and, when appropriate, witnesses.

At the time of the 2012 report, LVMPD already had a process to audio record any interview with involved officers in cases where interviews were given as part of the criminal investigation. Therefore, the essence of this recommendation is that involved officers and, when appropriate, witnesses should be video recorded when interviewed as part of an OIS investigation. By doing so, LVMPD can increase public confidence and demonstrate fairness and impartiality in its investigation of officers involved in shootings. From an investigatory perspective, doing so can provide investigators, courts, and juries with an added perspective that photos or audio recordings cannot provide.

Current Assessment of Compliance

✖ **Not Complete.** LVMPD has declined to implement this recommendation. The topic was discussed in detail at the LVMPD Executive Retreat. LVMPD executives acknowledged the appearance of impropriety by not video recording interviews with officers involved in shootings. It was also noted that video recorded interviews can sometimes benefit the officer, as it allows the officer to demonstrate body positions and re-enact the incident to make a point more clearly. However, there were concerns about the potential for public release of the videos and the detrimental impact they could have on officers and their families. This may alienate officers from the investigation and reduce the likelihood of obtaining interviews from involved officers, who are protected from self-incrimination by the Fifth Amendment of the U.S. Constitution. It is important to note that just 50 percent of the officers who fired their service weapons in an OIS during this reporting period gave interviews to homicide investigators. Some executives reasoned that the percentage would be even lower if interviews were video recorded. They also questioned the practical usefulness of the video recorded interview, because body language and tone of voice could be misinterpreted or misleading. In addition, they noted that the practical ability of the department to transport witnesses for video recorded interviewing would pose a logistical challenge in some cases.

The department argues that, because of concerns expressed at the executive retreat, that many law enforcement agencies nationwide do not video-record interviews, nor is the practice commonly recommended to law enforcement agencies by Department of Justice consent decrees. Therefore they decline to implement the recommendation. However, the assessors stress that "common practice" is not "best practice" and the circumstances facing LVMPD and the greater Las Vegas community warrant such a practice as a way to enhance trust in the way the department investigates OISs.

Report Recommendation 7.3:

In order to ensure complete and thorough investigations and engender community trust, the police associations should encourage their officers who are involved in shootings (i.e., shooters, witness officers, and supervisors) to fully cooperate with the OIS criminal investigations.

Note: This recommendation is not within the direct purview of LVMPD. The matter concerns the Police Protective Association (PPA) and Police Managers and Supervisors Association (PMSA) of LVMPD. At the time the 2012 report was published, officers who fired their service weapons in an OIS incident were routinely refusing interviews during the RHB criminal investigation, asserting their Fifth Amendment rights. The PPA and the PMSA had advised members to refuse interviews with LVMPD criminal investigators due to changes made to the now-disbanded Coroner's Inquest. However, this lack of cooperation contributes to the public's negative perception of officers, and the system of accountability for officers involved in deadly force incidents.

Current Assessment of Compliance

✘ **Not Complete.** As reported in the six-month report, PPA and PMSA continue to advise officers involved in shootings not to give voluntary interviews with homicide investigators. Roughly half of the officers who have discharged their weapons give voluntary interviews. It is noteworthy that LVMPD now requires witness officers to give statements to homicide investigators, as part of their duty.[94]

Report Recommendation 7.4:

LVMPD should analyze use of force reporting and data on a regular basis in order to identify trends and quickly remedy any issues through remedial training or discipline if needed.

Although the department monitors officers' activities through an early warning system, routine analyses of use of force data are not conducted. Such analyses can identify department-wide trends that are not part of the early warning system.

Current Assessment of Compliance

✔ **Complete.** LVMPD has developed a Force Analysis Compliance Team (FACT) within the OIO. The team "is responsible for the review of non-deadly use of force reports" and "ensures compliance with all reporting methods, including officer's completion, supervisory review, and administrative concerns."[95] An early report by FACT shows that the unit is operational and has performed a trend analysis of use of force incidents, comparing monthly figures across area commands and examining the types of force used, suspect characteristics, and types of calls where force is most likely to be used.[96] The unit has also conducted a quality assurance review, randomly sampling 60 use of force reports and assessing them for completeness and

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94. LVMPD, "Post Use of Force Procedures," General Order, Directive No. GO–001-14, January 6, 2014.

95. LVMPD, "Office of Internal Oversight," General Order, Directive No. GO–019-13, November 4, 2013.

96. LVMPD, *Reportable Use of Force* (September 30, 2013).

accuracy. The unit found that reports often do not clearly articulate the suspects' actions that necessitated the level of control used by the officer.[97] As a result, this year the unit plans to review all use of force reports to ensure compliance in the reporting criteria.

Report Recommendation 7.5:

As part of its standard use of force investigations, the LVMPD should conduct a comprehensive review of an officer's training record, to include historical data on training requirements and remedial training.

The review of training records as part of an administrative investigation of an OIS was found to be insufficient. The inquiry was limited to the officers' most recent training requirements and simply listed the date of their last completion.

Current Assessment of Compliance

✔**Complete.** The department's newly revised OIO Section Manual clearly states that the lead CIRT case detective will "conduct a comprehensive review of all training completed by any involved member."[98] In addition, CIRT will conduct an analysis of the training received by the involved officer as it pertains to the specifics of the incident under review. The assessors reviewed 14 CIRT Administrative Reports and found that each one sufficiently documented the training history of the officers involved, as well as the elements of the training they had received that pertained to the incident in which they were involved.

Report Recommendation 7.6:

LVMPD should formalize the production and dissemination of an annual report of OIS statistics.

In 2012, LVMPD published a statistical report on deadly force incidents, covering two years of incidents. This was a positive move toward increased transparency and the dissemination of information to the public. Therefore, the 2012 report recommended that the CIRT Section Manual be formally updated to include the timely production of an annual report on OIS statistics for public dissemination.

Current Assessment of Compliance

✔**Complete.** LVMPD's newly revised OIO Section Manual states that a "Deadly Force Statistical Analysis" report will be prepared annually, to include an assessment of OISs for the most recent five year period.[99]

The department released *Deadly Force Statistical Analysis 2008-2012* in September 2013.[100] The report is posted on the LVMPD website and offers a detailed comparison of the last five years of statistics on OISs.[101]

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97. LVMPD, *Use of Force Summary and Data Review* (no date).

98. LVMPD, *Office of Internal Oversight Manual* (October 1, 2013, p. 30).

99. Ibid.

100. LVMPD, *Deadly Force Statistical Analysis 2008–2012* (September 16, 2013).

101. See http://www.lvmpd.com/Portals/0/OIO/Deadly_Force_Statistical_Analysis_2008-2012_Final.pdf.

Report Recommendation 7.7:

LVMPD should formalize a peer review of its administrative use of force investigation reports. Prior to the presentation to the Use of Force Review Board, the report should be validated for accuracy and completeness by the Internal Affairs Bureau, the Training Bureau, Quality Assurance, and legal counsel.

LVMPD's process for producing administrative investigative reports on OISs was lacking a peer review component, despite the fact that many of the issues addressed in the reports were related to other LVMPD bureaus and divisions, such as the Organizational Development Bureau (ODB) and Quality Assurance (QA). Peer reviewers from outside of the OIO could provide input on substantive issues surrounding the incident, as well as recommendations.

Current Assessment of Compliance

✔**Complete.** LVMPD has developed a peer review process for all CIRT Administrative Reports. ODB supervisors, trainers, CIRT supervisors, detectives, the OIO commander, and the OIO sergeant review each report.[102] This process has been used for all OIS incidents that have been reviewed as of March 2013. CIRT investigators have found the process to be insightful and beneficial to the investigation and presentation of facts before the board.

The assessors reviewed seven peer review outcomes and observed a progression of standardization over time with each review. Today, each review encompasses review of the following categories:

- Information sharing
- Communication
- Tactical issues
- Use of deadly force
- Incident management
- Medical response
- Equipment
- Training review
- Department policy/procedures communication section manual review

LVMPD has elected not to incorporate the Internal Affairs Bureau (IAB) or the Office of General Counsel into the process, reasoning that IAB is no longer involved in OISs investigations, since the development of OIO and a new review process. Policy violations that arise from an OIS are handled completely by the Critical Incident Review Process. IAB does not conduct an investigation of these incidents. The Office of Legal Counsel reviews CIRT reports but will not offer a formal peer review, because its focus is on representing the department in civil cases, rather than tactics and policy violations that may have occurred. The assessors believe that these rationales are appropriate and the lack of these entities involved in the peer review process is not detrimental to its goal.

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102. LVMPD, *Office of Internal Oversight Manual* (October 1, 2013).

Report Recommendation 7.8.1:

LVMPD should develop a stand-alone manual for its UoFRB containing standard operating procedures, the roles and responsibilities of involved parties, and the purpose of the board.

At the time of the 2012 report, LVMPD's overarching policy manual codified the UoFRB. However, the roles and responsibilities of the board and its members were not clearly delineated. Given the complexity of the board, a stand-alone manual was warranted.

Current Assessment of Compliance

✔**Complete.** The department has developed a stand-alone manual for its Critical Incident Review Process (CIRP) and, therefore, has fulfilled the requirements of this recommendation. The manual describes in detailed definitions, the roles of the involved parties, the selection of members, the scheduling of the review process, presentations to the board, post-board requirements, and personnel procedures.[103]

The new review process is made up of two boards, which meet sequentially, on the same day. The first board is the Use of Force Review Board (UoFRB), the second is the Tactical Review Board (TRB).

Use of Force Review Board

The UoFRB is composed of four voting citizen members and three voting commissioned members. The chair of the board is designated as the assistant sheriff of patrol operations. The board receives a presentation from the Critical Incident Review Team (CIRT) regarding the facts and circumstances of the incident. The scope of the UoFRB is limited to:

- Officers who used deadly force
- Supervisors who ordered the use of deadly force
- The use of deadly force and actions directly related to the use of deadly force

Board members vote and issue dispositions based on majority rule. Board members can make the following dispositions:[104]

- **Administrative Approval.** Objectively reasonable force was used under the circumstances based on the information available to the officer at the time. This disposition acknowledges that the use of force was justified and within departmental policy. There are no concerns surrounding the tactics employed. Within policy/good to excellent performance.

- **Tactics/Decision Making.** This disposition considers that—even though the use of deadly force was lawful and within policy—the tactics and/or decision making employed were flawed and worked to limit alternatives that may have otherwise been available to the officer. A different approach may have reduced or eliminated the need for the officer to employ deadly force.

- **Policy/Training Failure.** A deadly force outcome was undesirable but did not stem from a violation of policy or failure to follow current training protocols. A department policy and/or specific training

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103. LVMPD, *Critical Incident Review Process Manual* (November 11, 2013).

104. Ibid.

protocol is inadequate, ineffective, or deficient; the officer followed existing policy and/or training or there is no existing policy and/or training protocol that addresses the action taken or performance demonstrated. Global policy or training deficiencies.

- **Administrative Disapproval.** The UoFRB has concluded through this disposition that the force used was not justified under the circumstances and violated department policy. This outcome is reserved for the most serious failures in adherence to policy, decision making and/or performance. A violation of the use of force policy.

The UoFRB may recommend supplemental training for involved officers.[105] All other remedial action is within the scope of the second board, the TRB.

Tactical Review Board

The TRB comprises four non-voting citizen observers (who participated in the UoFRB) and five commissioned officer voting members, which includes the chair. The chair of the TRB is the same as the chair of the UoFRB. The TRB reviews all officers and dispatchers who were involved in the incident, whether they discharged their firearms or not. The TRB also reviews all tactical decision making leading up to and after the OIS. The TRB does not review the use of deadly force itself; that is reserved for the UoFRB. CIRT gives a presentation to TRB that includes the conclusions by CIRT detectives, typically stating whether a particular action was within LVMPD policy or training parameters. The TRB votes to affirm, reverse, or modify each of those conclusions. Where conclusions are affirmed and require disciplinary action, the chair coordinates the completion of an adjudication of complaint (AOC), at which point the adjudication process follows standard department procedures for discipline.[106]

The assessors are concerned with the potential for conflict between the two boards' decisions, due to the UoFRB (which contains a voting majority of citizens) being able to make a finding that an officer's tactics and decision making were flawed, while the TRB (on which only the officers have a vote and the citizens are observers) can come to a different conclusion. In other words, two boards, comprising different voting membership, are making decisions related to the same issue: tactics and decision making related to the use of deadly force.

The assessors have urged the department to address this procedural conflict. The department, for its part, has committed to addressing this issue in its ever-evolving review process.

Citizen involvement at OIS scenes

The department has begun an innovative initiative in which citizen members of the review board are called to the scene of an OIS. The assessors are not aware of any other law enforcement agency in the nation that has such a policy. As per the department's manual for critical incident reviews, two citizens are called out to the scene of an OIS and serve as citizen members of the subsequent Critical Incident Review Process.[107] This is a laudable effort by the department to enhance transparency and community involvement in OIS investigations.

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105. Ibid.

106. Ibid.

107. Ibid.

Report Recommendation 7.8.2:

LVMPD should reassess how citizen board members are selected to participate in the Use of Force Review Board process.

LVMPD's process for selecting citizen participation in the UoFRB was deemed to be insufficient. The department relied largely on a newspaper advertisement. Without active recruitment, the department's civilian board members suffered from a self-selection bias. Many of the board members were former law enforcement or military and, as such, were perceived to be sympathetic and partial to the involved officers.

Current Assessment of Compliance

✔**Complete.** LVMPD held a focus group to discuss citizen recruitment for the CIRP with various community stakeholders, including the National Action Network, Latino Democratic Caucus of Southern Nevada, Ministers Alliance of Southern Nevada, and National Coalition of 100 Black Women, among others.[108] The department has established two citizen co-chairs on the UoFRB, who will help recruit and retain citizen board members. In May 2013, the two co-chairs and the CIRP chair interviewed and selected 12 new board members. The total number of citizen members currently stands at 27, including the two chairs. The selection process and criteria have been formally established in LVMPD policy. The CIRP Manual clearly describes how the agency will continue to work in collaboration with the community to identify, select, and train citizen board members.[109] It also specifies that citizens cannot be personally affiliated with the department, have prior law enforcement experience, or be related to anyone in the department.

Report Recommendation 7.9:

LVMPD should formalize the new functions of the Use of Force Review Board (UoFRB) in its policy manual and monitor their continued implementation and impact.

In an effort to increase police accountability and improve the department by better understanding and grasping the lessons learned from OISs, LVMPD altered the structure of findings of the UoFRB in June 2012. The new findings allowed voting members to find officers compliant or non-compliant on policy, supervision, training, decision making, and tactics. This allowed members to broaden the scope of their findings past the point of the shooting and examine the officer's actions before the use of deadly force. This change enabled the board to examine not only administrative compliance, but also tactical compliance and the precursors to OIS incidents.

Current Assessment of Compliance

✔**Complete.** The newly configured CIRP significantly alters the role of the UoFRB, as well as the structure of findings for the UoFRB. The UoFRB is no longer part of the review process for the events leading up to the incidence of deadly force. As a result, the finding, "policy violation not directly related to the use of force" is no longer applicable and not a part of the board.

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108. LVMPD, Use of force focus group leaders meeting, April 4, 2013.

109. LVMPD, *Critical Incident Review Process Manual* (November 11, 2013).

As it stands today, the TRB informally takes UoFRB findings into account when developing recommendations. The assessors recommended that the input of the UoFRB be formalized into the TRB's recommendation, to ensure that UoFRB findings, which have the direct input from citizens, have a defined impact on accountability for deadly force incidents. Regrettably, LVMPD has not implemented such a practice. The UoFRB findings, however, have been formalized into policy and are described in the compliance assessment for Recommendation 7.8.1. Therefore, this recommendation is considered complete.

Report Recommendation 7.10.1:

LVMPD should streamline the exchange of information between OIO and bureau commanders who are in charge of ensuring that UoFRB recommendations are implemented.

Before the Collaborative Reform Model, LVMPD did not have a system of tracking the implementation of recommendations that came from the UoFRB. The department developed an informal process in June 2012 but the process was unrefined.

Current Assessment of Compliance

✔**Complete.** LVMPD's OIO Section Manual clearly describes the process by which the deputy chief of patrol, as part of their CIRP duties, and in conjunction with OIO and CIRT, conveys recommendations to the bureau commander of involved officers. Bureau commanders are then responsible for ensuring that the officer adhere to the board's recommendations and report back to the deputy chief, including dates and descriptions of training completed, comments, and discipline given, if appropriate.[110] To aid this process, the department developed a standard memo that details UoFRB recommendations and actions taken by bureau commanders to fulfill those recommendations.[111] This memo has been in use since March 2013.

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110. LVMPD, *Office of Internal Oversight Manual* (October 1, 2013).

111. LVMPD, "Key CIRT UoFRB Recommendations Regarding a Categorical Use of Force Incidents" (no date).

Report Recommendation 7.10.2:

LVMPD should update its policy manual to include the ITAP and formalize the process.

The department's "Informal Training Accountability Protocol" was in need of institutional backing. It did not exist in any formal policy or section manual.

Current Assessment of Compliance

✔**Complete.** LVMPD has updated its OIO Section Manual to include a subsection on the protocol for tracking recommendations from the CIRP. The process describes the roles and responsibilities of involved parties, formal documentation of activities, and timelines for completion.[112]

Report Recommendation 7.11:

LVMPD should mitigate the potential for bias and leading questions, and emphasize the UoFRB's objectivity by providing members of the board and presenters with training on how to present information and/or ask questions in a non-biased or neutral fashion.

Leading questions and case presentations that were viewed as partial toward the officer(s) had been features of past UoFRBs. This was, in part, due to a lack of clear roles and responsibilities of board members and participants. Also, there was no training for commissioned members on board proceedings.

Current Assessment of Compliance

✔**Complete.** LVMPD's CIRP Section Manual states that all citizen members of the UoFRB will complete a training program covering, among other topics, "how to ask open-ended questions."[113]

Previous drafts of the manual stated that the CIRP chair would instruct all board members to avoid asking leading or biased questions. This fell short of meeting the requirements of the recommendation. Commissioned board members will now be required to attend a formal briefing on CIRP before participating in the process.[114] The new CIRP Manual also specifies that leading or biased questions are strictly prohibited and the CIRP chair is to actively enforce the rule.

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112. LVMPD, *Office of Internal Oversight Manual* (October 1, 2013).

113. LVMPD, *Critical Incident Review Process Manual* (November 11, 2013).

114. Ibid.

Chapter 8: Use of Force Incident Review Compliance Assessments

The 2012 report enumerated three recommendations for agencies external to LVMPD but integral to the external accountability system for OISs in Las Vegas. The Coroner's Inquest and the district attorney's office are independent, county functions. With the exception of any federal review or intervention, they make up the totality of external oversight for OISs in Las Vegas. To date, two of the three recommendations have been completed.

Table 14. Status of Chapter 8 recommendations

Status	Recommendations (N)	Percent (%)
✔ Complete	2	67%
P✔ Partially Complete	0	0%
▲ In progress	0	0%
✖ Not complete	0	0%
No assessment at this time	1	33%

Report Recommendation 8.1:

The Clark County Commission should review the necessity and purpose of the Coroner's Inquest since it is now being met by the public release of the DA's Memorandum of Decision and the LVMPD OIS review.

Note: This recommendation is not within the direct purview of LVMPD. This matter concerns the Clark County Commission. Given the more proactive role of the Clark County District Attorney's (DA) Office, the role of the Coroner's Inquest was no longer clear. The DA began releasing Memorandums of Decisions on fatal OIS incidents, in addition to LVMPD releasing incident summary reports, both of which are posted on LVMPD's website.

Current Assessment of Compliance

✔**Complete.** The Clark County Commission discontinued the use of the Coroner's Inquest for OISs and established a new process, known as the Police Fatality Public Fact-Finding Review Board, on January 7, 2013.[115] In this new process, the DA's office presents the facts of the case and may call witnesses to testify. An ombudsman representing the public and the family of the decedent may also ask questions. The public

115. See www.clarkcountynv.gov/depts/countymanager/Pages/PoliceFatalityPublicFact.aspx.

may submit questions, which the presiding officer of the board may ask, revise, or decline to ask if they are deemed redundant or inappropriate in any way. The review is similar to the Coroner's Inquest in that it is an "airing of the facts," but the new board does not render a judgment. The review board has heard three cases since its inception, two of which have involved LVMPD OISs.[116]

Report Recommendation 8.2:

The Clark County District Attorney's Office should continue to review all fatal use of force cases and should also review significant uses of force that did not result in death.

Note: This recommendation is not within the direct purview of LVMPD. This matter concerns the Clark County DA's Office. At the time of the 2012 report, OIS reviews by the DA's office were limited to those instances resulting in the death of the suspect. Other OISs and serious uses of force are not reviewed. Thus, there was no independent assessment of non-fatal OISs.

Current Assessment of Compliance

✔**Complete.** The DA's office has continued to review all fatal OISs. Additionally, the DA's office has recently begun reviewing all injurious OISs. The DA's office now responds to the scene of all incidents where an officer fires their weapon and strikes the suspect.[117] As with fatal cases, the DA's office will issue a letter reviewing the facts of the case from a criminal standpoint. In 2013, the DA's office issued decision letters for seven OISs, six of which involved LVMPD officers.

Report Recommendation 8.3:

The Clark County DA's Office should acquire additional expertise and dedicate resources to investigate OISs more comprehensively.

Note: This recommendation is not within the direct purview of LVMPD. This matter concerns the Clark County District Attorney's Office. In the past, the DA's office did not have a cadre of lawyers or specialized investigators to handle police deadly force cases. However, the DA's office has taken a more proactive approach over the past 24 months. In order to sustain these efforts, the 2012 report recommended that the DA's office acquire additional expertise and resources.

Current Assessment of Compliance

No assessment at this time. There have been ongoing discussions between the LVMPD and the DA's office on what type of training may be appropriate and whether the DA's office and RHB investigators should attend the training together. At this time no decision has been reached.

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116. Clark County, Nevada. "Police Fatality Public Fact-finding Reviews," http://www.clarkcountynv.gov/depts/countymanager/Pages/PoliceFatalityPublicFact.aspx.

117. Clark County Office of the District Attorney, "Notification of District Attorney After Police Use of Force" (no date).

Chapter 9: Community Perspectives and Outreach Compliance Assessments

The 2012 report enumerated five recommendations for LVMPD to enhance its partnerships with the community. LVMPD has demonstrated impressive commitment to these recommendations, by completing all five. It is essential that LVMPD maintains this level of commitment and continue to improve its relationship with all members of the Las Vegas community.

Table 15. Status of Chapter 9 recommendations

Status	Recommendations (N)	Percent (%)
✔ Complete	5	100%
P✔ Partially Complete	0	0%
▲ In progress	0	0%
✘ Not complete	0	0%
No assessment at this time	0	0%

Report Recommendation 9.1:

LVMPD should work with community leaders and other stakeholders to establish mutual expectations and a process for the release of information to the public following an OIS.

During the Collaborative Reform process, LVMPD began releasing information on OIS incidents to the public on a routine basis. However, the department still needed to engage community stakeholders to establish expectations for the release of information related to OIS incidents.

Current Assessment of Compliance

✔**Complete.** The department has been keeping the community apprised of changes in departmental policy, procedure, and training as it relates to deadly force. The Metro Multicultural Advisory Committee (MMAC) was briefed on the department's new media policy and members were asked to provide input.[118] Other stakeholders from whom the department sought feedback included the citizen members of the CIRP, the American Civil Liberties Union of Nevada, and the Las Vegas Chapter of the National Association for the Advancement of Colored People. The department also briefed various community stakeholders on

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118. LVMPD, "MMAC Agenda," March 26, 2013.

the assessment process and the steps LVMPD was taking to implement the recommended reforms.[119] The department formalized the process of updating the MMAC on progress toward meeting 2012 report recommendations into its OIO Section Manual.[120]

Report Recommendation 9.2:

LVMPD should create a policy to institutionalize the process that is now providing greater transparency of its police operations and internal reviews relating to use of deadly force.

The department's recently established practice of releasing summary reports of OIS investigations had no formal basis. Furthermore, the level and mode of engagement and communication between the department and the community with respect to deadly force needs to be institutionalized and formalized into LVMPD policy.

Current Assessment of Compliance

✓**Complete.** LVMPD's OIO Section Manual specifies that OIO will upload a case summary, to include the District Attorney's Decision Letter, Homicide Officers Report, and an OIO Summary Report to LVMPD's website.[121] In addition, the summary report will be submitted to the public information officer (PIO) who will distribute it as a press release. This process and the role of the PIO have been formalized into policy.[122] To date, the department has a total of 22 case summaries on its website. However, a substantial number of OISs that occurred in 2013 have not been reviewed by CIRP and, therefore, are not posted to LVMPD's website. Of the 13 OISs in 2013, just one case is posted to the website and the posting includes only the DA's decision letter. The OIO summary is not posted because the case has not been heard through CIRP. Considering that the DA's decision letter has been issued, however, LVMPD should not delay in posting the homicide report.

Report Recommendation 9.3:

LVMPD should develop a formal communications/media strategy for OISs.

At the time of the 2012 report, LVMPD did not have a formal media strategy for OIS incidents. Communications for these incidents can be complex and challenging because the public has a need to know the facts as soon as possible while an active investigation is underway. The level, type, and timing for the release of information need to be codified into a policy to ensure that information is released consistently and to a standard in the wake of these incidents.

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119. Ibid.

120. LVMPD, *Office of Internal Oversight Manual* (October 1, 2013).

121. Ibid.

122. LVMPD, "News Media and Public Information," Procedural Order, Directive No. PO-006-13, March 7, 2013.

Current Assessment of Compliance

✔**Complete.** LVMPD has issued a formal communications strategy for OISs. The OIS communications protocol clearly describes the roles and responsibilities of the PIO and the sheriff's office, including on-scene response and the release of information related to the incident. It states that within 72 hours of the incident, the sheriff will give a press conference to summarize all of the information available on the case. The policy further states that the 72-hour timeframe may be extended depending upon the complexity of the case.[123] Notably, the policy is for all OIS incidents—not only fatal, injurious, or otherwise controversial shootings. The policy has been in place since March 2013. Since that time, LVMPD has had 11 deadly force incidents (10 OISs and 1 vehicle ramming incident).

The assessors reviewed LVMPD press releases over the past year and found that the average length of time between the event and the press conference has been 6.8 days. The shortest period of time between an OIS and a press conference on the event has been 4 days, while the longest has been 10. This makes the extension the rule, rather than the exception. LVMPD should revisit the timeframe for press briefings if its OIS incidents are typically complex enough to warrant an extension to the 72 hour timeframe.

Report Recommendation 9.4:

Wearable camera technology is relatively new, and further research is still needed regarding its efficacy. LVMPD has invested in this innovative technology and should collect operational data and evaluate its effectiveness in the field. Lessons learned from this pilot will not only benefit LVMPD and its community, but should also be shared with departments across the country to help inform their decisions to invest in this technology.

The 2012 report recommended that LVMPD test and consider the use of body-worn cameras as a way to enhance transparency in its operations and to provide video documentation of any use of force incidents that may occur while the technology is deployed.

Current Assessment of Compliance

✔**Complete.** LVMPD began piloting wearable cameras in January 2012. Six different body camera systems within two area commands, as well as LVMPD's Saturation Team, were tested. A total of 20 officers participated in the pilot, comparing in-vehicle cameras with wearable cameras. LVMPD completed the pilot in December 2012. Much of LVMPD's review of the wearable camera technology had to do with legal parameters, the introduction of the new technology to the officers, and the costs. An internal LVMPD committee concluded that body-worn cameras (BWC) were the best option for the department to purchase.[124] The department has partnered with CNA to conduct a study, sponsored by the National Institute of Justice, on the impact of BWCs. LVMPD is in the process of acquiring 200 cameras through study funds and 200 cameras through city funds. The results of the study will help

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123. Ibid.

124. LVMPD, "Las Vegas Metropolitan Police Department Camera Project Recommendations," December 14, 2012.

build knowledge on the impact of this technology on officer and citizen behavior. The study will also explore policy and training parameters that are needed to implement the technology in a large police department. The lessons learned from this extensive study will be used to inform the future of BWCs in LVMPD.

Report Recommendation 9.5:

LVMPD should develop community policing strategies similar to those used in the public housing development, Sherman Gardens, and apply them to other high crime neighborhoods in an effort to enhance police-community partnerships across the city.

Community members involved in the Sherman Gardens initiative expressed much satisfaction with the level of cooperation between the community and LVMPD. The initiative employs a community policing approach in the Sherman Gardens neighborhood in the Bolden Area Command. The 2012 report recommended that the department employ similar strategies in other high-crime neighborhoods in Las Vegas.

Current Assessment of Compliance

✔**Complete.** The department's outreach to the community through formal initiatives has grown substantially. As a result, LVMPD has launched initiatives similar to Sherman Gardens in all area commands. In each initiative, LVMPD is partnering with community groups, including faith-based organizations, other non-profit organizations, and local businesses to institutionalize this model of community policing. LVMPD's deputy chief of patrol directed area captains to replicate the Sherman Gardens project in their commands, working within the parameters of their demographics, quality of life issues, and other crime issues specific to those areas. For instance, in July 2012 the South Central Area Command initiated Shield of HOPE (Healing Outreach Prevention Enforcement), which is composed of LVMPD and more than a dozen community groups. The initiative hosts community events where members of the community can interact with each other and LVMPD. When a traumatic, violent event occurs in the area, the Shield of HOPE deploys people to the area as a show of strength and to help residents feel safer in their community.[125] Another community policing project is called S.O.A.R. (Sierra Oeste Area Revival). The community is a multi-housing area in Northwest Las Vegas. LVMPD has partnered with community groups and businesses to help build trust in the community, clean up neighborhood blight, and perform maintenance for the future.[126]

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125. LVMPD, *Shield of HOPE Community Policing Plan* (no date).
126. LVMPD, *Sierra Oeste Area Revival* (no date).

Chapter 10: **Conclusion**

LVMPD has come a long way. Many factors, internal and external to the organization, have influenced the department's transformation over the past three years. The work of CNA and the COPS Office in collaboration with LVMPD has sought to serve the Las Vegas community, LVMPD, and communities nationwide. Much credit is due to the American Civil Liberties Union of Nevada, the Las Vegas Chapter of the National Association for the Advancement of Colored People, and the *Las Vegas Review Journal* for being active voices throughout this reform process, providing insight on their perspectives to the assessment team, raising awareness in the Las Vegas community, and seeking significant reforms in LVMPD deadly force practices. Likewise, much credit is due to LVMPD for engaging with the community, initiating reforms, and proactively seeking outside assistance through the Collaborative Reform Model. In many ways, LVMPD was an ideal pilot site for this program. The department's introspection and genuine desire to make significant improvements and serve as a model for other departments draws praise from the assessors. The department's commitment has produced impressive results.

The creation of a management structure in OIO was an integral part of LVMPD's successful implementation of many reforms. The very existence of OIO demonstrated the department's commitment internally and externally. Furthermore, OIO enables the department to carry on its reform efforts. It is anticipated that the LVMPD will continue its reform efforts with the much needed stability and structure provided by OIO. Continued transparency with the community is essential to holding the department accountable in the future.

Considering the volume and breadth of the recommendations, it was unlikely that the department would implement all of them in just one year. Completing 33 new reforms over the past year is a significant achievement. In doing so, the department has created new policies and procedures to help identify previously unknown issues and enable the department to intervene before to they give rise to detrimental consequences. LVMPD has initiated and reformed a remarkable number of policies, training practices, management and oversight functions related to deadly force, accountability, and organizational transparency. The assessors are encouraged by the commitment they have witnessed in LVMPD over the past two years and believe there are many learning processes in place to continue reform beyond the collaborative reform initiative.

OIS incidents remain historically low. Although this is positive, the assessors stress that simply counting OISs is a rather crude measure of success, and not much time has passed since the implementation of reforms. Similarly, comparing OIS rates across cities adds little benefit considering the various factors, known and unknown, that account for OIS rates in a given jurisdiction. A city with a high prevalence of officers confronting armed subjects, or in the most extreme case, officers assaulted with deadly weapons, could quite reasonably have more OISs than a larger or even more violent city that has fewer deadly assaults against police. From an analysis perspective, the assessors contend that the proper benchmarks have simply not been developed and validated for informative cross-city comparisons.

On a related note, the types of OISs deserve more attention. The shooting of unarmed suspects remains a concern for both the assessment team and the community. For example, between 2007 and 2011, there were 10 OISs that involved unarmed suspects and in seven of those cases the subject was black. In 2012–2013, three out of the four unarmed suspects were black. The department is in the final stages of developing training on fair and impartial policing with a module on procedural justice. The assessors believe, however, the department must increase its efforts to develop a quality training program on procedural justice and deliver it soon. In addition, there has been much talk about inculcating the philosophy of procedural justice across the organization. It is the assessors' hope that this is made a reality.

In the opinion of the assessors, the department has one of the most progressive administrative review processes in the nation. The detail and quality of the investigation of OISs from an administrative viewpoint is impressive. The Critical Incident Review Process is a two-part, complex, yet procedurally fair process that involves an impressive array of stakeholders, including four citizen representatives. The process, however, is not without flaws. The assessors remain concerned with the potential for conflict between the two boards, wherein the UoFRB can make a finding that an officer's tactics and decision making were flawed and the TRB can come to a different conclusion. The department has also been reticent to take the advice of the assessors' to formalize a connection between the citizen-majority UoFRB disposition and recommendations that come from the TRB. Yet, the review process continues to evolve. The assessors urge the department to reconsider these concerns and work with all relevant stakeholders to address them.

The assessors have dutifully monitored the implementation of dozens of reforms, ranging in size and complexity. The ever-changing, fast-paced environment of a large public entity such as LVMPD necessitated collaboration, flexibility, and open and honest discussion about the requirements of the recommendations and the contingencies of the organization. LVMPD has come a long way but still has some work to do. Some significant reforms remain to be fully implemented. Notably, agencies from across the country have been looking to the work CNA, the COPS Office, and LVMPD have completed together as a blueprint for reform. LVMPD leadership should continue to demonstrate that the nature of police work and its focus on crime fighting are not in conflict with the importance of community oversight and transparency. Lastly, the community must remain engaged and must strive to be an active partner in reform.

Appendix A: LVMPD Status Summary Table

Table 16. Recommendation status definitions

Status	Definitions
✔ Complete	The recommendation has been sufficiently demonstrated to be complete, based on the assessors' review of submitted materials, observations, and analysis.
P✔ Partially Complete	The department has submitted materials that it believes demonstrate completion of the recommendation. However, the assessors have deemed that additional effort is needed to complete the recommendation. As per the department, no further work will be forthcoming on the recommendation.
▲ In progress	Implementation of the recommendation is currently in progress, based on the assessors' review of submitted materials, observations, and analysis.
✘ Not complete	The department has not sufficiently demonstrated implementation of the recommendation, nor does the agency have future plans to do so.
No assessment at this time	At present, not enough information is available to make a determination.

Table 17. Status of all reforms

Las Vegas Metropolitan Police Department Current Reforms			
Organizational Reforms			
No.	**Finding/Issue**	**Recommendation**	**Status**
1	The LVMPD did not have a command official responsible for managing use of force reforms.	LVMPD should designate a single command official responsible for managing use of force reforms. This command official should be the primary liaison to the community, Department of Justice, and other stakeholders. This individual should report directly to the sheriff.	✔
2	The LVMPD did not have an organizational structure to facilitate use of force reforms.	LVMPD should create a formal organizational structure to facilitate use of force reform and enhance accountability.	✔

No.	Finding/Issue	Recommendation	Status
3	The LVMPD needed to revise and reform its deadly force review processes (both administrative and legal in nature).	LVMPD should develop the capacity to conduct comprehensive deadly force reviews (both administrative and legal in nature).	✔
4	To identify deadly force and OIS gaps, the LVMPD needed to consolidate units that deal with training and administrative investigations and ensure that lessons learned from OIS incident reviews were incorporated back into training.	LVMPD should consolidate units that deal with training and administrative investigations to ensure consistent and better communication about lessons learned from deadly force incidents.	✔
5	The LVMPD needed to raise the level of executive involvement in the management of the Use of Force Review Board.	LVMPD should raise the level of executive involvement in the management of the Use of Force Review Board.	✔
	Five-year Detailed Analysis of LVMPD OISs, 2007 – 2011		
6	Finding 4.1: The number of OISs has gradually declined since the third quarter of 2010.	Recommendation 4.1: LVMPD should continue to implement reforms, monitor the progress of these reforms, and evaluate their impact on OIS incidents.	✔
7a	Finding 4.2: LVMPD does not conduct department-wide fair and impartial policing training that includes a focus on use of deadly force. In addition to the community perception of biased interactions in incidents of deadly force, our review of agency data found that in 7 out of 10 (70 percent) incidents where unarmed suspects were shot by LVMPD, the suspect was black.	Recommendation 4.2.1: LVMPD should be proactive with respect to fair and impartial policing and provide its commanders, supervisors, and officers with advanced, specialized training in fair and impartial policing.	▲
7b	Furthermore, 6 of 9 (66 percent) OISs that began as officer-initiated stops involved black suspects.	Recommendation 4.2.2: LVMPD should offer advanced training in procedural justice to officers at all levels of the organization and in the academy.	▲
8	Finding 4.3: Officer-initiated stops are more likely to result in a shooting of an unarmed suspect than any other type of contact.	Recommendation 4.3: LVMPD should conduct uniform training on the legal parameters of officer-initiated contacts (e.g., consensual stops and investigative detention) throughout the department, starting with proactive entities such as the Gang Crimes Bureau. LVMPD has created training videos on constitutional policing issues and the department should continue to incorporate additional training on this topic into scenario-based and role-play training modules.	✔

No.	Finding / Issue	Recommendation	Status
9	Finding 4.4: LVMPD needs to better manage multiple officer situations. Tactical errors and fatalities were more prevalent when more officers are on the scene.	Recommendation 4.4: LVMPD should ensure that supervisors and officers are prepared to handle multiple officer situations in the context of deadly force. It should use reality-based incident command scenarios to train officers on the management and direction of multiple officers during a critical incident.	✔
10	Finding 4.5: LVMPD policy does not require that supervisors respond to calls for service that involve an armed person(s).	Recommendation 4.5: LVMPD should have policy that requires that supervisors respond to any call for service that involves an armed person or persons.	✔
	Use of Force Policy and Procedures		
11	The LVMPD Use of Force Policy was deficient and a comprehensive revision was required.	LVMPD should develop and implement a new Use of Force Policy.	✔
12	Finding 5.1: LVMPD's current Use of Force Policy complies with constitutional standards and model guidelines.	Recommendation 5.1: LVMPD should review and update its Use of Force Policy at least annually and as needed to incorporate recent court decisions, analysis of use of force data, and lessons learned from incidents in Las Vegas and other jurisdictions.	✔
13	Finding 5.2: The new Use of Force Policy is comprehensive. However, the format is cumbersome and not structured in a clear and concise manner that allows officers to quickly apply guidance in the field.	Recommendation 5.2: LVMPD should separate its Use of Force Policy into several smaller policies. This should include a core policy that serves as the foundation for the other related policies. Examples of stand-alone policies include rifles, shotguns, and other firearms; ECDs; less-lethal shotguns; batons; OC spray; and other less-lethal weapons.	✔

No.	Finding/Issue	Recommendation	Status
14	The LVMPD did not have a "sanctity of human life" statement in its Use of Force Policy.	LVMPD should implement a "sanctity of human life" statement.	✓
15	The "objectively reasonable" standard in the LVMPD Use of Force Policy was not clear.	LVMPD should clarify the "objectively reasonable" factors in the Use of Force Policy. In the past, guidance on "objectively reasonable" was something that was cited by making reference to U.S. Supreme Court Case *Graham* v. *Connor* and other applicable case law.	✓
16	The LVMPD needed to create an "Intermediate Force" level.	LVMPD should develop an Intermediate level of force.	✓
17	The LVMPD needed to revise its use of force model.	LVMPD should develop a new use of force model.	✓
18	The LVMPD needed to revise its less lethal shotgun policy to better manage its deployment.	LVMPD should revise the less-lethal shotgun policy.	✓
19	The LVMPD determined that it needed to emphasize de-escalation in its Use of Force Policy.	LVMPD should emphasize de-escalation in the Use of Force Policy.	✓
20	The LVMPD needed to require its officers to intervene when observing excessive force.	LVMPD policy should require a duty to intervene when witnessing excessive force.	✓
21	The LVMPD needed more stringent parameters for the use of Electronic Control Devices (e.g., Tasers).	LVMPD should implement more stringent parameters for the use of Electronic Control Devices (ECD).	✓
22	The LVMPD needed to further restrict when officers may shoot at a moving vehicle.	LVMPD should implement restrictions on when officers may shoot at moving vehicles.	✓
23	The LVMPD needed to develop a policy governing foot pursuits.	LVMPD should develop a foot pursuit policy to establish parameters surrounding decision making and officer safety.	✓
24	The LVMPD needed to establish more stringent parameters regarding police rifle deployment.	LVMPD should institute more stringent parameters on police rifle deployment.	✓
25	The LVMPD had no policy governing weapon-mounted flashlights.	LVMPD should implement a weapons mounted flashlight policy.	✓

	Use of Force Training and Tactics		
No.	**Finding/Issue**	**Recommendation**	**Status**
26	The LVMPD needed to train every police and corrections officer on the new Use of Force Policy.	LVMPD should implement a program that trains all police and corrections officers on the reformed Use of Force Policy.	✔
27	The LVMPD needed to revise its use of force training based on analysis of the department's trends.	LVMPD should implement a training program that is based on the analysis of the department's trends.	✔
28	The LVMPD needed to create more realistic use of force training to better prepare officers to handle dynamic situations and to successfully bring them to the best conclusion.	LVMPD should implement a Reality-Based Training (RBT) program.	✔
29	The LVMPD needed to focus on reality based supervisory responsibility in its use of force training.	LVMPD should focus on reality-based supervisory responsibility in use of force training.	✔
30	The LVMPD needed to focus on de-escalation in its use of force training.	LVMPD should focus on de-escalation in use of force training.	✔
31	The LVMPD needed to focus on constitutional policing in its use of force training.	LVMPD should focus on constitutional policing in its use of force training.	✔
32	The LVMPD needed to recertify its Crisis Intervention Team officers who interact with persons suffering from mental illness.	LVMPD should develop and implement a Crisis Intervention Team (CIT) Recertification Program.	✔
33	The LVMPD needed to implement an individualized training program for officers involved in deadly force situations who committed policy, procedural, or tactical errors.	LVMPD should implement an individualized training program for officers involved in deadly force situations when there were errors.	✔
34	The LVMPD needed to enhance officer safety through lessons learned in previous incidents.	LVMPD should develop a method to enhance officer safety through lessons learned from previous incidents.	✔
35	The LVMPD video based interactive decision-making training program (MILO) needed to be expanded to include in-service training.	LVMPD should implement video-based decision-making training for veteran as well as newly hired officers.	✔

No.	Finding/Issue	Recommendation	Status
36	The LVMPD needed to ensure that its supervisors were trained on the new Use of Force Policy.	LVMPD should train all supervisors on the new Use of Force Policy prior to the training of their officers.	✔
37	The LVMPD needed to expand mandatory Electronic Control Device (ECD) training (e.g., Tasers).	LVMPD should expand Mandatory ECD Training beyond 2 hours.	✔
38	The LVMPD did not have an Electronic Control Device (ECD) inspection process.	LVMPD should implement a mandatory ECD inspection program.	✔
39	LVMPD needed to enhance officer safety when police encounter other officers in plainclothes.	LVMPD should implement Police-on-Police Training.	✔
40	LVMPD needed unit-specific training that addresses OIS incidents.	LVMPD should develop specialized training for units in response to OISs handled improperly. *(Note: This unit was established by LVMPD, but then later disbanded. This recommendation was graded as complete at the issuance of the 2012 report. The assessors have chosen to leave this particular item as complete since it reflects a previously completed reform by LVMPD. Please see recommendation 56 in this matrix for an updated account of where the department stands on this reform.)*	✔
41	The LVMPD needed a training module that focused on weapons and flashlights.	LVMPD should implement a training module that focuses on weapons and flashlights.	✔
42	Finding 6.1: Defensive tactics training in LVMPD lacks consistency in terms of quality and quantity throughout the department.	Recommendation 6.1: LVMPD should exercise necessary oversight and control to ensure consistency through a policy of instructor audits.	✔

No.	Finding / Issue	Recommendation	Status
43a	**Finding 6.2: LVMPD is unable to determine whether officer training requirements are being properly monitored by the Bureau Training Coordinator program.**	**Recommendation 6.2.1: LVMPD should follow existing policy and audit the Bureau Training Coordinator program to ensure that it is accurately monitoring and tracking completion of training requirements.**	▲
43b		**Recommendation 6.2.2: LVMPD should update its training database to accurately reflect officer rank for each year. Additionally, LVMPD should update its archiving process to include this information for all future years.**	✔
44	**Finding 6.3: LVMPD's Crisis Intervention Team recertification program does not contain sufficient frequency or number of hours.**	**Recommendation 6.3: LVMPD should update its training policies to reflect the CIT recertification requirement and increase its number of hours and frequency.**	✔
45	**Finding 6.4: The LVMPD policy manual has not been updated to reflect current AOST requirements.**	**Recommendation 6.4: LVMPD should update its policy to reflect its actual Advanced Officer Skills Training (AOST) program.**	✔
46a	**Finding 6.5: LVMPD de-escalation training is not a requirement and does not include an evaluation component.**	**Recommendation 6.5.1: LVMPD should establish an annual requirement for officers at the rank of sergeant and below to undergo a minimum number of hours of de-escalation training and formalize assessments of de-escalation tactics in AOST and RBT.**	✔
46b		**Recommendation 6.5.2: LVMPD should devote one quarter of its defensive tactics training to de-escalation.**	✔
47	**Finding 6.6: LVMPD's new Reality-Based Training program is essential to the department's efforts to continue to improve officers' tactics and prepare them for various real-life encounters. However, scheduling conflicts have hampered the program's full implementation.**	**Recommendation 6.6: LVMPD should proceed with the current schedule of RBT and conduct a manpower study in order to ensure that it can accommodate the completion of twice yearly RBT.**	✔

No.	Finding/Issue	Recommendation	Status
48	**Finding 6.7: The evaluation components of LVMPD's training programs are inadequate. They do not focus on department-wide trends, which could highlight problem areas that need to be addressed more thoroughly.**	**Recommendation 6.7: LVMPD should develop a greater data collection and evaluation capacity for all training conducted throughout the department and should use that data to proactively address any deficiencies.**	▲
49	**Finding 6.8: Some LVMPD instructors did not express support for portions of the Use of Force Policy reforms during training.**	**Recommendation 6.8: Instructors should express support for new policies. When illustrating policy violations, they should take the opportunity to explain that they are not only potentially illegal, but that they do not represent the best in policing or reflect the values of the police department. This should be ensured through instructor training and audits of instruction conducted throughout the department.**	✔
50	**Finding 6.9: Actual LVMPD radios are seldom used in LVMPD scenario-based training. However, in our review of OIS incidents, the most frequent tactical error involved radio communications.**	**Recommendation 6.9: In all scenario-based training, trainees should be using actual LVMPD radios to enhance the experience and make it as realistic as possible.**	✔
51	**Finding 6.10: LVMPD's evaluation of the most recent Use of Force Policy training suggests that officers have the most trouble comprehending policy in the context of a written scenario.**	**Recommendation 6.10: LVMPD should take the appropriate steps to understand whether the failed test questions were problematic due to the clarity of the question or to officers' lack of comprehension.**	✔
	Use of Force Investigation and Documentation		
52	**The LVMPD needed to establish the capacity to conduct comprehensive deadly force reviews that are administrative in nature.**	**LVMPD should conduct comprehensive administrative deadly force investigations.**	✔
53	**The LVMPD needed to develop more specific use of force finding categories in order to provide greater accountability.**	**LVMPD should develop more specific use of force finding categories in order to provide greater accountability.**	✔
54	**The LVMPD needed to create a mechanism to provide its workforce with timely information following a deadly force incident.**	**LVMPD should provide personnel with timely awareness of issues that arise following a deadly force incident.**	✔

No.	Finding/Issue	Recommendation	Status
55	LVMPD needed to compile and maintain detailed deadly force statistics that can be used to identify trends and increase transparency.	LVMPD should compile and maintain detailed deadly force statistics that can be used to identify trends and increase transparency.	✔
56	Finding 7.1: LVMPD stopped the FIT model of one squad handling all officer-involved shootings, returning to a process of all homicide squads handling the investigations on a rotation basis.	Recommendation 7.1: LVMPD should re-establish a specialized group of investigators designated to conduct comprehensive OIS investigations, in conjunction with the district attorney's office, that are legal in nature. These investigators should undergo specialized training.	▲
57	Finding 7.2: LVMPD homicide investigators do not consistently video-record all interviews for OISs.	Recommendation 7.2: As part of their investigatory and interview procedures in an OIS, homicide investigators should video and digitally record all interviews.	✘
58	Finding 7.3: The Police Protective Association and Police Managers and Supervisors Association have directed their members to not cooperate with deadly force criminal investigations if involved in an OIS.	Recommendation 7.3: In order to ensure complete and thorough investigations and engender community trust, the police associations should encourage their officers who are involved in shootings (shooters, witnesses, and supervisors) to cooperate with the OIS criminal investigation.	✘
59	Finding 7.4: LVMPD does not analyze use of force reporting and data on a routine basis in order to identify department-wide trends and quickly remedy any issues.	Recommendation 7.4: LVMPD should analyze use of force reporting and data on a regular basis in order to identify trends and quickly remedy any issues through remedial training or discipline, if needed.	✔
60	Finding 7.5: LVMPD does not conduct a comprehensive review of an officer's training record as part of its administrative use of force investigations.	Recommendation 7.5: As part of its standard use of force investigations, LVMPD should conduct a comprehensive review of an officer's training record, to include historical data on training requirements and remedial training.	✔
61	Finding 7.6: LVMPD has produced an annual review of OIS statistics and plans to disseminate the report to the public.	Recommendation 7.6: LVMPD should formalize the production and dissemination of an annual report of OIS statistics.	✔

No.	Finding/Issue	Recommendation	Status
62	**Finding 7.7: LVMPD's administrative use of force reporting process does not include review and input from key administrative components.**	**Recommendation 7.7: LVMPD should formalize a peer review of its administrative use of force investigation reports. Prior to the presentation to the Use of Force Review Board, the report should be validated for accuracy and completeness by the Internal Affairs Bureau, the Training Bureau, Quality Assurance, and legal counsel.**	✔
63a	**Finding 7.8: LVMPD standard operating procedures for the Use of Force Review Board are outdated and insufficient.**	**Recommendation 7.8.1: LVMPD should develop a stand-alone manual for its Use of Force Review Board containing standard operating procedures, the roles and responsibilities of involved parties, and the purpose of the board.**	✔
63b		**Recommendation 7.8.2: LVMPD should reassess how citizen board members are selected to participate in the Use of Force Review Board process.**	✔
64	**Finding 7.9: In the past, the Use of Force Review Board has rarely issued disciplinary or corrective action, due to both structural constraints and a lack of institutional oversight. LVMPD has recently altered the findings structure to allow for recommendations on administrative actions based on policy, supervision, training, and sound tactics.**	**Recommendation 7.9: The department should formalize the new functions of the Use of Force Review Board in its policy manual and monitor their continued implementation and impacts.**	✔
65a	**Finding 7.10: LVMPD's process for tracking the implementation of UoFRB recommendations is informal and unrefined.**	**Recommendation 7.10.1: LVMPD should streamline the exchange of information between OIO and bureau commanders who are in charge of ensuring that UoFRB recommendations are implemented.**	✔
65b		**Recommendation 7.10.2: LVMPD should update its policy manual to include the ITAP and formalize the process.**	✔

No.	Finding/Issue	Recommendation	Status
66	**Finding 7.11: Presentations by LVMPD personnel to the UoFRB, as well as questions by members of the UoFRB, are not perceived as objective.**	**Recommendation 7.11: LVMPD should mitigate the potential for bias and leading questions, and emphasize the Use of Force Review Board's objectivity by providing members of the board and presenters with training on how to present information and/or ask questions in a non-biased or neutral fashion.**	✔
	Use of Force Incident Report		
67	**Finding 8.1: The Coroner's Inquest process related to review of deadly force incidents is ineffective.**	**Recommendation 8.1: Clark County Commission should review the necessity and purpose of the Coroner's Inquest since it is now being met by the public release of the DA's Memorandum of Decision and the LVMPD OIS review.**	✔
68	**Finding 8.2: The Clark County District Attorney's Office has begun to review OISs that result in death and to issue decision letters regarding criminal findings. However, decision letters are not issued for serious, non-fatal use of force incidents.**	**Recommendation 8.2: The Clark County DA's Office should continue to review all fatal use of force cases and consider also reviewing significant uses of force that did not result in death.**	✔
69	**Finding 8.3: The Clark County DA's Office needs more training and expertise related to investigating deadly force incidents.**	**Recommendation 8.3: The Clark County District Attorney's Office should acquire additional expertise and dedicated resources to investigate OISs more comprehensively.**	**Not assessed**
	Community Perspectives and Outreach		
70	**LVMPD needed to increase transparency related to deadly force incidents.**	**LVMPD should implement a protocol to release documents related to deadly force incidents.**	✔
71	**Finding 9.1: The information LVMPD provides to the public on the circumstances of OISs is not meeting community expectations and is contributing to the public's negative perception of LVMPD.**	**Recommendation 9.1: LVMPD should work with community leaders and other stakeholders to establish mutual expectations and a process for the release of information to the public following an OIS.**	✔

No.	Finding/Issue	Recommendation	Status
72	**Finding: 9.2: LVMPD is now releasing deadly force investigation summary reports in response to community concerns about the perceived lack of accountability for officers involved in OISs.**	**Recommendation 9.2: LVMPD should create a policy to institutionalize the process that is now providing greater transparency of its police operations and internal reviews relating to use of deadly force.**	✔
73	**Finding 9.3: LVMPD currently lacks standards and procedures for releasing information on OISs to the media and the public.**	**Recommendation 9.3: LVMPD should develop a formal communications/media strategy for OISs.**	✔
74	**Finding 9.4: LVMPD has publically expressed its commitment to providing officers with wearable cameras.**	**Recommendation 9.4: Wearable camera technology is relatively new, and further research is still needed regarding its efficacy. LVMPD has invested in this innovative technology and should collect operational data and evaluate its effectiveness in the field. Lessons learned from this pilot will not only benefit LVMPD and its community, but should also be shared with departments across the country to help inform their decisions to invest in this technology.**	✔
75	**Finding 9.5: LVMPD's Sherman Gardens community policing model has proven to be effective at enhancing police-community partnerships within that neighborhood.**	**Report Recommendation 9.5: LVMPD should develop community policing strategies similar to those used in the public housing development, Sherman Gardens, and apply them to other high crime neighborhoods in an effort to enhance police-community partnerships across the city.**	✔

Appendix B: Abbreviation List

Acronym	Term
ACLUNV	American Civil Liberties Union of Nevada
ADTI	Advanced Defensive Tactics Instructor
ADW	Assault with a Deadly Weapon
ANSEC	Analytics Section
AOC	Adjudication of Complaint
AOST	Advanced Officer Skills Training
ATU	Advanced Training Unit
BTC	Bureau Training Coordination
BWC	Body-Worn Camera
CAD	Computer Aided Dispatch
CIRP	Critical Incident Review Process
CIRT	Critical Incident Review Team
CIT	Crisis Intervention Team
COP	Community Oriented Policing
COPS	Community Oriented Policing Services
DA	District Attorney
DTI	Defensive Tactics Instructor

Acronym	Term
ECD	Electronic Control Device
FACT	Force Analysis Compliance Team
FIT	Force Investigation Team
FTTU	Firearms Training and Tactics Unit
GAO	Government Accountability Office
GO	General Order
IAB	Internal Affairs Bureau
LVMPD	Las Vegas Metropolitan Police Department
MMAC	Metro Multicultural Advisory Committee
MOF	"Mistake of Fact"
NAACP	National Association for the Advancement of Colored People
OC	Oleoresin Capsicum
ODB	Organizational Development Bureau
OIO	Office of Internal Oversight
OIS	Officer-Involved Shooting
PIO	Public Information Officer

Acronym	Term
PIT	Precision Immobilization Technique
PMSA	Police Managers and Supervisors Association
PO	Procedural Order
POST	Police Officer Standards and Training (Nevada)
PPA	Police Protective Association
PSU	Problem Solving Unit
QA	Office of Quality Assurance

Acronym	Term
RBT	Reality-Based Training
RECAP	Rebuilding Every City Around Peace
RHB	Robbery and Homicide Bureau
RJ	*Las Vegas Review Journal*
STAR	Supervisor Tactics for Armed Person Response
TRB	Tactical Review Board
UMLV	University of Metro Las Vegas
UoFRB	Use of Force Review Board