

# The Rights of Police Officers

June 7-9, 2023

The Flamingo, Las Vegas

**Registration** At [www.LRIS.com/ROPLV23](http://www.LRIS.com/ROPLV23), email us at [info@LRIS.com](mailto:info@LRIS.com) or call us at (503) 282-5440.

**Fees** Registration fees are \$850 per person; \$725 per person if three or more attend from the same organization. Registration fees include attendance, lunch on the first two days of the seminar, all seminar materials, and a hospitality reception on the first evening.

**Cancellation Policy** Reservations may be canceled up to ten days prior to the seminar with a full refund. Cancellations made within ten days are subject to a \$150 fee. Substitutions may be made at any time.

## HOTEL INFORMATION

To make arrangements, use the link on the seminar tab at [www.LRIS.com/ROPLV23](http://www.LRIS.com/ROPLV23) or call the hotel directly and request the group rate for this seminar. Call (888)373-9855 with group code SFROP3. Reservations must be made by May 6, 2023. Reservations received after this date will be on a space-available basis only and at the prevailing rate.

### The FLAMINGO

3555 Las Vegas Blvd. South  
Las Vegas, NV 89109

Room rates Tuesday through Thursday nights are \$89 per night, plus taxes and fees. A limited number of rooms are available on Friday and Saturday night for \$139, so book early if you plan to stay over the weekend.

### The LINQ

3535 Las Vegas Blvd. South  
Las Vegas, NV 89109

Room rates Tuesday through Thursday nights are \$69 per night, plus taxes and fees. A limited number of rooms are available on Friday and Saturday night for \$109, so book early if you plan to stay over the weekend.

## SEMINAR MATERIALS

Each attendee will receive a copy of *The Rights Of Law Enforcement Officers* (8th Edition) by Will Aitchison, and a handbook containing extensive written materials pertaining to each of the subjects addressed.

## P.O.S.T. CERTIFICATION

Peace Officer Standards and Training (P.O.S.T.) credits may be available on a state-by-state basis. If you would like information on your state, please contact Seminar Coordinator Claire Cowan at (503) 282-5440 or [Claire@LRIS.com](mailto:Claire@LRIS.com) 30 days prior to the seminar.

## CLE CERTIFICATION

LRIS has been approved as a CLE provider by the State Bar of California. This program will qualify for 12.5 hours of MCLE credit by the State Bar of California. If you require certification from any other state, please contact Seminar Coordinator Claire Cowan at (503) 282-5440 or [Claire@LRIS.com](mailto:Claire@LRIS.com) 30 days prior to the seminar.

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# THE RIGHTS OF POLICE OFFICERS

Las Vegas, Nevada  
June 7-9, 2023

A three-day seminar for all law enforcement agencies, labor organizations, personnel directors, and attorneys involved in public sector labor relations.

"This is the best labor relations conference for police officers I've ever attended. Very beneficial for attorneys, too."

Charloite Martinez, California Correctional POA, CA



# THE RIGHTS OF POLICE OFFICERS



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The Flamingo  
Las Vegas, Nevada

"Our entire board comes to an LRIS seminar once a year because there is no better training in the nation on police labor issues."

Ron Moore, Lynnwood Police Guild, WA



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Portland, OR 97232-1810  
(503) 282-5440

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# The Rights of Police Officers

## AT A GLANCE

- » Recent Legal Developments In Law Enforcement
- » Discipline For Social Media
- » Collective Bargaining Strategies And Tactics
- » Marijuana Use And Policing
- » FLSA, *Garrity*, *Brady*, *Miranda*, *Weingarten* & *Loudermill*

## WEDNESDAY, JUNE 7, 2023

### 9:00 Recent Developments In Law Enforcement Labor Issues

Recent developments from around the country in the area of public safety labor relations.

- Police reform legislation, the latest round: Where has it happened, what has it done, and implications for the future.
- A review of national trends on wages and benefits, the impact on wages of the national police recruiting crisis, and the evolution of thinking on police-fire parity.
- The swirl of litigation around cell phones. The privacy rights officers have (or do not have) in their personal cell phones, employer-issued cell phones, and personal cell phones for which the employer pays a subsidy. How public records laws may make personal cell phone records subject to disclosure.
- The evolving caselaw on whether body camera policies are negotiable, and what the evidence is showing about how body cameras influence metrics such as the use of force, citizen complaints, and officer injuries.
- Conflicting decisions from the courts as to what types of physical fitness standards are permissible for law enforcement officers, and how the ADA, the FMLA, and other federal laws interact to create privacy rights for officers' medical information.
- What's happening with the FLSA? A review of FLSA litigation involving numerous law enforcement agencies.

*Will Aitchison, Attorney at Law, Public Safety Labor Group, LLP; Founder, LRIS.*

### 12:00 Lunch (Included in registration)

### 1:00 *Garrity*, *Brady*, *Miranda*, *Weingarten*, And *Loudermill*

- The five essential rules of disciplinary procedure, and where and how they apply.
- The *Garrity* rule in internal affairs investigations, critical incidents, and day-to-day interactions between management and labor.
- The national pushback against what are perceived to be the overly harsh interpretations of *Brady*, and how police administrators, the courts, arbitrators, and state legislatures have altered decision-making on dishonesty issues.
- The right to representation under the *Weingarten* rule, and whether witnesses have the right to representation in internal affairs interviews. What the union representative can and cannot say and do when representing a member.
- Police reform legislation, *Garrity*, and *Weingarten* – unintended (or intended) impacts

*Richard Poulson, Attorney at Law, Willig, Williams & Davidson.*

### 4:00 Adjournment

### 4:15 Hosted Reception

## THURSDAY, JUNE 8, 2023

### 9:00 Just Cause For Discipline

- A review of the 12 tests for just cause for disciplinary action.
- Progressive discipline, mitigating circumstances, and the employer's burden of proof in discipline cases.

*Thomas Gribbin, Attorney at Law, Willig, Williams & Davidson.*

### 10:00 Medical And Personal Privacy Issues – Marijuana Use And Policing

- State and federal statutory approaches to medical/recreational marijuana use.
- Marijuana and firearm possession and use restrictions.
- Impairment standards and bargaining over drug testing policies.
- How the ADA, the FMLA, and other federal laws interact to create privacy rights for officers' medical information.

- Other statutory and constitutional protections of officers' personal privacy.

*Richard Poulson and Thomas Gribbin.*

### 12:00 Lunch (Included in registration)

### 1:00 Collective Bargaining

- The topics which are mandatory for negotiation.
- Strategies and tactics for negotiations. How to prepare, the composition of the bargaining team, and the development of negotiation themes.
- The scope of a union's duty of fair representation, and when and how a union may be obligated to consider representing either a member or a non-member.
- The most common employer and union unfair labor practices.
- What amounts to illegal discrimination on the basis of union activity?

*Keri-Lyn Krafthefer, Attorney at Law, Ancel Glink LLP.*

### 4:00 Adjournment

## FRIDAY, JUNE 9, 2023

### 8:30 Social Media And Freedom Of Speech

- The emerging rules of discipline for off-duty and on-duty use of social media. Labor board decisions on the potentially protected status of social media communication.
- The need for clarity in an employer's rules.
- A police officer's freedom of speech and privacy rights.
- Political activities by police officers.
- Speech criticizing the performance of the department or its supervisors.

*Anil Karia, Attorney at Law, Public Safety Labor Group, LLP; and Mark Meyerhoff, Attorney at Law, Liebert Cassidy Whitmore.*

### 11:30 Adjournment

### What Attendees Of Last Year's Rights of Police Officers Seminar Think:

- » "Very informative and relevant. This seminar was the best conference I have been to." Michael Perl, FOP Lodge 2, Omaha, NE
- » "As always, a great seminar. The information is so important and changes often. Education is vital for unions and bargaining units." Jeff Dawson, Des Moines Police Dept., IA
- » "Very knowledgeable speakers who kept me engaged. I liked that there was representation from management side." Jason Karnitz, Spokane County Sheriff's Office, WA
- » "The overall seminar was very informative. The speakers were extremely knowledgeable about all aspects of labor law. I would recommend this conference to all new union stewards and representatives." John Gaul, FOP Lodge 31, Fort Lauderdale, FL
- » "As a fourth year officer, this course was easy to follow and educational. The academy does not teach officer rights. This course taught me how to protect myself and my partners." Kyler Newby, FOP Lodge 9, Mesa, AZ