

LAW ENFORCEMENT MANAGEMENT INSTITUTE

ISSUES CONCERNING PHYSICAL FITNESS  
OF LAW ENFORCEMENT OFFICERS

A LEARNING CONTRACT  
SUBMITTED IN PARTIAL FULFILLMENT  
OF THE REQUIREMENTS FOR  
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BY

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## INTRODUCTION

Physical Fitness issues are becoming increasingly important to law enforcement officers and administrators. Over the past few years, physical fitness has had a major impact on the general population. The public has become more aware of the need for exercise and proper diet, with an emphasis on feeling good, not just looking good. This concern about being healthy and physically fit is shared by the police profession, because law enforcement officers are as vulnerable as the general population to the risk of heart disease, job stress, and obesity.

This report examines several physical fitness issues facing law enforcement administrators and officers. The research will reflect advantages of physical fitness in relation to individual officers and implementation of recommended fitness programs by law enforcement agencies. It is the purpose of this paper to demonstrate the need for police administrators and officers to understand the necessity for maintaining an average level of physical fitness.

## PHYSICAL FITNESS: AN OVERVIEW

In law enforcement today, there are many ways to define "physical fitness." Some agencies emphasize agility. Others consider mastery of self defense techniques to be a form of physical fitness. Skills in agility and self defense alone, however, are not all there is to being physically fit. One must be "functionally fit" as well. Functional fitness can be equated with good health, and should be the essential meaning of physical fitness.

For the purpose of this paper, functional fitness can be defined in terms of good health:

1. Cardio-respiratory endurance - This area of fitness is the most important. It relates to an efficient heart-lung system in our bodies. The ability of this system enables an officer to accomplish daily tasks safely without fatigue.
2. Strength - Good muscle tone and dynamic strength improve the ability of skeletal muscles to contract repeatedly and increase the strength of the muscles.
3. Flexibility - The ability of the body to stretch and have efficient range of movement is especially important in preventing lower back pain.
4. Body Composition - Linked closely with obesity and weight control, body composition is measured in terms of the percentage of weight which is comprised of fatty tissue. A high body fat percentage decreases body efficiency and significantly increases mortality risk.<sup>1</sup>

Most law enforcement agencies require physical fitness examinations as a prerequisite to employment. Law enforcement

officers are expected to be physically fit throughout their career, but officers, in general, do not get adequate exercise and eventually an officer's overall functional fitness tends to decline. A lack of exercise causes some officers to develop the illustrious policeman's belly which hangs over their Sam Brown gun belt. Job stress capable of reducing functional fitness becomes an everyday occurrence in an officer's life because of the nature of his responsibilities.

Some reasons for diminished functional fitness include the variety of work schedules to which law enforcement officers are subjected. Officers seldom get proper rest. They eat at fast-food-greasy-burger stops, over-indulge in coffee, and some develop tobacco habits. Modern technology, in an attempt to aid officers poses still other threats to functional fitness, since it tends to remove the necessity for physical exertion from the officer's work place other than in a small number of emergency or hazard situations.

In police work, these factors eventually erode an officer's functional fitness and, in all likelihood, lead to significant health problems. Not only is the degeneration of an officer's health injurious to that officer's well-being, a law enforcement agency also loses from reduced functional fitness, since it loses the full utilization of an adept and experienced officer.

Some advantages of physical fitness are: individual officers will gain endurance to perform routine and emergency

tasks without fatigue; officers will increase their strength and flexibility, as well as reduce obesity, all of which can decrease early mortality; and participation in a physical fitness program aids in stress prevention by the release of anxiety through physical activity. With fitness being related to an officer's body efficiently utilizing oxygen, the brain receives more oxygen, thus enabling an officer to establish a higher level of alertness. (IACP 1978) Training and education of such fitness programs will benefit an officer by emphasizing proper rest, which helps relieve tension; and proper diet, which gives the body energy.

When officers are physically fit, the Agency also reaps the benefit of a fitness program. Police agencies who have healthy and physically fit officers will witness reduced sick leave. Management will notice reduced disability retirements, energetic employees, increased productivity, and many other areas of business related increases due to healthy employees.

Another benefit of being physically fit is to increase survivability rate of law enforcement personnel. Research conducted on people who had been stricken with heart attacks, for example, has demonstrated that physically fit and functionally fit individuals have a higher survival rate than unfit persons. The same probability factor of survival was displayed in instances of trauma.

Law enforcement officers are becoming aware of the importance of physical fitness through education and research.

Emphasis on fitness may very well increase the officer's law enforcement career.

## PHYSICAL FITNESS AND THE LAW ENFORCEMENT OFFICER

The general public expects law enforcement officers to be functionally fit to perform their jobs. This public expectation places upon administrators the responsibility to keep their officers at acceptable levels of functional fitness. Since program validity is one of the most important factors in establishing a fitness program, administrators who want to institute physical fitness programs should follow certain implementation procedures. Programs which have been researched, established, and validated by the International Association of Chiefs of Police and the Institute for Aerobic Research are model fitness plans to follow.

Program validity can be divided into two requirements required to ensure the success of any functional fitness program: physiological requirements and legal requirements.

"Physiological validity is based upon solid physiological principles leading to fitness maintenance and adherence. Legal validity is administered and applied in a manner that is not arbitrary or capricious."<sup>2</sup>

The Institute for Aerobics Research and The International Association of Chiefs of Police have been recommending this implementation process, calling it "The Rational Evolutionary Approach" (hereafter "REA"). The REA program includes development and implementation components and has been adopted

by many local, state and federal law enforcement agencies over the past decade. REA also has withstood several court challenges.<sup>3</sup>

The following REA components are recommended to administrators planning to establish a program:

1. Research - The agency must evaluate and document the need for a fitness program with its personnel, and should focus the program upon the physical requirements of the job.

2. Program Planning - The REA program is designed by a committee consisting of the various employee work levels (e.g., patrolman, sergeants and administrators). This design will ensure overall department representation.

3. Program Definition - The agency should define functional fitness and the agency's purpose for adopting such a program. The program definition provides an explanation of the procedures and processes involved and makes sure that the employees understand the program.

4. Program Design - The overall REA design must meet the needs of individual employees. Meeting their needs includes the medical screening of the employees conducting a physical fitness assessment, setting fitness goals, providing initial nutritional education, furnishing educational



training techniques, soliciting feedback from each employee, and providing reinforcement to ensure widespread involvement.

5. Standards of Definition - The standards should consist of two goals: (1) To maintain the physiological readiness of an officer; and (2) to provide an officer the knowledge of his current physical condition and need for improvement by way of a physical fitness program (Collingwood 1988).

The procedures set forth by the REA in program development and implementation are a valuable asset. However, it is well known that differences exist between various departments, thus, it is advisable for an agency to consult a fitness expert prior to finalization and implementation of a physical fitness program.

## SETTING STANDARDS OF FUNCTIONAL FITNESS

Once an agency has organized a fitness program, a standard for physical fitness must be determined. The standards consist of validation, test selection, and norm definition. Validation establishes physical fitness in performance of an officer's job. Test selection is based on the effective measurement of physical fitness. Norm definition sets the norm cut-off and should be age and sex adjusted. For example, a 30 - 39 year old male would be expected to meet the norm cut-off associated with 30 - 39 year old males in the general population. Utilizing this norm definition, the 50th percentile is recommended as the cut-off if law enforcement officers are to be as fit as the average for the U.S. population. To date, there have been no court rulings against these types of norms.

Wichita Falls provides an illustration of an agency using the recommended areas of fitness as an entry test into their police academy. The Wichita Falls' fitness assessment consisted of cardiovascular function, body composition, flexibility, and dynamic and absolute strength. The test served to analyze fitness instead of physical agility related to certain tasks. The federal government filed a suit against

the City of Wichita Falls, et al., alleging that the City's assessment test discriminated against women.

The assessment test was developed by the Institute for Aerobic Research and measured general physical conditioning. In the case of United States of America v. City of Wichita Falls, et al, Civil Action No. 7-75-31-E, United States District Court, Northern District of Texas, Wichita Falls Division (1988), the trial court held that the Wichita Falls' assessment test used standards that compared women to women and men to men and therefore was valid. The assessment test also included an age differential for the levels of fitness. The court further held that the program was a professionally accepted means for measuring the general fitness of an individual. Administrators implementing fitness programs recommended by the International Association of Chiefs of Police and the Institute for Aerobic Research may lessen the chance of a negligence or discrimination finding by a court of law.

## PHYSICAL FITNESS PROGRAMS AND LEGAL ISSUES

Uninformed administrators are hesitant to implement physical fitness programs because of concern about the legality of their activities. Departments incurring vicarious liability also have drawn the attention of administrators over the past few years. There may be a legal issue of negligence for departments with unfit officers. Citizens who are hurt or placed in hazardous situations as a direct result or proximate cause of an officer's not being physically fit may attempt to hold the department legally liable for allowing an officer's poor physical condition to continue. A department may incur legal liability for having an unfit officer through a variety of questions: negligent retention, negligent assignment, negligent authorization of firearms, failure to supervise, failure to train, and/or a failure to direct officers to maintain a health status appropriate for an officer's optimum functioning in emergency situations (Carter 1982).

Another legal issue involving administrators is the threat of discrimination suits filed by employees once a fitness program has been instituted. In this instance, one must keep in mind that, "a program will not be legally sound unless it has been well planned and documented so as to

demonstrate that it is reasonable, job-related and non-discriminatory" (Carter 1982). Administrators will have to examine the fact that if their agency does not have a fitness standard, the agency may be held liable for negligence.

An issue concerning physical fitness also arises when an officer has resorted to excessive force in making an arrest. Parker v. District of Columbia, 850 F.2d 709 (D.C.Cir. 1988). The arrestee was shot twice by one of two arresting officers. There were several issues involved concerning a series of mistakes which left the plaintiff a paraplegic. The officer involved in the shooting had been off-duty with a fractured shoulder until two months prior to the incident which gave rise to the lawsuit. The officer was not in adequate physical shape and his condition posed a risk of harm to others. The officer's physical condition was deficient because his agency was deliberately indifferent to his physical training program. Under the "Deliberate Indifference" Standard,

...a municipality's inadequate training of police can give rise to liability under § 1983 if (1) the training is so grossly negligent or reckless as to reflect deliberate indifference to the constitutional violations that will inevitably result, and (2) the inadequate training is the moving force behind a violation of plaintiff's constitutional rights. (Parker at 720.)

Parker argued that the officer's inadequate training deprived Parker of his Fourth Amendment right not to be seized with unreasonable force. The court found the officer to be

inadequately trained in terms of arrest procedure and physical aptitude.

Parker further alleged gross recklessness in not establishing minimum physical fitness standards for officers (Id. at 726). The court held that the officer's deficient training was a substantial factor in bringing about the plaintiff's injuries. The unreasonable use of deadly force was an immediate cause of such harm (Id. at 714). Parker received a jury award of \$425,046.67 in damages.

## PHYSICAL FITNESS PROGRAM COMPARISONS

The current physical fitness program manuals of three law enforcement agencies were reviewed by the researcher: (1) the Midland Police Department (Midland, Texas), (2) the Denver Police Department (Denver, Colorado), and (3) the Austin Police Department (Austin, Texas).

In terms of overall content, each agency implemented similar procedures and adopted many of the recommendations set forth by the Institute for Aerobics Research and International Association of Chiefs of Police. Each fitness program directed its participants toward functional fitness goals, utilizing a rational approach to validating and implementing its programs.

The training divisions of each respective agency were assigned the task of administering the program. Trainers were to assist participants in proper exercise techniques and nutrition.

Aerobic conditioning, body composition, strength, and flexibility were components in each of the programs. These factors were recognized as directly related to the risk of disease and the maintenance of physical capacity.

The manual for the Denver Police Department included additional information in the area of preventing heart disease

with articles from the Colorado Heart Association. Charts consisting of milligram measurements of cholesterol and sodium in food and beverages were included. A chart measuring milligrams of caffeine and calories in food and beverage consumption appeared to be very helpful for weight control for the participants.

Although the Denver Police Department manual included substantially more program information than the Midland and Austin manuals, all three programs presented virtually identical physical fitness programs. Each used similar fitness charts concerning fitness levels and similar approaches to separation of age and sex. Each program focused on comparison of fitness levels within the general population. Administrators of these agencies have adapted physical fitness programs for their individual agency needs.



## CONCLUSIONS

Physical fitness issues today are changing not only the lifestyles of law enforcement officers, but their attitudes and views of the work place as well. The law enforcement field has been years behind the general public in recognizing the importance of having physically fit employees. Researchers and physical fitness experts have publicized programs for reducing the risk of heart disease, specific illnesses, and for preventing early death.

Police officers, as individuals, are part of the general population, yet they fall victim to heart disease, job stress, and obesity more than the average person because of the nature of their work. Modern technology has also contributed to the officers' demise by making his job easier, thus reducing physical demands. The many demands from the general public and from law enforcement administrators generate an enormous amount of stress with which officers must cope on a daily basis.

Many health factors have been stressed by experts in fitness programs that emphasize functional fitness. Prominent among the various viewpoints are those held by experts who view functional fitness and physical fitness as having the same meaning. In view of this school of thought, a focus upon

aerobic power, strength, flexibility, and body composition will maintain the fitness of law enforcement officers throughout their careers.

Law enforcement administrators invest a lot of time, training, and resources to keep and maintain competent officers, since competent personnel are an obvious asset to the agency. Administrators cannot afford to lose officers due to extended illnesses. An officer's fitness may be one of the life-long benefits an administrator can add to the law enforcement profession.

Administrators are faced with many problems in the field of law enforcement. Decisions which are made today may affect not merely their agency, but the entire law enforcement field with regard to various liability issues in the future. In this regard, a physical fitness program may be one of the most important programs an agency can implement. Research has demonstrated (Collingwood 1988) the advantages of a fitness program that help defend an agency in negligence lawsuits while simultaneously benefitting the individual participants. On the other hand, research has not demonstrated any disadvantages of implementing a physical fitness program developed under the guidelines set forth by the Institute for Aerobic Research and/or the International Association of Chiefs of Police. The increasing number of agencies adopting functional fitness programs represent a promising trend in law

enforcement, one capable of bringing the law enforcement profession, as a whole, toward a healthier 21st century.

## ENDNOTES

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