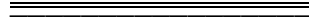
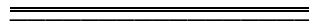


**The Bill Blackwood
Law Enforcement Management Institute of Texas**



CruiseR Control – The Wheel to Win



**A Leadership White Paper
Submitted in Partial Fulfillment
Required for Graduation from the
Leadership Command College**



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May 2016**

ABSTRACT

Law enforcement agencies across the nation have neglected the need for advanced driving training, as well as the need for a change in the way law enforcement professionals do business relative to operating emergency vehicles. Many progressive law enforcement agencies throughout the nation have embraced more intensive driving training by implementing what some refer to as tactical driving training. On the other hand, some have failed to acknowledge the fact that until recent years, law enforcement has lost more officers in the line of duty due to vehicle crashes than the profession has lost to felonious assaults or any other line of duty cause of death (www.odmp.org).

There is no doubt that any law enforcement line of duty death is a tragedy and therefore, affects the entire law enforcement community. However, when pondering on what can be done as an industry to reduce the number of law enforcement officers lost in the line of duty each year, the decision and policy makers must focus on that of which officers have the most control over; and that is one's own actions and behavior. No one can predict the next ambush-style attack or the next bank robbery shootout, but what can be predicted is that if officers drive their police vehicles at unnecessary high rates of speed and especially while not wearing safety restraints, injuries and or fatalities are fairly predictable should a crash occur. Thus, according to Gordon Graham, a notable Risk Management expert, if it is predictable then it is preventable (Ashton, 2016). In establishing and requiring more driving training and an effective policy for how officers respond to calls for service, as well as pursuit driving, will certainly reduce in the number of officers killed in the line of duty each year. In addition, the number of innocent citizens injured or killed each year, as well as civil litigation, can be reduced.

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INTRODUCTION

The earliest forms of law enforcement were implemented some 350 years ago with the idea of walking beats in the night hours to protect citizens. Since the inception of the policing concept, it has evolved into many different forms and theories relative to how the job tasks ought to be carried out. What has remained is a common trend in the mission to “serve and protect.” Many scholars and theorists alike have offered a number of policing practices, theories, and principles that have led up to the many best practices employed all over the nation today. Additionally, the evolution and development of policing has changed with the invention of modern day technology. This includes the many types, models, and designs of modern day vehicles that are driven by law enforcement professionals across the nation. Such enhancements have brought about a number of positive changes such as safety features and advanced electronic components. However, these changes have brought about their share of troublesome or negative problems such as faster speed and the less sturdy or lightweight material in which vehicles are constructed with today. While these advancements are critical in being proficient in today’s world, they may very well place more risks on operators of vehicles on the roadways today.

It was not until recent years that vehicle crashes relative to a law enforcement officer’s line of duty death began to get some notable attention. This came about in April of 2010 when several contributors to *Law Officer Magazine* were attending an International Law Enforcement Educators and Trainers Association Conference and began to reflect on the number of officers that had been killed in action in previous years (www.below100.org). According to the Officer Down Memorial Page, the law

enforcement profession lost more officers in the line of duty to vehicle related incidents from the years 2000 to 2010 than any other cause of death recognized by the profession (www.odmp.org). In fact, during this time period, there were more police officers killed in the line of duty to vehicle related incidents than to gun fire and felonious assaults combined (Officer Down Memorial Page, 2016). While every line of duty cause of death is important and while there are hopes that line of duty deaths did not exist, the hardcore reality is that the law enforcement community will always suffer line of duty deaths. However, some of these line of duty deaths just does not have to happen, as they are sometimes “self-inflicting”.

Law enforcement training is often thought to involve developing investigative techniques, enhancing tactical abilities, and employing new technology in the world of advanced law enforcement practices with respects to officer safety. With this, law enforcement agencies and those professionals tasked with serving and protecting train to combat the felonious assaults, which has no doubt been on a rise here recently. Yet, how law enforcement officers are killing themselves is hardly ever talked about on a national platform. The bottom line is that up until 2011, law enforcement professionals were being killed in vehicle crashes at a much higher rate than anyone cared to discuss or acknowledge. In fact, this was happening so frequently that Chuck Miller, a notable FBI analyst who has studied the way in which law enforcement officers are being killed in the line of duty stated, “it is more dangerous to give a police officer a car than it is a gun” (Below 100 Charleston, n.d., pg. 6). So one may wonder why police officers speed and refuse to wear seatbelts. The answer to the old joke is “because they can.” However, it is not funny anymore, and it is definitely no longer taken as a joke. It is not

a laughing matter that law enforcement agencies, family members, coworkers and the entire law enforcement community have to grieve because of the neglect of two preventative measures, or what can be referred to as “actionable items.” These actionable items are seatbelts and speed (Below 100, n.d.). In an effort to professionalize the industry, law enforcement agencies should develop and enforce policy, enforce state law, and implement advanced emergency vehicle response training.

Moreover, it is imperative that law enforcement agencies understand the importance of employing an annual or biennial initiative to redirect bad driving behaviors and remind officers that operating a vehicle in the course of their duties is the most dangerous, but overlooked day-to-day task in law enforcement. In doing so, this will not only ensure that police officers line of duty deaths and or injuries are drastically reduced but also reduce the amount of unnecessary risks placed on innocent bystanders. This is especially important in the environment in which law enforcement officers operate in now, where public trust is at the forefront of everything law enforcement officials do. In fact, the mood of the environment seems to be “who’s watching the watcher.” Thus, it is all too important for law enforcement professionals to operate with the utmost regard for public perception. This once again prompts the question of why police officers speed and neglect to wear their seatbelts while in patrol vehicles. Simply put, it comes down to a cultural attitude in which police officers think they can drive however they want with little or no regard for obeying the transportation code.

Law enforcement officers doing whatever they want to do may hold some truth back in the old days but modern day policing has changed dramatically, and law

enforcement officials are being scrutinized and held to a standard that has never been seen before. Evidence of such adage has not only been seen in specific events related to use of force, but also where officers have been the at-fault party in vehicle crashes. These incidents have gained special attention and report coverage by major news outlets. There have been special reports aired, such as the report by NBC News, which have revealed a large number of on duty crashes involving police officers. Such news reports have revealed that police officers had practiced some unsafe driving behaviors and in many instances, were at fault in these crashes. In some of these reports, the media analyzed and scrutinized the number of crashes involving law enforcement officers and cited unnecessary speed and driving distracted as a likely causation of such crashes. According to a report by NBC News Reporter Tom Costello (2012), “modern police cars are loaded with distractions: cell phones, a computer, and license plate scanners that are all contributing to more accidents involving officers” (para 1). In another effort to bring attention to this serious issue, the Today News media outlet aired a story that gave reference to the fact that researchers are striving to solve dangerous, distracted driving by cops (Rossen & Davis, 2015).

POSITION

While there are many different types of law enforcement agencies and organizations across the nation to include: local, county, state, federal, and even tribal, most law enforcement officers are primarily tasked with protecting life and property to some degree. Agency personnel is the most essential asset to any community when it comes to the safety and welfare of its citizens. In fact, if polled, most law enforcement professionals might add that the reason for getting into law enforcement was to help

people. Like any other industry, though, the first order of business should always be self-preservation, especially when it comes to self-inflicting harm or danger. The responsibility or obligation is not solely that of individual officers; it is also the responsibility and duty of the agencies where officers are employed. Moreover, law enforcement agencies have a duty, responsibility, and obligation to ensure they have the most highly trained professionals, particularly because of the tremendous amount of power, authority, and risks associated with being a law enforcement officer.

Prior to 2011, the number one cause of death amongst law enforcement officers involved auto-related incidents. To be fair, this not only included traffic collisions but also incidents where officers had been struck by automobiles. However, traffic collisions accounted for a majority of these deaths. According to the Officers Down Memorial Page (ODMP), 416 law enforcement officers were killed in the line of duty as a result of a traffic collision (www.odmp.org). The only way to protect employees from injury and death is by taking the time to understand how and why officers are getting injured and killed (Kasper, 2015). Simply put, it comes down to diagnosing and identifying the fact that those “actionable items” referred to earlier are still being neglected. According to the U.S. Department of Transportation, National Highway Traffic Safety Administration (2011), in 733 fatal crashes between 1980 and 2008, 42% of officers were not using seatbelts and or safety restraints. In addition to that astounding figure, since 1980, more than 150 officers have been ejected from their vehicles and died in automobile crashes. These numbers can only leave one wondering why law enforcement officers, who often respond to fatal crashes or serious

injury collisions where speed and seatbelts was a key contributor, would engage in the same bad driving safety practices.

Law enforcement officers, above any other profession, are held to a much higher standard in the eyes of the public. While all professions should be held to a high standard, the law enforcement profession depends upon the public's trust more than any other industry. Encompassed in trust, citizens have an expectation that law enforcement officers will protect them at all costs. This means that collateral damage is not acceptable and neither should it be. However, the way in which law enforcement officers respond to calls for service places innocent citizens in grave danger each day. More than 5,000 bystanders and passengers have been killed in police car chases since 1979, and tens of thousands more were injured as officers repeatedly pursued drivers at high speeds and in hazardous conditions, often for minor infractions (Thomas, 2015).

Although some agencies have been proactive in drafting and addressing policies relative to the operations of patrol vehicles while engaged in emergency driving, there are still a large number of agencies that place unnecessary risk on the general public. For example, while best practices amongst law enforcement agencies across the nation is that police officers will not engage in high speed pursuits where the origin of the traffic stop is a class c misdemeanor. Some agencies have not yet addressed this concern. In response, or the lack thereof, innocent bystanders are continuing to be injured and or killed in collisions with police vehicles. In addition, most law enforcement agencies are dispatched via their communications center by "script". This simply means that the call taker receives a call and hands it down to the radio dispatcher. Thereafter, according to

the information plugged into a computer software system, each call is assigned a “priority” level (Raguso, 2014). For agencies across the nation, the way they rate or assign their priorities may vary. However, officers are still taking unnecessary risk when responding to some of these calls that are often times low-risk calls in the first place. To put this in context, hold-up alarm calls for most agencies are categorized as a high priority or emergency call. The problem with this is that if a survey were given, most officers would probably say that the majority of hold-up alarm calls are false calls or human error. So if this is the case, one would think that law enforcement agencies would evaluate and modify their policies to address this issue. In doing so, this will not only reduce the risks placed upon the officer but also minimize the risks placed on the public.

Law enforcement agencies across the nation find themselves tied up in civil litigation more often than they probably want to, especially today where there are so many eyes on law enforcement officers. It is no secret that police officers are working under intense scrutiny, given some of the recent and controversial incidents that have surfaced. Nonetheless, society wants to ensure that law enforcement professionals are held accountable for their actions, and rightfully so, considering the amount of power and authority afforded to law enforcement officers. While the training given in the area of driving is minimal, the general public still expects law enforcement officers to be not only professional but perfectionists in every aspect of the job. This is no different when it comes to operating police vehicles. However, this would not be the case in November of 2007 when Illinois State Trooper Matt Mitchell killed sisters Kelli and Jessica Uhl in a traffic collision after driving his patrol vehicle at more than 120 miles per hour while

responding to a low priority traffic crash. Surprisingly though, this was not the first time Trooper Mitchell had been involved in a traffic crash that resulted in the injury of an innocent bystander. Prior to killing the Uhl sisters, Trooper Mitchell had been involved in a traffic collision by which the Illinois State Police was ordered to pay the victim of that crash 1.7 million dollars (Rossen & Davis, 2015, para. 1).

Not only is there a negative monetary connotation attached to injuring innocent citizens, there is also a chance a police officer could lose his or her liberty for what they believe is simply trying to do their job. While not always broadcasted or advertised, for lack of better words, according to a presentation in a Below 100 Intensive training seminar (2014), more law enforcement professionals across the nation are charged with or indicted for a criminal offense due to on duty traffic collisions. For some reason though, the events seem to have a small and subtle impact on the way police officers conduct their day to day business. Evidence of this is that these incidents continue to occur and no one seems to talk about it on a national scale.

COUNTER POSITION

Although the training function is a critical and significant function of any agency that is concerned about quality, productivity, liability, and morale (Ashton, 2016), some agencies still fall short of staying current and proficient. Nearly every component of government, law enforcement agencies included, is constrained by a budget that is usually set by their governing authority. This is no different when it comes to a training budget. Often time's, law enforcement agencies find themselves trying to determine how to get the best return on their training investment. The problem is that agencies do not recognize that driving is the most often and most dangerous task performed during

the course of an average shift. The unfortunate thing is that emergency driving training usually does not rise above some of the more interesting and or exciting training courses. Therefore, driving training is often neglected or given minimal attention in terms of importance. For example, in reviewing the Basic Peace Officers Course (BPOC) curriculum from the Texas Commission on Law Enforcement (TCOLE), the amount of driving training received in the basic academy is only 16 hours out of 800 plus hours of course work required to become a Texas Peace Officer (TCOLE, 2013). While the state should mandate or require more attention towards emergency driving, law enforcement agencies should also implement advanced driving training programs such as the Below 100 Intensive training, Beyond the Cones, Distracted Driving for Law Enforcement, which is provided by Texas Municipal Police Association, or something compatible. Programs like these, which are often minimal to no cost, have a significantly small impact on an agency's budget and will effectively enhance one of the most important skill sets needed in policing, which is operating an emergency vehicle.

As enforcers of the law, law enforcement agencies and officers alike know and understand the effectiveness of seatbelts and emergency driving laws. Not only is seatbelt use addressed within the law, it is also attended to in most government organizations' vehicle operations policies. According to Magnolia, Texas police department's vehicle operations policy 7.14 (2010), seatbelts and shoulder straps shall be worn by all passengers during vehicle operation. This means that often times, it is not the lack of having laws and policies to govern vehicle operations guidelines but enforcing them.

For many years, police officers have used the excuse that seatbelt wear in a patrol car is tactically unsafe. The reason has often been fear of being stuck in the patrol car if ambushed. However, law enforcement practitioners forget to compare and contrast the likelihood of being ambushed to the probability of being involved in a vehicle collision. In addition to the myth of being ambushed, officers will often say that they do not wear seatbelts because they want to be able to exit their patrol vehicles fast when arriving at a call for service. Not only is this reason trivial, it is also practical to say that police officers tend, whether consciously or subconsciously, to place convenience ahead of their own personal safety. According to Yates (2011), he noted that in the course of bringing about the fact that officers are being killed at a high rate in traffic collisions, he was shocked after analyzing and reviewing the reasons why police officers are not wearing seatbelts. There are ways to overcome this myth, though. When it comes to operating an emergency vehicle, law enforcement officers should think “tactical.” According to public safety specialist Deakins (n.d.), there are proven techniques in how and when to take the seatbelt on and off and ways of perfecting the technique so it becomes a natural response. Officers just need to embrace the fact that seatbelts are a necessity and refrain from making these repeated and often times fatal mistakes.

RECOMMENDATION

It is imperative that law enforcement agencies development policies and enforce them in order to save lives, money, and liberty. Not only do police officers have a duty to protect and serve without placing unnecessary risks on the general public, agency administrations also have an obligation to ensure officers are performing their duties in

the safest manner possible. Training and policy enforcement is essential to the law enforcement profession. Additionally, agencies must allow for advanced emergency vehicle response training to compliment an annual or biennial initiative to redirect bad driving behaviors and remind officers that operating a vehicle in the course of their duties is the most dangerous day to day task in law enforcement. Although funds and resources seem to be a common denominator relative to the lack of training, there are some programs that are at either minimal cost or free to agencies and their officers. Some of these programs include the Below 100 Intensive Initiative, which is a direct focus on reducing police officers line of duty deaths, as well as Beyond the Cones and Distracted Driving for Law Enforcement Officers. Relative to policy, one of the simplest things to do is to ensure that all personnel adhere to state law. Officers are not exempt from state law and should be wearing seatbelts when operating a patrol vehicle. Inclusive of state law, most respectable jurisdictions have departmental policies that police officers are to adhere to. Such language in these types of policies usually includes or states that all personnel must adhere to all of the laws of the state, to include the traffic code. If just a few minor adjustments are made, the law enforcement profession will see a reduction in law enforcement line of duty deaths. So, in an effort to be proactive in reducing law enforcement line of duty deaths and reducing unnecessary risks placed upon innocent citizens, law enforcement agencies should develop and enforce department policy, employ enforcement of state law, and implement advanced emergency vehicle response training.

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APPENDIX

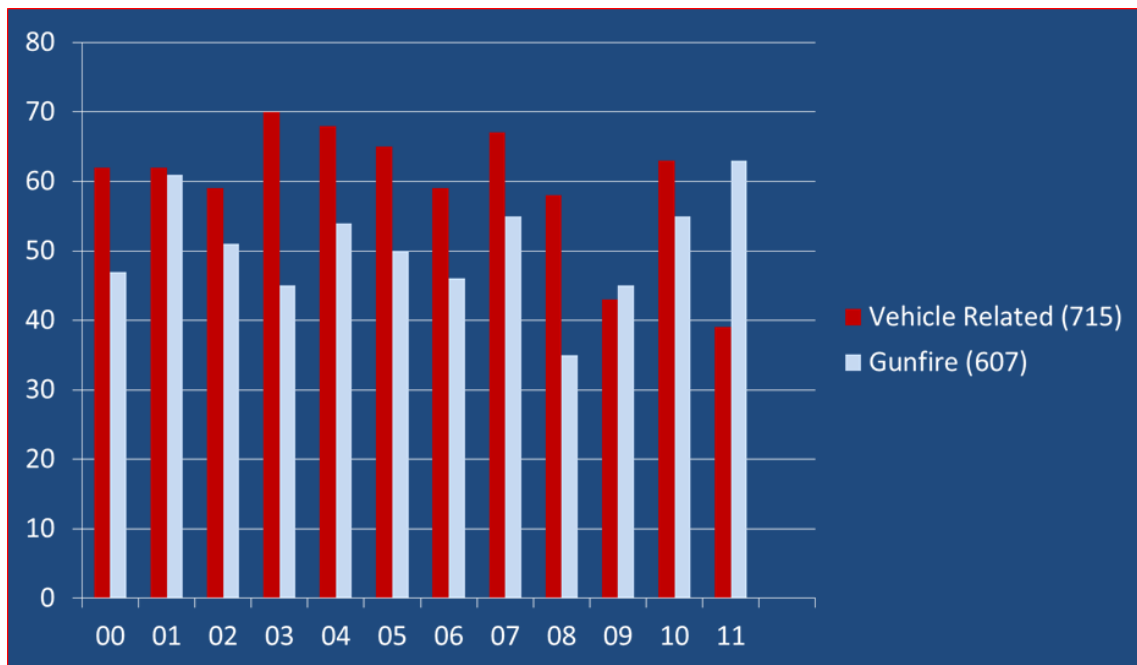


Figure 1. Law Enforcement Line of Duty Deaths (Below 100, n.d.).

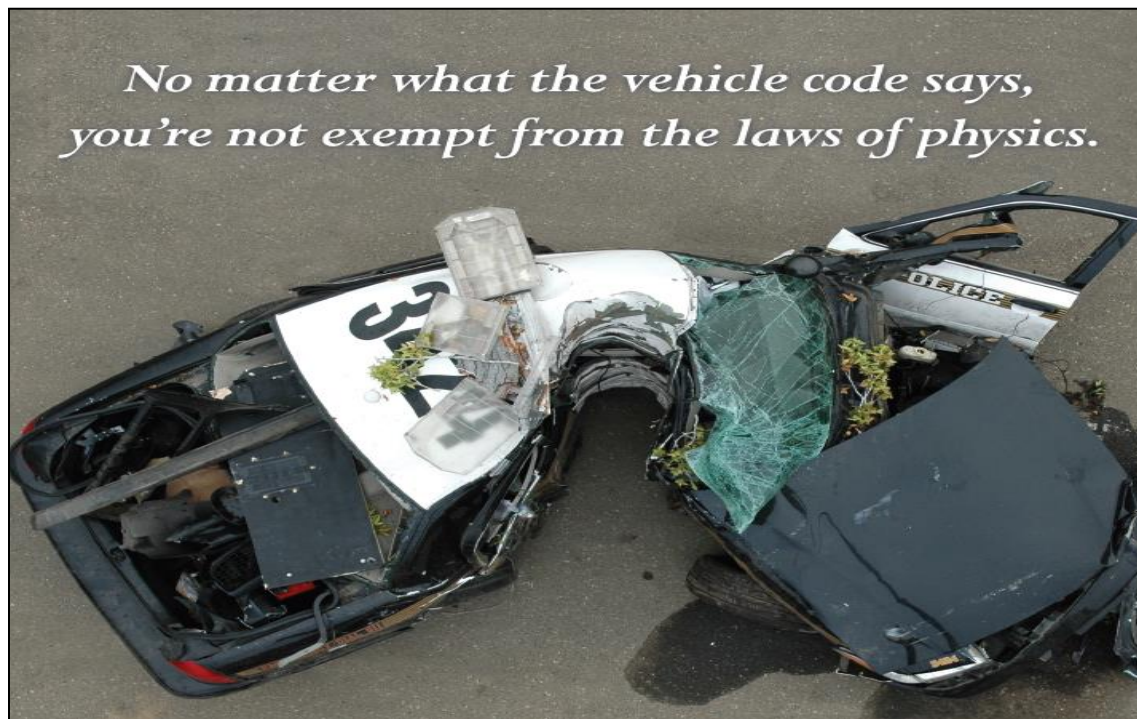


Figure 2. Laws of Physics (Below 100, n.d.).