

Law Enforcement Driving Task Force
Friday, April 6, 2012
Meeting Minutes

Agenda Item 1: The Law Enforcement Driving Task Force was called to order at the Florida Highway Patrol Troop C Headquarters in Tampa, Florida. The following task force members were in attendance: Colonel David Brierton (Florida Highway Patrol), Chief Brett Railey (Florida Police Chiefs Association) and Sheriff Tom Knight (Florida Sheriffs Association). Dr. James Sewell was the facilitator of the meeting.

Participating as committee members by telephone were Major Ian Moffett, Director Jennifer Pritt, Chief Dwight Floyd, Director Lori Mizell, Deborah Moody, and Terry Baker. Chief Grady Carrick, Sergeant Kim Montes, Captain Bryan Hudson, Lieutenant Charles Broach, Donna Suereth, Lieutenant Thomas Pearson and Captain Mike Pelfrey participated in the audience.

Agenda Item 2: Dr. Sewell introduced himself and explained the purpose of the task force was to address the concerns about driving habits of law enforcement officers, including crashes and excessive speed. The goal was to define the charge for the task force and begin discussing the issues.

Agenda Item 3: Colonel Brierton said the FHP's mission is to reduce crashes, fatalities, injuries and property damage. He thought it was important to take that focus and emphasis and look at the law enforcement profession in the same perspective. It is affecting FHP members and law enforcement officers in general. The public expects officers to conduct themselves appropriately. Speeding is an ethical issue that should be addressed within the organization. Areas of focus are policy, training, ethics and behavior modification which will lead to a safer driving environment for law enforcement officers.

Chief Railey appreciated the opportunity for the Florida Police Chiefs Association to participate. He was encouraged that Chief Carrick's research indicated that 2010 was lowest rate of law enforcement vehicle crashes in the five years that were studied. Some of the things that are being done are moving us in the right direction but there is room for improvement.

Sheriff Knight representing the Florida Sheriffs Association is interested in developing best practices and behavior modification for those violating best practices. He wants to develop something that is fair and practical and will allow deputies, police officers and troopers to do their job.

Agenda Item 4: The Task Force determined they should review the following issues:

- changing employee behavior
- ethics/public trust
- identify the root cause of crashes and ways of prevention
- driving training facilities (limited facilities)
- ensure we don't inhibit the ability of officers to do their jobs
- identify best practices
- examine the length of service compared to number of crashes (basic versus post-basic training needs/issues)
- need public education component of the Task Force efforts
- distinguish between aggressive and assertive driving
- determine if there is a need for mandatory retraining, should examine specific requirements, including provision of classroom training

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- ensure agency accountability and ownership
- ethical decision-making at in-service level and weaving of ethical behavior into field training officer programs
- review age and demographics of law enforcement personnel involved in crashes
- accreditation standard language to force agencies to address these issues
- distinguish between officer-involved crashes and errant driving behavior

These issues fall into several areas that comprise the framework of the charge:

- training
- leadership responsibility
- policy
- practices
- public education
- statistical analysis

Major Moffett said he thought policy and practice should be in a category together but training and leadership responsibility should stand alone.

Agenda Item 5: Chief Carrick presented the findings of a report he and members of the University of Florida wrote several years ago on patrol vehicles crashes in the State of Florida. He then updated the research to include information from 2009-2010. Some of his findings were:

- During the period 2005-2010 they reviewed data on 44,536 reported law enforcement vehicle crashes involving 45,184 law enforcement vehicles. They resulted in more than \$142 million in total damages, 14,117 injuries and 131 fatalities. There are about 7,000 law enforcement crashes a year and about 20 involve a fatality. The vast majority of the fatalities are not officers.
- In a 1996 study the IACP created a rate of crash per million miles traveled and Chief Carrick and his team surveyed agencies to determine if anything had changed since then. Florida's rate of crash is slightly lower than the national average in 1996 (although that was 20 years ago).
- Day of the week and time of day did not seem to make much difference.
- They examined the data for 2008 and there were similarities between law enforcement and the general population crashes.
 - Crashes usually occurred on straight and level roads; a few more law enforcement crashes at night; weather is usually not a factor; work zone, pedestrian and bicycle crashes are lower for law enforcement than the general population.
 - There are 39 harmful events available in a crash report. Over a quarter of law enforcement crashes are coded as other which is difficult for data collection.
 - The incidents that are higher are colliding with objects, backing, and colliding with parked vehicles. Animal collisions were significantly higher maybe because of driving at night in rural areas.
 - Damage severity is significantly less probably because of reporting thresholds.
 - In approximately 40 percent of law enforcement crashes, the vehicle was moving at 10 miles per hour or less.

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- Vehicle defects are rare, but the trend could be interesting since agencies will be dealing with aging fleets.
- Driver characteristics are similar between law enforcement and the general population. The category for no improper driving for law enforcement is 45.9 percent. Careless driving is 13.8 percent, improper backing is 8.4 percent and driver distraction is .8 percent (higher than general population).
- Pursuit operation does not change the injury or damage percentages. Emergency operation increases injury slightly and disabling vehicle damage occurs slightly more often. There are more pursuit and emergency vehicle operations at night at higher speeds. Weather, roadway character, and work zone are not significantly different when breaking out pursuit and emergency operation activities.
- Summary of findings – typically low speed events; many happen at intersections; the law enforcement vehicle is moving straight, slowing, stopped or parked; many are rear-ending, backing and involving a fixed object; and during daytime and good conditions and normal operating mode. Law enforcement does not contribute to crashes disproportionately in comparison to the general population. Speed, injuries, severity and damage all increase during emergency operations though the culpability of the operator does not.

Dr. Sewell asked if seat belt use in crashes could be captured. Chief Carrick said he could probably pull out of the data. Colonel Brierton mentioned that FHP was developing an early warning system for crashes and they would share with any interested agencies.

Chief Railey commented that Chief Carrick's abstract showed that law enforcement crashes involve vehicles that were stopped 14 percent of the time and about 80 percent involve speeds of 30 miles per hour or less, which was significant given the public perception. The media predominately focuses on high speed, emergency operations and pursuits. It is part of the public education that we need to emphasize.

Donna Suereth discussed the issue of driver distraction with cell phones, computers, and radios while trying to identify violators. This is a contributor to low speed crashes. Agencies don't necessarily have the resources to purchase newer hands-free equipment. Chief Railey commended FHP for taking the lead in revising their policy dealing with distracted driving. The task force may use this policy language as a model.

Agenda Item 6: Dwight Floyd said the issues are addressed in the basic recruit academy, including basic driving and decision-making. Emphasis in basic and post-basic training leads back to policy, especially when it comes to pursuit driving. Training is not standardized on pursuit policy because it is agency driven and they emphasize following agency policy. They address distractions, including trying to read and input information in MDTs. They also address avoiding crashes, ethics, obeying laws and regulations, driving safe distances and backing. The curriculum correlates to the issues but does emphasize agency policy.

Donna Suereth said the required driving block is 48 hours of the curriculum. The top speed achieved in this training is 45 miles per hour and does not include pursuit driving. The training currently includes cornering, backing, night-time driving and driving with emergency equipment on. Sheriff Knight said he would like to provide high speed pursuit training but there is no facility for many agencies. Donna Suereth said scenario-based training has been focused on

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firearms training but perhaps it could be used for driving. Mandating any training could be a budgetary issue for some agencies. The use of simulators was discussed which would provide a safer environment but the expense is an issue. Major Moffett urged caution for mandatory training because of the logistics to get everyone on a range. He agreed with Director Pritt to use the existing means to put more emphasis on driving training. There is mandatory qualification for firearms because it has been determined to be high liability but most people don't take vehicle operations after basic training unless they are involved in an accident. Agency leaders need to stress the importance of safe driving procedures and decision-making processes. His agency uses a layered approach to training: on-line, roll call, classroom and field training. Captain Hudson said that driving is the one thing we do most in this profession and it receives the least training.

Agenda Item 7: Director Mizell said there was not a specific standard that addressed this topic but it could be included under Chapter 2 requiring a code or canon of ethics or in the Standard requiring a code of conduct. It could also be included in 22.01, traffic law enforcement, adding an agency's members or sworn law enforcement. They could also add a standard requiring an agency have a pursuit policy. Chief Railey said the task force would need to make a recommendation for agencies that were not accredited that would correspond to the goals for their agency. Only 35-40 percent of municipal law enforcement and sheriffs' offices are accredited.

Agenda Item 8: Dr. Sewell asked for comments on issues that had not been addressed. Major Moffett said they need to take a public stance right away to indicate that the task force is looking at the issue. Sheriff Knight said he thought they should also discuss the hindrances that would make it difficult to implement rules and policies. Those identified were:

- time
- budget
- adoptability of policy
- staffing and trainers
- facilities
- lengthy process to implement rules

Chief Railey said he would like some clarification on the problem, including how big and whether it is disproportionate to the general driving population. If it is not disproportionate, then what is the scope of the problem? The community can always be better but we have limited time and resources and they need to be focused in the right direction so citizens and those we protect get the best service out of their law enforcement agencies. Chief Carrick said he wanted to analyze the rate for law enforcement compared to the general population. Director Pritt said that agencies and associations could address errant driving behavior (speeding) right away without trying to follow up with an immediate mandatory training. Major Moffett said he thought it would be a great statement to see the Miami Police Department, FHP, FDLE and FPCA in their new training facility for a press conference to deliver this message. Dr. Sewell said he thought that Sheriff Johnson and Chief Sireci (presidents of the Florida Sheriffs Association and Florida Police Chiefs Association) would have no difficulty joining Colonel Brierton and Commissioner Bailey with a statement and discussion of what is being done by the task force.

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Agenda Item 9: The following issues were discussed:

- develop a public statement by the Associations, FHP and FDLE concerning the activities of this task force
- expanded data analysis by Chief Carrick
- leadership responsibilities
- training and linkage between policy and practices
- trainers and agency policy writers need to meet to ensure that directives are attainable
- subject matter experts are reviewing the information to determine what types of training can be implemented to curb the behavior and then follow-up with ethical decision making
- identify gaps in training
- best practices (performance and training)

Lieutenant Pearson said law enforcement officers are all drivers and should take ownership of the situation. Improper backing and driver distraction recruit training can be set up at low speeds and in-house inexpensively. People need to realize that wrecking a car is more than just a few hundred dollars damage. It can be a career ender and injure someone else.

Dr. Sewell said ownership goes back to ethical decision making which applies to driving and leadership. Too often, agency leaders haven't taken ownership of their personnel's behavior and it is their responsibility.

Captain Mike Pelfrey said he used this phrase: drive it like you own it – not like you stole it. If you think you own that car you will take better care of it.

Dr. Sewell said this brings us back to public awareness. The task force will begin with public awareness by telling what they are doing and expressing their concerns with the issues. After they are done they will present the results.

Colonel Brierton will work with FDLE, FPCA and FSA on a public statement. Data analysis will be performed by Chief Carrick and he will present his findings at the next meeting. Training and policy can be handled by working groups of training center directors and policy and accreditation experts. Leadership action can be communicated by the task force members to their associations maybe by conference training.

Director Pritt offered to add the topic to the agenda for the Executive Institute which is meeting in May. The Criminal Justice Standards and Training Commission and training center directors are also meeting and they could discuss the issue. Colonel Brierton and Major Moffett will be attending those meetings. Chief Railey offered to host any meetings that need to take place since he is in the middle of the state. Colonel Brierton offered the option of video conferencing from FHP Stations.

Colonel Brierton asked Major Moffett if he would chair the training committee and he agreed to do so. Colonel Brierton also wanted to include policy SMEs on the training committee to get the policy impact. Dr. Sewell suggested getting additional participants from the FSA and FPCA and include Director Pritt and her staff for technical support. Major Moffett will work with Director Pritt to put it together for the next quarterly meeting.

Agenda Item 10: Colonel Brierton asked for comments from the public and Jim Hoffheimer, American Institute of Public Safety, said they provide the Roadrageous Aggressive Driver

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Behavior Modification class curriculum. It is strictly about behavior modification and they were selected by the U.S. Army to provide remedial driver training around the world. He was glad to see the task force is recognizing that behavior is the problem. Whether it is about driving or firearms or anything else it is about the choices you make. They don't teach people how to drive safely; they know how to drive safely. They are choosing not to drive their cars safely. Although some people don't believe behavior can be changed, it can be done. They have had success with their program. If there is anything he can do to help he would certainly like to do so.

Jim Woffart, Driver Assessment Plus, provides an on-line emergency driver training program that addresses some of concerns discussed. Their on-line course allows officers to complete the program at their leisure. You don't have to gather people or take them away from their jobs so it is a cost effective approach. He would be glad to send some information. The program could be put in place tomorrow and they will offer each agency a free demonstration.

Dr. Sewell reiterated that the task force will be governed by the Sunshine law. Meetings will be conducted in public, properly noticed and with full transparency. The meeting was adjourned.