

**Law Enforcement Driving Task Force**  
**Wednesday, July 11, 2013**  
**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), Sheriff Tom Knight (Florida Sheriffs Association) and Chief Brett Railey (Florida Police Chiefs Association).

Participating as committee members were Major Mark Brown representing the Florida Criminal Justice Training Center Directors Association, Chief Glen Hopkins, Florida Department of Law Enforcement and Lieutenant Charles Broach, Florida Highway Patrol.

**Agenda Item 2:** Colonel Brierton requested approval of the minutes from the August 1, 2012 meeting. Chief Railey made the motion to approve, which was seconded by Sheriff Knight and the vote was unanimous to approve the minutes.

**Agenda Item 3:** Major Mark Brown, Florida Highway Patrol Training Director, presented the Florida Criminal Justice Training Center Directors Association's recommendations. The analysis indicated that these situations involve career tenured officers and their ethical decision to drive in excessive speed. Therefore, training related to the public expectations of law enforcement officers driving practices should be the focus of in-service training while not impacting funding. Training provides the opportunity to expose an officer to a variety of scenarios associated with an officer's ethical decision-making process. The more times an officer is provided training in this specific area, the more likely the officer will retain the information and make proper decisions. Agencies are also responsible for setting guiding principles and values associated with ethics and monitor their employees for compliance.

Officers shall successfully complete mandatory retraining in five areas:

- Human Diversity (no required number of hours). Discriminatory Profiling and Professional Traffic Stops may satisfy this requirement at the discretion of the agency.
- Domestic Violence
- Juvenile Sexual Offender Investigations
- Discriminatory Profiling and Professional Traffic Stops
- Use of Force

There is no required number of hours at this time. According to Florida Administrative Code, full-time, part-time, or auxiliary officers shall successfully complete 40 hours every four years, of in-service, advanced, or career development training courses.

To ensure law enforcement officers are mandated to attend training every four years, the following are options to consider for the mandatory training requirement:

- Option One - Modify the current broad based Human Diversity requirement to be more specific to the course Training for Professionalism and Ethics with an emphasis on excessive speeding and aggressive driving. This course currently has goals and objectives that can be utilized to provide a detailed training program. This course should be a two hour minimum requirement which should be entered in ATMS and documented on Form 74.
- Option Two – Require a new course Excessive Speeding and Aggressive Driving to be a stand-alone mandatory requirement. The course goals and objectives from Training for Professionalism and Ethics can be utilized to provide a detailed training program.

**Law Enforcement Driving Task Force**  
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**Meeting Minutes**

Additionally, agencies may utilize their own customized curriculum or vendor-based programs that cover the ethical decision making process for excessive speeding and aggressive driving. This course should be a two hour minimum requirement which should be entered in ATMS system and documented on Form 74.

- Option Three - Continue with the current requirements for mandatory retraining. However, FDLE should issue a technical memorandum to agency administrators on the importance of conducting training on ethics related to excessive speeding and aggressive driving. The technical memorandum should suggest the use of the course titled Training for Professionalism and Ethics to accomplish course goals and objectives along with any other tailored programs an agency may deem necessary.

Colonel Brierton asked Mr. Hopkins if he would give FDLE's thoughts on these recommendations. Mr. Hopkins said they preferred option three. He thought the model policy was good and that adopting accreditation standards to incorporate a policy dealing with excessive speed was appropriate although only 50 percent of agencies are accredited. He did not think it was a training issue. The officers know how to drive; it is a behavioral issue. He did not want to mandate another training requirement.

Colonel Brierton said that the Florida Highway Patrol had incorporated the training into an Ethics program and Major Brown affirmed that they were in-line with option three.

Chief Railey said he preferred option three also. Starting and mandating a new course is overkill because it is not technical skills that the officers are having difficulty with – it is decision-making. Incorporating training on ethics related to excessive speeding and aggressive driving into an in-service training program would be the best option for his agency and most police agencies.

On behalf of the Florida Sheriff's Association, Sheriff Knight agreed on option three and said it is more of a behavioral and ethical issue.

Colonel Brierton agreed and said that was the direction the Florida Highway Patrol already took. Colonel Brierton asked Mr. Hopkins if Major Brown could work with him on the recommendations in option three and Mr. Hopkins agreed.

Chief Railey made a motion to support the Florida Criminal Justice Training Center Directors Association's recommendations contained in option three, Sheriff Knight seconded the motion and the vote was unanimous.

**Agenda Item 4:** Major Mark Brown, Florida Highway Patrol Training Director, presented the Florida Highway Patrol's approach to addressing Mandatory Retraining, Ethics/Driving Course, and the EVOC-101 Web Driving Training.

The Florida Highway Patrol purchased user licenses for all members to utilize the EVOC-101 web-based course. This five lesson course gives best practices for intersection approach, intersection assessment, clearing and departing intersections and distracted driving. The training was launched agency-wide in May 2013 and has a targeted end date of August 30, 2013. The training is to reinforce best practices and supplement current training.

In addition to the online course, mandatory retraining was conducted at the Training Academy this year, as opposed to completing the training in the field. During the training sessions

**Law Enforcement Driving Task Force**  
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**Meeting Minutes**

members were exposed to the highlights of the basic recruit driving curriculum in the classroom and spent eight hours on the driving track. They also received a four hour block of instructor facilitated ethics training and Colonel Brierton spent an hour or two with each group to reinforce the training and to discuss current issues. In this past year approximately 600 members went through the training. Members are on a four-year training cycle which will ensure that every member is back behind the wheel for an eight hour block.

The Florida Highway Patrol has also arranged for a group to deliver the Under 100 message to a group of instructors for a train the trainer program and the basic recruits. This group concentrates on ways to reduce law enforcement deaths under 100 each year. One of the five key points discussed in this presentation is safe driving speeds. The methods that are being taken to address issues are more in line with the third option suggested by the Criminal Justice Training Center Directors Association and focus on safe driving behaviors and ethical decision-making. The Florida Highway Patrol is taking this opportunity to reinforce the agency's position on this issue.

**Agenda Item 5:** Lieutenant Charles Broach, Florida Highway Patrol, reviewed the model policy that was previously distributed to the task force members by email. Deputy Chief Bill McEachnie, Maitland Police Department, and Captain Mike Pelfrey, Sarasota Sheriff's Office, and the Florida Highway Patrol Policy and Accreditation Office assisted in drafting the policy language.

Sheriff Knight suggested adding a disclaimer for undercover operations to the statement "Operators shall not consume any intoxicants at least eight hours prior to operating an agency vehicle." Chief Railey agreed and thought the eight hour time-frame was too restrictive.

Chief Railey also thought the statement "Operators who are taking prescription or non-prescription medication that may affect their ability shall not operate agency vehicles" was not clear. He wanted to add a clause after "that may affect their ability" to operate a motor vehicle. There was also a typographical error in number five (pass should be past).

Chief Railey said he liked the policy; it was comprehensive and addresses issues an agency may have. He inquired about the early warning system that is required on the last page of the policy which was discussed in the previous task force meeting. Colonel Brierton said the system that the Florida Highway Patrol is developing will still be made available to agencies when it is finalized. Improvements are still being added to the final product. Chief Railey acknowledged the policy language would not restrict an agency to using only an automated process but it would be good to make one available for agencies. Lieutenant Broach offered to make the revisions and redistribute the policy for review.

Mr. Hopkins asked if the policy would be adopted by the task force on a statewide perspective and Colonel Brierton affirmed that it would. Mr. Hopkins said the requirement to hold a valid driver license from Florida may be too restrictive for some agencies on the State borders and suggested revising the language to "a valid driver license." He identified another typographical error (statues should be statutes). He thought the directive that "All agency members shall operate at a safe speed at all times" should be clarified by adding the word vehicle after operate. Additional typographical errors were identified in "Unless an immediate emergency exist" should be "exists" and "unapprehend" should be "unapprehended."

**Law Enforcement Driving Task Force**  
**Wednesday, July 11, 2013**  
**Meeting Minutes**

Mr. Hopkins asked if the policy should be referred to in the technical memorandum that FDLE would adopt. Colonel Brierton said the task force would issue a final report and post the report and the policy to the task force website. Mr. Hopkins said they could include the link to the task force website in the technical memorandum.

Chief Railey said he thought the task force recommendation suggesting the hands-free use of wireless communication devices is contrary to the National Transportation Safety Board's findings and recommendations relating to distracted driving. The task force may face criticism for that recommendation although he does support the recommendation. Law enforcement officers require the ability to communicate, multi-task and keep both hands on the wheel.

**Agenda Item 6:** Colonel Brierton asked if anyone had any items for discussion. Chief Railey said the task force had been very positive in identifying and discussing the issues associated with law enforcement driving. Chief Carrick's research that was presented at an earlier task force meeting determined that about 80 percent of law enforcement crashes involve speeds of 30 miles per hour or less, many officers were stopped and run into and many occurred during backing. The other 20 percent of crashes involve inappropriate decisions that are made and pursuit driving which is inherently dangerous. The findings of the research conducted by Chief Carrick and members of the University of Florida sets the records straight for anyone who would be critical of law enforcement driving in general. Chief Railey said he was still interested in determining whether law enforcement crash rates are disproportionate to the driving population's rate although it may be outside the scope of the task force. Law enforcement officers put themselves into positions the public does not by responding to emergencies but because of the training received, we generally handle it well. Chief Railey would like this information to be contained in the final report so that it is well documented.

**Agenda Item 7:** Colonel Brierton thanked everyone that participated in the project including those that were not at this meeting. A report will be written and sent to the task force members for review and then posted to the website with exhibits. There has been a reduction in crashes but an increase in being hit on the side of the road. The Florida Highway Patrol has begun adding conspicuity markings to its vehicles and will determine its effect.

Although this topic cropped up in a controversial manner, it has provided a beneficial opportunity to review the issues. Mr. Hopkins asked that when he and Major Brown had completed drafting the technical memorandum would the task force members like the opportunity to review. They agreed they would.

Colonel Brierton adjourned the meeting.