

Officer Driving Accountability

Evaluation of CJSTC Basic and Post-Basic Curricula

FLORIDA BASIC RECRUIT TRAINING PROGRAM: HIGH LIABILITY, Volume 2

Chapter 1 CMS Law Enforcement Vehicle Operations

This 48-hour course provides basic recruits the skills needed to operate a motor vehicle safely and deals with driving dynamics not experienced in normal driving. The course provides instruction for understanding the physical laws that affect vehicle driving, inspecting vehicle equipment, detecting and compensating for hazardous weather and road conditions, and using proactive measures to avoid a traffic crash. Basic recruits also learn how to overcome the challenges of driving in emergency mode while communicating with dispatch and remaining aware of the actions of other drivers. Through their training, recruits understand a vehicle's limits and their personal limits, and become aware of the effects of physiological and psychological stressors on driving. Basic recruits are required to demonstrate proficiency of driving skills through a series of practical exercises and pass a written end-of course examination.

Lights and Sirens: Preparation for Emergency Mode

The decision to operate a law enforcement vehicle in emergency mode is one an officer must never take lightly. Driving in emergency mode can place the officer and the public at risk. Responding in emergency mode or pursuing a vehicle is one of the most dangerous driving situations because the officer may experience psychological and physiological effects.

An officer must follow specific Florida laws that relate to the operation of emergency vehicles. Individual agency policies can add further restrictions to state law as to when and how officers will operate vehicles in emergency mode. Officers must revert to their specific agency's policy relating to emergency mode operation. Court opinions and legislation change laws continuously. Officers should consult their supervisor and their agency's legal advisor about issues specific to their agency to stay up-to-date.

VO910.1.A.3. Identify Florida Statutes that govern vehicles operating in emergency mode.
VO910.1.A. Identify guidelines for operating in emergency mode.

When in pursuit, the goal is to apprehend the fleeing violator. The violator's driving or the route the violator takes cannot be controlled. Therefore, driving is a reaction to the violator's actions while driving and after the driver stops. An officer must never let a violator's driving dictate the officer's driving. The decision to initiate a pursuit is the officer's to make. That decision is contingent upon the officer's knowledge of agency policy and Florida Statutes as well as current conditions and circumstances. An officer must weigh the risks to him- or herself and the public against the benefits of apprehending a violator after a pursuit. (VO910.1.)

CMS VEHICLE OPERATIONS INSTRUCTOR COURSE

Specialized Instructor Course 800

This 40-hour course prepares instructors to teach the CMS Law Enforcement Vehicle Operations Course for basic recruits. Student instructors demonstrate proficiency and competency as an instructor and, upon completion of the course, may apply to the Criminal Justice Standards and Training Commission for certification as a High Liability Instructor for Vehicle Operations. The course provides detailed instructions about conducting a basic recruit class, setting up a driving range for the practical exercises, and offers instructor techniques specific to driving exercises. Officer safety is stressed throughout the course.

FLORIDA BASIC RECRUIT TRAINING PROGRAM: LAW ENFORCEMENT, Volume 1

Chapter 1—Introduction to Law Enforcement

Values and Ethics

Values are principles, standards, or qualities considered worthwhile or desirable. They are core beliefs or desires that guide or motivate attitudes and actions. They also define the things we value and prize most. Therefore, they provide

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the basis for ranking those things we want in a way that elevates some values over others. Thus, values determine how people behave in certain situations. (IN002.1.C.1.)

Personal values are an individual's convictions about what is right and wrong, based on religious beliefs, cultural roots, family background, personal experiences, laws, organizational values, professional norms, and political habits. The personal values that a student brings to the academy shape the student's behavior. These are not the best values for making ethical decisions—not because they lack importance, but because they are not universal. A variety of influences shape an individual student's values. Examples of personal values include attitudes about work, courage, honesty, fairness, friendship, trustworthiness, respect, responsibility, compassion, service, self-discipline, caring, and citizenship. (IN002.1.C.2.)

Ethics is a standard of conduct based on moral duties and virtues that are derived from the principles of right and wrong. Ethics indicate how a person should behave (IN002.1.B.). *Ethical principles* are rules of conduct derived from ethical values. These values may give rise to many principles in the form of specific “do’s and don’ts.” Honesty is an important ethical value. Some of the characteristics associated with honesty include truthfulness and fairness (IN002.1.A.). *Ethical behavior* is principled, value-based decision making on a daily basis for personal or professional reasons.

Examples of ethical behavior in law enforcement are treating all persons with courtesy and fairness, refusing to accept or offer gratuities, preserving evidence, giving true and impartial testimony, **obeying all laws and regulations**, protecting the civil rights of all citizens, and respecting confidential and privileged communication. (IN002.1.)

FLORIDA BASIC RECRUIT TRAINING PROGRAM: LAW ENFORCEMENT, Volume 1 Chapter 2—Legal

Negligence

A common definition of *negligence* is failure to use due or reasonable care in a situation that results in harm to another (IN025.1.B.2.). For example, an officer is looking at the screen on her in-car computer while driving her patrol car. She doesn't see the traffic has stopped and rear-ends the car in front of her. Since the officer breached her duty to act with reasonable care, she and/or her agency could be held liable for the damages caused by the crash.

FLORIDA BASIC RECRUIT TRAINING PROGRAM: LAW ENFORCEMENT, Volume 1 Chapter 3 - Communications

One of the biggest problems with the MDT is the distraction it causes while an officer is driving and trying to read or input information in the MDT. to avoid causing a vehicle crash, the officer should never attempt to read or use the MDT while the patrol vehicle is in motion.

FLORIDA BASIC RECRUIT TRAINING PROGRAM: LAW ENFORCEMENT, Volume 1 Chapter 9 Traffic Stops (p.369)

The officer should use defensive driving techniques to catch up to the vehicle and follow at a safe distance. All lane changes should be signaled. A well-executed traffic stop should minimally affect normal traffic flow. Other drivers may slow down to see what is going on. This can cause a traffic jam or hazard. An officer may have to follow a vehicle for some time before initiating the stop. If backup is needed, the officer should request another patrol vehicle to help (LE279.4.). When an officer needs backup, he or she may need to follow the violator's vehicle for an extended period before help arrives.

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ADVANCED COURSE 107 MIDDLE MANAGEMENT Version 2008.07 Instructor Guide

Excerpt from Attachment

Law Enforcement Ethics: The Continuum of Compromise

Published by: *Police Chief* Magazine January, 1998 by: Kevin M. Gilmartin, Ph.D.; John (Jack) J. Harris, M.Ed.
Gilmartin, Harris & Associates.

Entitlement versus Accountability

Officers can develop an overwhelming sense of victimization and an intense resentment toward the supervisors and administrators who control their job role. This can lead to another dilemma—a sense of entitlement. Entitlement is a mindset that suggests “we stick together” and “we deserve special treatment.” The off-duty officer who is driving 30 mph over the speed limit and weaving in and out of traffic who tells his passenger, a concerned co-worker, “Relax, I have Master shield!” implies a sense of entitlement and feeling of impunity.

Entitlement allows both on- and off-duty officers to operate with the belief that many of the rules do not apply to them. Professional courtesy goes far beyond just giving another officer a break on a traffic violation. Officers are constantly faced with the dilemma of doing the right thing or doing what they know is right. The only way to change this sense of entitlement is to foster an environment of accountability—both organizational and personal accountability.