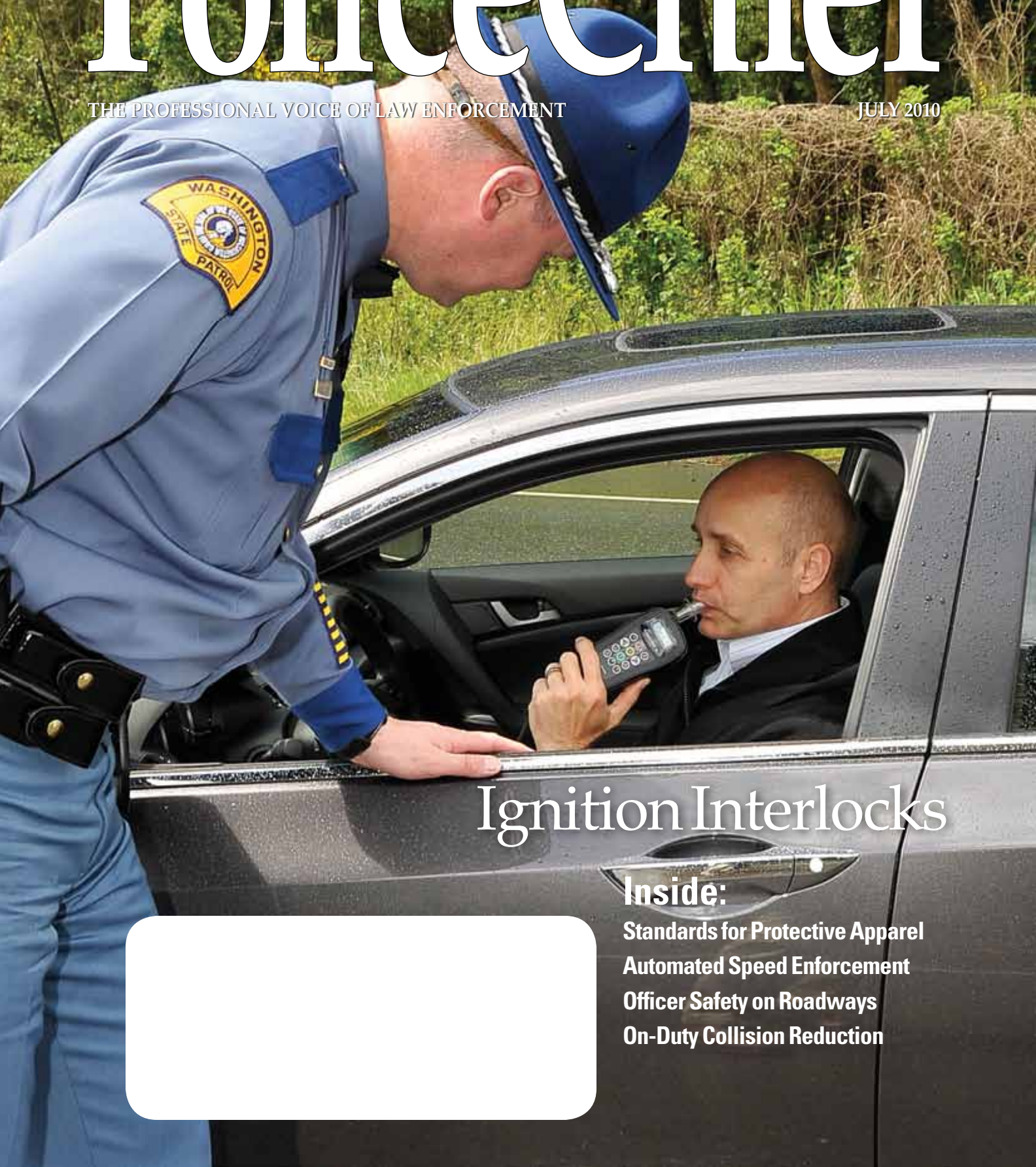


The Police Chief

THE PROFESSIONAL VOICE OF LAW ENFORCEMENT

JULY 2010



Ignition Interlocks

Inside:

Standards for Protective Apparel
Automated Speed Enforcement
Officer Safety on Roadways
On-Duty Collision Reduction





My Life History.

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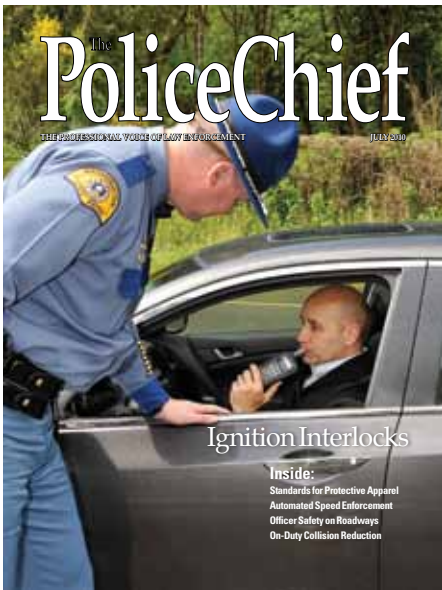
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The simple reason that alcohol-impaired drivers continue to drink and drive is because they can. Approximately 75 percent of people with a suspended driver's license continue to drive, according to the Transportation Research Board. Although not the only solution, ignition interlocks represent a technology intervention that reduces recidivism on the part of the alcohol-impaired driver. See pages 24–27 for an article discussing ignition interlocks. Cover photo courtesy of Washington State Patrol media relations.

The Police Chief

JULY 2010
VOLUME LXXVII, NUMBER 7

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Jim McMahon / *Deputy Executive Director/ Chief of Staff*

Charles E. Higginbotham / *Editor*

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Christian D. Faulkner and

Mara Johnston / *Member Services*

TGD Communications, Alexandria, Virginia /

Graphic Design and Production

Richard J. Ashton, Dianne Beer-Maxwell,

Patricia Casstevens, Carolyn Cockcroft,

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John Firman, Stevyn Fogg, Christina Horst,

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Prioritize Safe Driving during the Summer Season

As the summer holiday season begins, we embark on a fun and exciting time for many—vacations, warm weather, and family celebrations. Unfortunately for some, the joy of the summer season will be cut short by encounters with drug- or alcohol-impaired drivers on our streets and highways. Arrests, spending time in hospitals, or attending funerals are hardly the way most of us want to remember our summer. Yet tragically, far too many of our citizens will do so because of drivers who were unable to safely operate their vehicles.

Despite the best efforts of law enforcement and educational authorities, impaired driving remains a leading cause of death in many nations, and impaired drivers account for a significant percentage of traffic-related fatalities, injuries, and crashes. The threat to our citizens is grave. While the number of impaired driving fatalities has decreased significantly in recent years, there is still much to be done. According to the National Highway Traffic Safety Administration (NHTSA), about three in every ten Americans will be involved in an impaired driving crash at some point in their lives.

Impaired driving is one of America's most frequently committed and deadliest crimes—in 2008, 37,000 families lost a loved one. Speed, alcohol, distracted driving, and lack of proper restraint use continue to confound law enforcement efforts to keep motorists safe and secure.

However, highly visible and sustained law enforcement efforts, more effective domestic and international safety laws, new motor vehicle safety technologies, increased resources, and improved highway infrastructure have helped the United States and other countries significantly reduce fatalities.

Much progress has been made in law enforcement's efforts in traffic safety initiatives; the overall number of crash-related fatalities in 2008 was 37,261, the lowest it has been since 1961—even though we now have more people on the road traveling longer distances. A recent National Occupant Protection Use Survey (NOPUS) tells us that 82 percent of Americans are wearing their seat belts, and in 2007, 55 percent of drivers involved in fatal crashes did not buckle up.

However, law enforcement continues to face new challenges that were not a problem just a few years ago. The impaired driving problem today can be compounded because drivers are not always impaired by alcohol alone. Many of them are impaired because they are under the influence of illegal, mind-altering drugs—either taken alone or in combination with alcohol. Although the nation has clamped down on drunk drivers over the past decade, many drugged drivers go unnoticed and unreported. Although the decrease in alcohol-impaired driving numbers is encouraging, the same decrease is not reflected for driving under the influence of drugs.

Drugs, both illicit and prescription, are increasingly being detected in chemical tests in many fatal and injury-inducing crashes. The increased use of Drug Recognition Experts (DREs) has given us an idea of the increased number of drugged drivers on the road. Later this month, I will be speaking at IACP's DRE

conference on the importance of combating drugged driving and one issue that is increasingly alarming to me: the growing presence of marijuana in drugged driving cases.

I believe that the many states and the District of Columbia that have embraced medical marijuana will see an increase in drug-impaired crashes and crime. The IACP is greatly concerned about this problem and will closely monitor developments on our nation's highways. These new laws are almost certain to exacerbate an already growing problem.

The most recent data we have from NHTSA found that 16.3 percent of nighttime weekend drivers were drug positive. The survey further found that the drugs used most commonly by these nighttime drivers were marijuana (8.6 percent), cocaine (3.9 percent), and methamphetamine (1.3 percent). Unfortunately, these are the only statistics we have and so I encourage your agency to assist in reporting these cases to NHTSA.

The leadership of the law enforcement community is critical if we are to reduce the fatalities and injuries caused by drug- and alcohol-impaired drivers. We know that traffic enforcement saves lives and also helps to identify or prevent other criminal activity.

I encourage you and your agencies to reenergize and reengage your enforcement efforts in highway safety, not only through the summer but throughout the year, through national mobilization efforts such as Click It or Ticket and Over the Limit, Under Arrest. Traffic enforcement is real law enforcement and is often an invaluable tool in the detection of other crimes and the apprehension of suspects with outstanding warrants.

Finally, I encourage all law enforcement agencies to join the effort to reduce drug-impaired driving-related deaths, injuries, and property damage by making the detection, investigation, and prosecution of drug-impaired drivers a high priority and by taking advantage of all opportunities to raise public awareness of the driving-under-the-influence-of-drugs issue through media statements, public service announcements, press releases, high-visibility enforcement, and public information campaigns. ❖



**Michael J. Carroll, Chief of Police,
West Goshen Township Police
Department, West Chester,
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Congress Considering Critically Important D-Block Legislation

By Meredith Mays Ward,
Legislative Representative, IACP

The IACP continues to push for critical legislation to allocate the D-Block spectrum to public safety for the development of a national, interoperable public safety broadband network. The legislation, H.R. 5081, the Broadband for First Responders Act of 2010, currently has 21 bipartisan cosponsors. The IACP has participated in several events to push the legislation and has held many briefings for congressional staff.

For the past year, the IACP has been urging Congress to pass legislation to remove the auction requirements for the D-Block and allocate that spectrum to public safety, and, thus, it fully supports H.R. 5081. For many years, the IACP has been a leader in promoting the development of a nationwide wireless broadband data network for law enforcement and public safety.

The IACP is convinced that law enforcement and public safety need a minimum of 20 MHz of broadband spectrum to meet their current and future needs. This includes the D-Block spectrum (10 MHz), in addition to the already allocated public safety spectrum (10 MHz) that is licensed nationwide to the Public Safety Spectrum Trust (PSST). The IACP position is based on the advice of trusted engineers that 4th Generation (4G) broadband technologies will not give the profession the needed robust broadband network on less than 20 MHz of spectrum and on the rapid expansion and use of broadband applications by the public using commercial networks. Law enforcement and public safety must have access to these new technologies to perform their increasingly complex duties. These technologies must have adequate and dedicated spectrum that is managed and controlled by public safety, so they will be more secure and reliable than commercial systems.

The IACP will continue to work with Congress to pass H.R. 5081 and will work with the administration and the FCC to gain common ground on a successful conclusion to this issue. We urge your continuing support in our efforts by writing to your members of Congress today to urge them to support H.R. 5081. In order to help you in this effort, the IACP has set up a Legislation Action Center where you can view talking points, sample letters, House and Senate contact information, and additional background

information on H.R. 5081. It can be accessed at <http://www.capwiz.com/theiacp/issues/alert/?alertid=15003471&type=CO>.

Mandatory Collective Bargaining Legislation Sidelined Again

In early summer, congressional supporters of the Public Safety Employer-Employee Cooperation Act (H.R. 413/S.1611) again attempted to pass the legislation by adding it to the Department of Defense Appropriations bill under consideration by the United States Senate. The legislation is strongly opposed by the IACP. Because of the hard work by IACP members and other organizations, the Senate failed to pass the provision.

This legislation would mandate that all state and local governments

- allow for the unionization of their police forces;
- require collective bargaining with their unions; and
- require bargaining over hours, wages, and terms and conditions of employment.

In addition, the legislation would also empower the Federal Labor Relations Authority (FLRA) to review the existing collective bargaining laws in all 50 states to ensure that they meet the new federal standard. If the FLRA determines that a state fails to meet the standard, it will have the authority to mandate changes to existing policies and procedures.

The IACP believes that, if passed, H.R. 413/S. 1611 will reduce the effectiveness of our nation's law enforcement agencies. Therefore, the IACP urges you to contact your senators and representative and tell them to oppose H.R. 413/S. 1611. In order to help you in this effort, the IACP has set up a Legislation Action Center where you can view talking points, sample letters, House and Senate contact information, and additional background information on H.R. 413/S.1611. It can be accessed at <http://www.capwiz.com/theiacp/issues/alert/?alertid=14465031>.

Stay Connected with the IACP

The IACP has launched several new social media outlets to help members stay connected to IACP news and developments. The association has historically engaged in a variety of media to communicate relevant news to the membership, and these new elements represent the next step in that process.

Last fall, the IACP's legislative newsletter changed its format to become the *IACP Capitol Report Update*, available on the IACP website. The newsletter features up-to-date, frequent news items from around Washington, D.C. It can be accessed at <http://www.theiacp.org/legislativeaction>.

Another new and exciting endeavor is the launch of the IACP Podcast Series. Podcasts are posted on the IACP's website and cover topics such as internal affairs, SafeShield, and annual conference details. The series can be accessed at <http://www.theiacp.org/IACPPodcastSeries>.

Police Chief magazine, the professional voice of law enforcement published monthly by the IACP, is now also available online in a digital format. The magazine can be accessed on any computer with an online connection at <http://www.naylornetwork.com/iac-nxt>. The magazine keeps law enforcement executives abreast of issues important to the law enforcement community. This online resource, in addition to the print edition, allows readers to follow trends in law enforcement and to better serve their communities.

To receive an alert when these or other elements of the IACP website are updated, subscribe to the IACP's RSS feed at <http://www.theiacp.org/rssfeed.aspx?p=2>.

The IACP also launched an official IACP Facebook page, which will help members stay connected with each other. To find us on Facebook, visit <http://www.theiacp.org/facebook>.

Finally, you can now follow the IACP on Twitter. IACP Twitter followers receive up-to-date information in real time on IACP legislative alerts, news, publications, and events. To find us on Twitter, visit <http://www.twitter.com/IACPOfficial>. ♦


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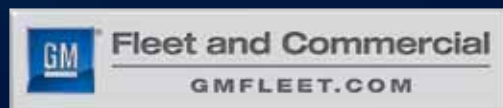
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Law Enforcement Business Fellowship Candidates Selected

By Patricia Casstevens, Director,
IACP Foundation

Once again, the IACP Foundation and Target are proud to join in a collaborative effort to bring no-cost leadership and management training to law enforcement command staff across the United States. The Law Enforcement Business Fellowship (LEBF) is a two-week instructional program based on several of Target's most effective courses but revised and geared toward law enforcement command staff.

This second iteration of the fellowship will host five law enforcement leaders at Target's corporate headquarters in Minneapolis, Minnesota, from July 19 to July 29, 2010. All costs associated with the program—including compensation for instructors, travel to and from Minneapolis, lodging for two weeks, and some meals—will be covered by a grant from Target through the Foundation.

The curriculum for this pilot program has undergone review and approval by an educational subcommittee of the Foundation, comprised of active and sworn law enforcement executives. Topics covered include community partnerships, change management, crisis leadership, media relations, finance, information security, and forensics.

The Foundation received more than 30 applications from highly qualified individuals, each of which was reviewed by a subcommittee of the Foundation and Target team members. While the Foundation initially advertised this program to permit four scholarships, the LEBF is now able to accommodate additional attendees, thanks to increased funding from Target.

Congratulations to the five successful candidates for the 2010 LEBF and many thanks to Target for its continued investment in the future of professional policing. ❖



Colonel Thomas Doyle
Greenhills, Ohio, Police Department

Colonel Doyle is the chief of police in Greenhills, Ohio, which is a suburb of Cincinnati. As a Certified Law Enforcement Executive (CLEE) in Ohio and a graduate of the 138th session of the FBI National Academy, Colonel Doyle knows the value of preparing command staff for advancement. He believes chiefs must stay on the cutting edge of new ways of thinking and be economically savvy in tough financial times.



Deputy Chief John Roland Jr.
City of Mount Vernon, New York,
Police Department

Deputy Chief Roland has been fortunate to work with Target in the past, using a relationship with their local store to solve problems of mutual concern. The Mount Vernon Police Department is currently spearheading a program that puts forth the concept of community governance, and Deputy Chief Roland believes the LEBF will not only enhance that project but also will help him better assess and mentor his own agency's future leaders.



Major Walter Evans
Tulsa, Oklahoma, Police Department

Major Evans oversees patrol and investigative operations in the largest business district in the state of Oklahoma and has worked very closely with corporate partners and the community to combat organized retail crime. Major Evans is interested in what Target has learned from its experiences in crisis management, community partnerships, and media relations, and he hopes to bring that understanding back to his department.



Captain Harold "Thad" Turner
Orangeburg, South Carolina,
Department of Public Safety

Captain Turner holds a deep commitment to excellence in law enforcement leadership and believes that unique partnerships, such as this program with Target, are significant and meaningful ways to foster effective best practices within his agency. Captain Turner knows that change is inevitable and that only by facing change head on, embracing it, and using it to grow can one truly push organizational transformation.



Lieutenant Jason Fox
San Francisco, California, Police
Department

Lieutenant Fox holds the position of adjutant for the assistant chief of operations in the San Francisco Police Department, an agency of more than 2,200 officers that has only recently come under the leadership of Chief George Gascón. Lieutenant Fox recognizes the challenges that reorganization brings under new leadership and hopes that the information presented by the LEBF will enhance his critical thinking and management skills and his ability to effectively implement change in his agency.

The IACP Foundation is a not-for-profit, 501(c) organization established to solicit, receive, administer, and expend funds for law enforcement related-charitable and educational purposes. Donations may be tax deductible; please check with your personal tax advisor. Federal Tax ID #54-1576762.



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IACP Policy Assists Agencies to Define Pregnancy Policies

By Colonel Deborah J. Campbell, Deputy Superintendent, New York, New York, State Police, and Co-Chair of the IACP Diversity Coordinating Committee; and Karen J. Kruger, Esq., Funk & Bolton, P.A., Counsel, Maryland Chiefs of Police Association, Board Member of the IACP Legal Officers' Section, and Member of the IACP Diversity Coordinating Committee*

Today's law enforcement profession is comprised of courageous and talented men and women, with women making some special and valuable contributions. Although law enforcement is still a male-dominated profession, women are becoming police officers in greater numbers, and their contributions are being recognized. These contributions may be lost if law enforcement agencies fail to recognize that police officers are entitled to become parents, because the officers may otherwise be forced to choose between their profession and parenthood.

The job of a law enforcement officer is one that involves emotional stress, intellectual challenge, and physical demands. It is a profession that requires the talents of people whose personal resources include courage, integrity, and equilibrium. An effective law enforcement officer may be required to perform more than 600 essential functions, many of which require a high level of physical fitness.

Not only have women proven to be capable in performing these law enforcement duties, but studies have shown that women excel in defusing violent situations, demonstrating empathy in stressful situations, and are less likely to be accused of using excessive force.¹

It is critical then, for the continued success of the profession, that law enforcement agencies successfully recruit and retain women to serve as police officers. Important to achieving these goals are family-friendly policies, including a favorable policy relating to pregnancy—one that supports parenthood without compromising police operations, without unfairly burdening nonpregnant employees, and without violating antidiscrimination laws.

The IACP recently published its groundbreaking model policy "Pregnancy" that should assist law enforcement agencies in managing and accommodating their pregnant employees so that these women can safely perform essential functions during all or most of their pregnancies. This, in turn, should support agency efforts to maintain gender diversity.

Pregnancy and Policing

Women who work as police officers and choose to become mothers may, during the course of their pregnancies, become disabled such that they cannot perform all of the essential functions required by their jobs. Certain anti-discrimination laws protect those women from losing their jobs or from otherwise being disadvantaged, but only to a limited extent.

A law enforcement agency may not discriminate against its employees based on pregnancy, childbirth, or related conditions—conditions that are unique to females. Thus, a police agency may not (1) refuse to preserve a job for an employee on maternity leave when it protects the jobs of others who are temporarily disabled; (2) deny seniority status upon return from maternity leave, unless others on disability leave are treated similarly; or (3) refuse to grant pension service time for the period of maternity leave unless other disabled employees are similarly disadvantaged.² Indeed, it is an unlawful employment practice to take an adverse action against an employee whenever her pregnancy is a motivating factor for the action.

Discrimination in employment on the basis of gender is unlawful under Title VII of the Civil Rights Act of 1964. In 1978, as part of Title VII, Congress enacted the Pregnancy Discrimination Act, which requires that employers treat women who are pregnant the same as other applicants or employees who have similar abilities or limitations.

In *Automobile Workers v. Johnson*, 499 U.S. 187 (1991), the U.S. Supreme Court ruled that an employer cannot exclude pregnant women from hazardous jobs without violating federal discrimination laws. The Court encouraged employers to offer to women options that include different job assignments or accommodations in their usual jobs. Pregnant women who have been discriminated against because of their pregnancies—either because of so-called "fetal protection policies" or for other seemingly benevolent rea-

sons—have increasingly sued law enforcement agencies and prevailed.

The failure of police agencies to adopt adequate pregnancy policies has contributed to a number of Title VII discrimination complaints filed by women in the workplace. A finding that a law enforcement agency discriminates against women is costly both in terms of dollars and in public relations, including the recruitment of women into the profession.

For instance, in 2009 a federal court jury delivered a unanimous verdict against Suffolk County, New York, finding that it discriminated against a pregnant police officer when it denied her request for light duty. The Justice Department found that the sheriff of Bryan County, Oklahoma, had violated Title VII because he automatically reassigned female correctional officers to administrative duties upon their becoming pregnant. And in January 2010, U.S. Security Associates settled a pregnancy discrimination lawsuit brought by the Equal Employment Opportunity Commission on behalf of a pregnant security guard, resulting in the payment of nearly \$80,000 in damages.

Accommodations Not Required

The federal Pregnancy Discrimination Act (PDA) requires employers to treat "women affected by pregnancy, childbirth, or related conditions" the same "as other persons not so affected but similar in their ability or inability to work."³ The PDA was intended to "guarantee women the basic right to participate fully and equally in the workforce, without denying them the fundamental right to full participation in family life."⁴

But, the PDA does not entitle women to ask for favorable accommodations during pregnancy, nor does the act require employers to provide favorable treatment to pregnant employees that it does not afford to nonpregnant employees. It does, however, require that employers treat pregnant women as well, or as poorly, as other temporarily disabled employees. Thus, it has been interpreted to require, at a minimum, "equal treatment."

Despite its shortcomings, the PDA and its state law counterparts have had a positive impact. For instance, in 1997 four Massachusetts State Troopers were required to assume "temporary modified duty" assignments because of their pregnancies, although they wished to remain on

*The authors were the principal drafters of the IACP model policy, "Pregnancy," adopted in March 2010. Portions of this article have been previously published in the working paper *Pregnancy & Policing: Are They Compatible?* by Karen J. Kruger.

Join Colonel Deborah J. Campbell and Karen J. Kruger, Esq., at IACP 2010 in Orlando, Florida, October 23–27, for a session during which they will discuss the IACP model policy “Pregnancy” and its implications for law enforcement executives. For conference information, visit <http://www.iacpconference.com>.

full duty. When they complained to the Equal Employment Opportunity Commission, they were reinstated to full duty within a week.

In *Adams v. Nolan*,⁵ Officer Charlotte Adams requested and was denied a light-duty assignment from her supervisor during her pregnancy, even though she provided a doctor’s note advising that she should be assigned to “lighter work.” The agency policy held that “no light duty assignments will be made for employees due to non-work-related injury or illness.”

During the next several months, Officer Adams continued to request light-duty work assignments, while two male officers were allowed to work at desk jobs because of non-work-related, temporary injuries. When she was approximately five months pregnant, she took her accumulated leave and some unpaid leave until after the birth of her child. She returned to work, and the department assigned her not to patrol work but in an administrative section, which would have been a suitable assignment for her during pregnancy.

The appellate court found that Adams established a prima facie case of discrimination and that the agency failed to offer a legitimate nondiscriminatory reason for its actions. It also found that the agency’s limited leave policy “strongly suggests intent to discriminate against women who are pregnant or have pregnancy-related conditions, which is expressly the type of discrimination prohibited by the Pregnancy Discrimination Act.”⁶

These cases illustrate that the PDA provides only a modest protection for pregnant women, in that it provides only a “negative right to be treated the same as other similarly situated workers.”⁷ Indeed, at least one commentator has noted that in dealing with the PDA and its equal treatment paradigm, most courts incorporate stereotypes about pregnancy that result in cases that “permit discrimination based on the very type of stereotyping that [the PDA] was expected to eradicate.”⁸

IACP Policy Offers New Guidance

Current economic and recruitment climates require agencies to both support their employees and protect against liability. The new model policy is intended to provide law enforcement chiefs and executives guidance in making decisions about work-related issues involving pregnant law enforcement officers. The goal of the policy is to prevent discriminatory practices that may arise when agencies are not fully aware of the medical aspects of pregnancy and to assist agencies in accommodating the unique issues

related to pregnancy. The policy provides options that allow an officer to remain working in a full-time capacity, performing full-duty assignments in combination with modified duty assignments, if needed, until such time that the officer’s treating obstetrician/gynecologist recommends solely or in consultation with the department’s medical advisor a leave status for the employee, or the employee independently requests leave due to her medical condition. The policy is designed specifically for pregnant employees and is not the equivalent to a typical policy on “light duty.”

This policy seeks to treat pregnancy as a routine event, thereby avoiding an adverse situation that negatively affects the seniority, position, or compensation of the pregnant

employee. It is important to note that no punitive action should be taken against a pregnant employee who requests the accommodations suggested in this policy.

This policy considers the risks faced by law enforcement agencies that employ women: (1) retaining those employees during their child-bearing years, (2) avoiding liability for gender discrimination, and (3) safeguarding the physical well-being of its employees. In no event may pregnant employees be treated any less favorably than other employees with comparable illnesses or medical conditions, even in the face of these concerns.

Law enforcement work carries with it certain risks of injury. Officer safety is of paramount



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importance, and agencies bear the costs of injuries or accidents in the workplace, generally through workers' compensation. Pregnancy in an officer presents some particular safety concerns—concerns that are specifically addressed in the policy. These policy guidelines are based on medical criteria and allow women to continue working while reducing the risk of injury. Accordingly, failure to follow these guidelines may result in liability for negligence by exposing pregnant employees to an unreasonable risk of injury. The policy guidelines strike a balance between actual safety risk and the risk of employee discrimination liability.

Using this policy will assist agencies in retaining their female officers and reduce the risks posed by either gender discrimination or injury liability, because the policy is specifically designed to both recognize a woman's right to work free from discrimination and accommodate the legitimate safety needs associated with a pregnancy, based on accurate medical criteria. As such, the policy facilitates the ability of a woman to preserve her career without exposing her or her unborn child to unreasonable risk in the workplace.

A diverse workforce is a valuable asset, and trained, experienced female law enforcement officers are critical resources. Pregnancy is a temporary physical condition, unique to women, which may affect an employee's ability to perform many of the usual duties of her job classification. This policy establishes procedures to provide eligible pregnant employees temporary, alternative-duty assignments when it is medically indicated that they are unable to safely perform all of the essential functions of their usual assignments. In order to meet this goal, an agency may need to consider offering temporary assignments in other government departments or agencies where the pregnant employee could perform tasks that serve the public interest, while also protecting her career. Job sharing among employees may provide a viable opportunity as well.

Pregnancy affects each woman differently, and it should not be assumed an employee is unable to continue her regular job functions solely because she is pregnant. Likewise, departmental needs may differ, and the roles of different employees also vary. For instance, in some agencies it may be necessary that members temporarily assigned to "maternity duty" perform duties not normally associated with their usual duties, or even beyond typical law enforcement functions. Agency heads should consider seeking involvement of labor representatives in making these assignments to avoid "out of title" grievances.

This model policy is unique in that it encourages agencies to provide opportunities for employees and employers alike by minimizing the absence of employees who are capable of working despite being pregnant. The policy suggests that agencies offer evolving, alternative assignments that parallel the development and physical changes associ-

ated with the typical pregnancy. The intent of the policy is that these assignments change as needed by the employee's actual changing physical or medical condition and are specific to the needs of the individual officer. An agency must coordinate the terms of this recommended policy with existing policies and applicable state and local laws, as well as any federal laws and regulations.

The accommodations described in this policy are based on the medical criteria associated with pregnancy and are thus both rational and reasonable. The medical literature indicates that the highest risks posed to a developing fetus during the first trimester are exposure to toxic chemicals, including lead and other heavy metals; excessively loud noise; and radiation. During a later stage of pregnancy, depending on the rate of development, the higher risk is that of trauma and physical workload. The modifications to duty described in this policy parallel these medical considerations.

When an officer is assigned to modified duties, she may also, as a result, be subjected to limitations imposed by other agency regulations such as rules regarding secondary employment, required physical fitness testing, mandatory overtime details, and diminution of pension benefits due to absence. Law enforcement agencies should consider those concurrent negative impacts and take measures to ameliorate them to avoid liability under the discrimination theory of "disparate impact."

Medical Criteria as the Deciding Factor

To ensure that the decisions regarding a pregnant employee's ability to work in a particular assignment are based on sound medical advice, an agency must provide the employee's personal physician with a detailed description of the essential functions of her law enforcement position so that the doctor may objectively and thoroughly evaluate the employee's ability to safely perform those tasks. To be realistic and comprehensive, this description should ideally be based on a job-task analysis. Physicians may also benefit from a checklist specifying the tasks and highlighting some of the medical issues addressed by the model policy. Physicians should review the medical guidelines developed by the IACP Law Enforcement Physicians' Section and the American College of Occupational and Environmental Medicine, available soon at <http://www.acoem.org/leoguidelines.aspx>. Both agencies and physicians must remain mindful of medical confidentiality requirements that are imposed by federal or state law.

An agency should make every reasonable effort to accommodate the needs of pregnant employees to allow them to remain gainfully employed during the course of their pregnancies. This policy, and others that recognize the legitimate needs of employees in a realistic and compassionate manner, will help to make law enforcement agencies the "employer of choice" for many qualified candidates. Good social policy and the cultural leadership role

that law enforcement agencies play demand that police agencies work to accommodate pregnant police officers and institute policies that do not require women to choose between a productive career and parenthood. Moreover, to successfully recruit and retain women officers, agencies will find it useful to provide flexible policies to accommodate family needs but must do so in a balanced and equitable fashion, not from any notions of paternalism or gender discrimination.

The conventional "equal treatment" model does not really afford to agencies and to officers who seek to combine parenthood with a law enforcement career a flexible enough approach to meet the various needs that arise in different situations. The equal treatment model essentially requires equal treatment, "regardless of any inequality of effect that such treatment occasions."⁹ It makes it difficult for employers to account for the inevitable differences that arise among any group of employees in terms of competence, performance, loyalty to the agency and commitment to the profession, not to mention the undeniable physical differences among officers and between men and women. A better approach may be one that seeks to afford employees "equal results" to ensure that they are not discriminated against because of their gender.

The IACP is committed to eliminating discrimination in the profession and to enhancing diversity among and within law enforcement agencies. This new model policy represents tangible support for these goals and the IACP and its Diversity Coordinating Panel should be commended for this valuable work. ❖

Notes:

¹National Center for Women and Policing, *Hiring & Retaining More Women: The Advantages to Law Enforcement Agencies*, Spring 2003, 2, <http://www.womenandpolicing.com/pdf/NewAdvantagesReport.pdf>; Susan E. Martin and Nancy C. Jurik, *Doing Justice, Doing Gender: Women in Law and Criminal Justice Occupations*, (London, England: Sage, 1996).

²Jeffery Higginbotham, "Pregnancy and Maternity Leave Policies: The Legal Aspects," *The FBI Law Enforcement Bulletin* 62, no. 3 (March 1993): 27–32.

³42 U.S.C. § 2000e.

⁴*California Federal Sav. & Loan Assoc. v. Guerra*, 479 U.S. 272, 289 (1987) (quoting 123 Cong. Rec. 29658 (1977) (remarks of Sen. Williams)).

⁵*Adams v. Nolan*, 962 F.2d 791 (8th Cir. 1992). Officer Adams sued the North Little Rock Police Department and Police Chief William P. Nolan.

⁶*Id.* at 794.

⁷D'Andra Millsap, comment, *Reasonable Accommodation of Pregnancy in the Workplace: A Proposal to Amend the Pregnancy Discrimination Act*, 32 Hous. L. Rev. 1411, 1417 (1996).

⁸Judith G. Greenberg, *The Pregnancy Discrimination Act: Legitimizing Discrimination against Pregnant Women in the Workforce*, 50 Me. L. Rev. 225, 226 (1998).

⁹Linda J. Krieger and Patricia N. Cooney, *The Miller-Wohl Controversy: Equal Treatment, Positive Action and the Meaning of Women's Equality*, 13 Golden Gate U. L. Rev. 513, 540 (1983).

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Understanding Performance Standards for Law Enforcement CBRN Protective Apparel

By Robert J. Eckroade, Market Specialist, CBRN Products, W. L. Gore & Associates Incorporated, Newark, Delaware



On September 11, 2001, the nature of threats to public safety changed. The country came to realize that there was a much greater probability that weapons of mass destruction (WMD) could and would be used in an attack. This in turn created a new reality of personal protection for the law enforcement community, which became more difficult and complex. State, local, and regional law enforcement teams now are expected to play principal roles in the domestic war against terrorism and potential terrorism response missions.

Preparation for the eventuality of an attack must include planning, training, detection equipment, and personal protective equipment, which allow law enforcement personnel to effectively respond to hostilities and perform law enforcement functions in and around contaminated environments. Law enforcement officers must be protected from a range of hazardous agents, yet protective suits must minimize interference with the officers' ability to respond.

These new responsibilities place increasing demands on the personal protective apparel officers will rely upon during chemical, biological, radiological, and nuclear (CBRN) incidents. To assist in the critical task of evaluating and selecting personal protective equipment (PPE), several organizations have sought to provide additional resources, PPE performance standards, and new generations of protective products and technology needed by the law enforcement community. This group includes the federal government, standards organizations such as the National Institute of Justice (NIJ) and the National Fire Protection Association (NFPA), equipment manufacturers, and other knowledgeable groups.

Protection Strategies and Approaches

An important part of law enforcement terrorism response readiness is having appropriate PPE. Law enforcement, while having myriad choices, has essentially been limited to borrowing technology from either military or hazardous materials applications. The borrowed technologies have often come from Department of Defense programs, given the military's long-standing preparedness for potential use of chemical warfare agents by enemy forces. Additionally, although far from ideal, some law enforcement teams have adopted products originally developed for hazardous materials response teams that routinely deal with toxic chemical spills and related hazards. So, although PPE exists for military and hazmat applications, it has become clear that these products do not meet the unique operational and protection requirements required by law enforcement to perform under hostile conditions.

CBRN Threats

With acronyms such as WMD and CBRN becoming more pervasive in public safety, law enforcement personnel are seeing their missions expanded to deal with potential terrorism, involving dangerous, new agents. The magnitude of potential events requires that all first responders be prepared for the unique hazards associated with WMD-based terrorism incidents. These threats involve a spectrum of different substances and scenarios, including chemical, biological, and radioactive agents, which must be anticipated.

Chemical threats include the use of chemical warfare agents (CWA) and toxic industrial chemicals (TIC) against civilian populations. Chemical warfare agents are specifically designed to harm humans through either respiratory or skin exposure. As an example, the CWA sarin has already been used in one attack in Japan, causing

multiple deaths of both civilians and first responders, who did not realize initially what the attacking agent was.¹ Toxic industrial chemicals, although not as toxic as chemical warfare agents, are much more pervasive, exist in larger quantities, and are more readily accessible. For these reasons, many law enforcement teams often classify toxic agents as more dangerous than chemical warfare agents. TICs were used by terrorists in Iraq, who combined explosives with chlorine containers, resulting in a number of civilian casualties during 2007



and 2008.² Also, though not acts of terrorism, law enforcement officials must routinely deal with serious health threats from "cocktails" of multiple hazardous chemicals encountered during raids on clandestine drug laboratories.

Biological agents including pathogens and toxins also pose serious threats during law enforcement response to terrorism. The dissemination of anthrax spores through the U.S. Postal Service in fall 2001 shows how pervasive such an attack can be.³ The majority of biological hazards are airborne, where disease is spread through the respiration of biological agents; however, some biological hazards can be manifested through skin contact, or more aptly, blood contact with non-intact skin. While not terrorism, blood-borne pathogens such as HIV and Hepatitis are also threats to which law enforcement personnel may be exposed.

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Ionizing radiation emanating from radioactive material is perhaps the most difficult hazard to approach. Certainly, the threat for high levels of radiation coupled with intense energy associated with a nuclear weapon detonation obviates any hope for short-term, short-range protection. Nevertheless, the law enforcement community also is concerned about other radiological hazards, such as those that may occur through the use of a radioactive dispersal device (RDD or a "dirty bomb") in which conventional explosives are coupled with commercial radioactive material (such as that used in health-care imaging equipment) to spread ionizing radiation over

large areas. The mantra of protection from radiological hazards is shielding, distance, and time. All clothing will protect against alpha particles—with some forms of protective clothing effective against low-energy beta radiation. However, protection from high-energy beta particles, gamma rays, and X-rays generally exceeds the capabilities of all conventional protective clothing.

Protection Principles

The effectiveness of personal protective equipment in keeping law enforcement personnel safe from CBRN hazards involves a combination of appropriate materials and

overall clothing design. Materials must be selected to act as barriers against the specific agents of concern; this is ensured through material-level testing. Additionally, the overall ensemble design, including closures and interfaces, must limit ingress of hazardous agents to safe levels; this is measured by system-level tests.

Material-level testing for CBRN hazards includes chemical permeation resistance and chemical penetration resistance. Chemical permeation resistance involves limiting the amount of chemical that passes through on a molecular level. Tests have been developed to determine how well the material keeps individual chemicals from permeating at levels that can be dangerous to the wearer. It is important that materials be evaluated against a representative battery of chemicals for a range of properties and hazards that may be encountered. For example, air-permeable, carbon-based materials may reduce chemical warfare agent permeation to an acceptable exposure level versus a military requirement; however, several toxic industrial chemicals easily permeate these materials at relatively high rates. For CBRN protection, the commonly accepted approach based on military protocol is to measure the total amount of chemical permeating a given area of material over a specified period of time. The measured amount of permeating chemical is compared to toxicological end points that have been established by military and civil subject matter experts. These toxicological end points are reflected in both Department of Defense specifications and in the civil third-party standards, which will be discussed later in this article.

Chemical penetration resistance refers to bulk liquid transfer (as opposed to molecular transfer) through a material. Materials should be tested for penetration resistance against a battery of potential toxic industrial chemicals. For example, many responders are surprised to find that some of the "borrowed technology" PPE they use does not protect against penetration of common acids such as sulfuric acid and hydrochloric acid. Just as materials are tested for their barrier properties against chemicals, materials also can be tested for biopenetration resistance. Biological agents can pass through materials as extremely tiny particles in minute amounts of liquid too small to see.

Lastly for material-level testing, it is also important to characterize materials in terms of their strength and durability. There are many barrier materials provided by industry, but clothing based on these materials, in some cases, may be easily compromised through contact with physical hazards or wear and tear. The physical properties for materials in terms of their overall resistance

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to physical hazards such as tears, punctures, abrasion, and repeated flexing is a critical factor in choosing the correct protective clothing material.

The importance of system-level tests of CBRN PPE cannot be overlooked. Even when constructed of an excellent barrier material, CBRN PPE will essentially offer little to no protection if chemical or biological agents can penetrate openings in the garment, bypassing the barrier material altogether. Any opening of the clothing, such as the front closure, must be designed to minimize leakage of outside contamination into the clothing. This challenge becomes even tougher when the clothing design must consider all interfaces between the garment and other ensemble elements. CBRN PPE garments have to interface with respirators, gloves, and footwear, at a minimum, and each point of attachment should offer similar protection as the base materials used in the construction of the garment. Thus, the overall integrity of the garment design and construction becomes equally important to the performance of the barrier material.

There are two principal tests for measuring garment and ensemble integrity. One comprehensive evaluation is Man-in-Simulant-Test (MIST). This technique, employed by the military for years as a way of testing garments against battlefield chemical warfare agents, is now being applied to first-responder CBRN protective clothing and ensembles. MIST involves measuring how much surrogate vapor passes through the garment onto special adsorbent pads located all over the test subjects' bodies while the test subjects perform a series of exercises which replicate response activity. Laboratory analysis of the adsorbent pads yields how much surrogate chemical penetrated the ensemble and allows for the calculation of protection factors—ratios of outside-the-suit to inside-the-suit concentrations. Additional calculations provide protection factors for individual body locations and the overall ensemble; these can be compared against established minimum requirements in the relevant standard.

Protective clothing is also evaluated using an overall liquid integrity test, commonly called the "shower test." In this test, PPE ensembles are subjected to a liquid spray exposure to assess the overall liquid protection provided. Responders are interested in this evaluation as it closely simulates liquid challenges an ensemble will experience going through a wet decontamination procedure. Typically, no sign of liquid ingress is the acceptance criteria. Liquid integrity testing is also useful in specifically assessing the performance of garment closure systems, seam quality, and overall design integrity.

Available and Emerging Standards

Standards play an important role in defining minimum requirements for protective clothing in terms of protection and operational performance. In this fashion, standards encompass a range of requirements that would otherwise be difficult for individual departments to specify. Additionally, standards provide a level basis of comparison, helping departments to evaluate different PPE options against a common benchmark.

A standard that already exists and is being used by law enforcement today is *NFPA 1994, Standard on First Responder Protective Ensembles for CBRN Terrorism Incidents*. This standard for protective ensembles couples clothing systems with CBRN-approved respiratory protection to provide multiple classes of ensembles that address varying threat scenarios. The most recent edition, from 2007, addresses threat scenarios through three different classes of protective ensembles.

- Class 2 sets the highest level for protection against CBRN threats in the standard. Ensembles and their barrier materials in Class 2 must meet the most stringent permeation requirements and the highest MIST system-level requirements. Requirements for Class 2 are aligned with the use of self-contained breathing apparatus (SCBA) and should be employed whenever the threat is known and conditions are judged as immediately dangerous to life and health (IDLH). Many responders commonly refer to this threat scenario as "the hot zone."
- Class 3 ensembles provide lower levels of protection against CBRN threats. Ensembles and their barriers in Class 3 have permeation requirements and system-level requirements that align with the use of CBRN air-purifying respirators (APR) or powered air-purifying respirators (PAPR). These scenarios reflect conditions below IDLH and are often referred to as "the warm zone." Since warm zone operations are often longer in duration, Class 3 ensembles are required to have a barrier material that passes a minimum 200 Watts per square meter Kelvin Total Heat Loss (THL) requirement. This THL requirement is typically achieved through the use of breathable barrier materials.
- Class 4 ensembles are for protection against biological and radiological particulates only, such as for "white powder" calls. These ensembles do not provide chemical agent protection or toxic industrial chemical protection. Class 4 garment barrier materials have higher THL requirements than Class 3 ensembles.

The NFPA 1994 standard is recognized by the Responder Knowledge Base (<http://www.rkb.us>), which lists compliant products already being purchased by law enforcement for each of the specified ensemble classes.

Additional standards for law enforcement are currently being developed to help ensure law enforcement needs are fully addressed. The National Institute for Justice (NIJ) expects to soon publish a law enforcement protective ensemble CBRN standard. The proposed NIJ standard, available to the public in draft form at the time of this writing, establishes four law enforcement response levels (LERL). These proposed levels incorporate many of the protection requirements established with NFPA 1994 and related standards. However, there are two major, overarching differences across all NIJ LERLs and NFPA 1994 levels.

1. NIJ requires more extensive preconditioning of barrier materials prior to permeation testing, and
2. NIJ requires several additional human factors and ergonomics tests beyond what is required in the relevant NFPA standard.

An additional difference between the standards is that NIJ has a minimum THL requirement in an above IDLH ensemble (LERL 2) not found in NFPA 1994.

The following is a brief summary of each of the four levels as they exist in the August 2008 draft of *NIJ Standard - 0116.00: CBRN Protective Ensemble Standard for Law Enforcement*, and how they compare to their NFPA counterpart.

LERL-1. The highest level of protection in the NIJ standard is the LERL-1, which requires a self-encapsulating suit for conditions unknown or known to be above IDLH environments, comparable to *NFPA 1991, Standard on Vapor-Protective Ensembles for Hazardous Materials Emergencies*. The NIJ and NFPA standards both require material permeation testing to 24 TICs and 2 CWAs and have flash-fire requirements. Also, as with NFPA 1991, ensembles compliant to LERL-1 will require the use of an SCBA. One key difference between the standards is that LERL-1 utilizes MIST for the system-level test, whereas NFPA 1991 utilizes the sulfur hexafluoride (SF6) test. Note that users often refer to self-encapsulating PPE as "level A" suits.

LERL-2. The LERL-2 corresponds to NFPA 1994, class 2, with very similar barrier material chemical permeation and MIST system-level requirements. LERL-2 is for use in conditions unknown or known to be above IDLH environments and requires the use of an SCBA. One key difference between the standards is that NIJ proposes adding a minimum 450 Watts per square meter Kelvin THL requirement for this level, which is not included in NFPA 1994, Class 2.

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- (5) Conducting out-of-state background investigation;
- (6) Conducting interviews with spouses, neighbors, references, and co-workers; etc.
- (7) Obtaining credit history information; and
- (8) Understand the legal liability associated with negligent hiring practices.

At the conclusion of this program, participants will be able to:

- Successfully conduct a comprehensive applicant background investigation;
- Understand the legal environment and its potential for liability regarding background investigations
- Demonstrate an understanding of available resources, including Internet and electronic screening devices when conducting pre-employment background investigations; and
- Develop the necessary skills to conduct one-on-one interviews with applicants.

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The first-line supervisor plays a critical role in virtually every aspect of the agency. The supervisor oversees daily complex public safety operations and directs personnel toward the effective delivery of services. Also among the supervisor's many responsibilities are understanding the organization's mission

and unit objectives in furtherance of the mission, the individual performance standards for each position supervised, and how the performance will be measured. The supervisor must also effectively communicate unit standards with followers, become familiar enough with a follower's performance to insure that an objective and constructive feedback process is established, and be aware of individual follower behavior in certain environments.

At the conclusion of the class the student will be able to write a performance appraisal and performance improvement plan that is valid, reliable, equitable, legal and a document that provides utility to the follower, the leader and the organization.

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At the conclusion of the course, participants should be able to do the following:

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- Develop departmental mentoring strategies
- Identify the necessary retention strategies

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November 16-18, 2010 McMinnville, OR
November 30-December 2, 2010
Allentown, PA

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September 20-22, 2010 McKinney, TX

First Line Supervision

September 21-23, 2010 Chattanooga, TN
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Internal Affairs: Legal and Operational Issues

October 4-6, 2010 Rockford, IL
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LERL-3. The LERL-3 corresponds to NFPA 1994, Class 3. The requirements are closely aligned between the NIJ and the NFPA standards for chemical permeation challenges and MIST system-level testing. Both standards require the use of an APR or PAPR for environments known to be below IDLH. Additionally, there are THL requirements for both NFPA 1994, Class 3, and the NIJ standard, although NIJ is proposing higher levels than NFPA (450 Watts per square meter Kelvin versus 200 Watts per square meter Kelvin).

LERL-4. The LERL-4 is most similar to NFPA 1994, class 3, for materials, system-level performance, and use of an APR or PAPR. Primary differences with LERL-4 concern reduced durability needs versus what is required by LERL-3.

Recommended Selection Practices

Evaluation and selection of protective ensembles require an understanding of both the CBRN hazards personnel may face during terrorism response missions and the capabilities needed to respond to hostilities and perform law enforcement functions in a potentially contaminated environment.

The use of performance standards in the selection of CBRN protective clothing should be a prerequisite. These standards arise from balanced groups that have worked together to determine minimum requirements for end user protection and operational performance. The level of investment and expertise needed to develop these recommendations is typically beyond the resources of individual departments. Standards also provide a basis for departments to evaluate different PPE options against a common reference point.

Fortunately, manufacturers have responded to better meet law enforcement needs for enhanced response capabilities. A range of CBRN PPE compliant to independent third-party performance standards is now commercially available from multiple manufacturers; it's no longer necessary for law enforcement to compromise by choosing borrowed technologies.

Departments can help ensure officer safety by specifying only CBRN ensembles that are compliant with third-party standards. Within the applicable standard, departments must identify the class or level relevant to the officer's operational needs or anticipated mission requirements. Further, departments should seek third-party documentation for any additional PPE performance they wish to specify. An individual department's performance requirements, above what is required in a standard, can include testing of additional CWAs, TICs, higher THL or mechanical strength, and flame resistance.

Since 9/11, it has become clear that new threats to public safety exist and that law enforcement teams now play an increasing role in the domestic war on terrorism. Fortunately, departments no longer must accept compromises associated with borrowed PPE technologies when planning for CBRN terrorism response missions. Recognized performance standards already exist and additional standards are in development. These standards can assist and guide law enforcement in the critical task of evaluating and selecting CBRN PPE for a range of potential response missions, to enhance both officer safety and terrorism response capabilities. ❖

Notes:

¹Kyle B. Olson, "Aum Shinrikyo: Once and Future Threat?" *Emerging Infectious Diseases* 5, no. 4 (1999): 513-516, <http://www.cdc.gov/ncidod/EID/vol5no4/olson.htm> (accessed May 24, 2010).

²Anthony H. Cordesman and Emma R. Davies, *Iraq's Insurgency and the Road to Civil Conflict* (Westport, Conn.: Praeger Security International, 2008), 580.

³Frank Gottron, *The U.S. Postal Service Response to the Threat of Bioterrorism through the Mail*, February 11, 2002, RL31280, CRS-4, <http://www.au.af.mil/au/awc/awcgate/crs/rl31280.pdf> (accessed May 24, 2010).

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Currently, 81 million Americans live in states that have all-offender ignition interlock laws, compared to 2 million Americans in 2006, and are therefore afforded additional protection against the alcohol-impaired driver. However, arrest data show ignition interlocks are still a vastly underutilized tool. This underutilization is evident by simply comparing the approximately 180,000 interlocks in use in the United States in 2008 to the approximately 1.4 million impaired driving arrests made. This comparison shows there still is a long way to go to using ignition interlocks to their full potential.

Ignition interlock technology is moving along two parallel paths. One path is the movement toward requiring all alcohol-impaired offenders to use currently available ignition interlock technology. The second path is to develop and implement an advanced passive ignition interlock technology that can be manufactured as standard equipment in every car. The concept for this technology is for the vehicle to be able to determine if the driver is at or above the illegal BAC limit of .08 grams per deciliter (g/dL) in an even less intrusive way than buckling a seatbelt, with the vehicle not operating if such a BAC level is detected.

The Short-Term Solution: Wider Use of Current Technology

As seen in figure 1, in the United States, 12 of the 50 states currently require ignition interlocks for all offenders. Although California does not have a statewide all-offender interlock law, the California Assembly did pass legislation authorizing an all-offender ignition interlock pilot program in four counties that account for 14 million people who reside in the state.

The evidence-based research recently published in the *American Journal of Public Health* should promote the passage of all-offender ignition interlocks in more states. Although states in general do not support federal mandates that drive state-level policy, especially when backed-up with sanctions (on traffic safety



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issues these sanctions are usually in the form of withholding a portion of the federal aid highway funding they are eligible to receive), that is an entirely separate debate. What is evident is how effective such federal sanctions can be. Two cases in point are the national uniformity in the implementation of effective laws such as the 21-year-old minimum legal drinking age and .08 per se BAC laws—now in all 50 states.

The most current draft of the Federal Highway Reauthorization Bill currently awaiting congressional approval contains hard sanction language to incentivize those states without all-offender ignition interlock laws to pass such laws to receive all the federal aid highway dollars their states will be eligible for under the next six-year highway reauthorization funding cycle.

In the 12 states that have taken the initiative to pass and implement all-offender ignition interlock laws, differences exist in the administrative construct of these laws. Acknowledging the lack of available research to support the most effective all-offender ignition interlock laws has caused the American Association of Motor Vehicle Administrators (AAMVA) to encourage NHTSA to examine best practices and draft guidelines for a model program to assist states in implementing such programs. This will contribute to the establishment of the most consistent and effective state programs across the United States. Even those states that have already enacted all-offender ignition interlock laws can amend their existing laws if best practices emerge that could strengthen the all-offender ignition interlock laws already in place. In fact, in 2010 the Washington State Legislature strengthened the state's all-offender ignition interlock law originally passed in 2008.

As recommended by AAMVA, the outcomes of developing a model ignition interlock program could be the following:

- Model state legislation for an all-offender ignition interlock policy
- Best practices and guidelines for an ignition interlock program
- Standards for data logger downloads and reporting
- Standards for progressive sanctioning of interlock data logger violations
- Standards for time limitations and removal criteria for interlocks
- Measurement criteria to determine the program's effectiveness

The Future Technology of Passive Ignition Interlocks

While current ignition interlocks represent a technology intervention that can reduce recidivism on the part of the alcohol-impaired driver, it is recognized that preventing recidivism is not as good as preventing even the first offense from occurring. Research on future technology, known as the Driver Alcohol Detection System for Safety (DADSS), has already begun. DADSS is the result of a cooperative research agreement currently under way between the Automotive Coalition for Traffic Safety (ACTS) and the NHTSA. The agreement is a public-private partnership with both entities providing \$1 million per year for five years. DADSS is not an ignition interlock device one would find on a convicted alcohol-impaired driver's car today; rather, the purpose of this \$10 million agreement is to research, develop, and demonstrate non-invasive, in-vehicle alcohol detection technologies that can quickly and accurately measure a driver's BAC. If the device detects the driver is at or above the illegal BAC limit of .08 g/dL, the car could not be driven. However, if the technology is successful, the experience for a driver below the BAC limit would be no different than in a car without the device.

Three companies are currently under contract to develop prototype technologies to meet program goals that also include a tamper-resistant device that can be readily integrated into the vehicle's existing systems with little to no maintenance.

The Insurance Institute of Highway Safety (IIHS) recently conducted a poll that found 64 percent of Americans believe that reliable, advanced alcohol-detection technology that would prevent an alcohol-impaired driver from operating a vehicle is a good idea.

But this \$10 million is only seed money. Additional funding will be required to bring this technology to market, and legislation is being introduced in the U.S. Congress to provide this funding.

A reasonable question to ask is why bother passing all-offender ignition interlock laws if future technology will all but entirely solve the problem? First, this new technology has not been successfully developed, and, second, this technology will not come to market for another decade and will take at least a decade beyond that for the technology to saturate the market. Overall, the wait will be 20 more years before this technology is available in most, but not all, vehicles registered in the United States. For now, passage of all-offender ignition interlock laws using the current technology will help move the needle toward zero deaths on the nation's roadways. ❖

Notes:

¹NHTSA data (presentation, 2010 Lifesavers Conference, Philadelphia, Pa., April 11–13, 2010); and "2008 Traffic Safety Annual Assessment—Highlights," *Traffic Safety Facts: Crash Stats*, June 2009, DOT HS 811 172, 5, <http://www.nrd.nhtsa.dot.gov/Pubs/811172.pdf> (accessed May 21, 2010).

²For more information, please visit <http://safety.transportation.org/activities.aspx>.

³William J. Rauch et al., "Risk of Alcohol-Impaired Driving Recidivism Among First Offenders and Multiple Offenders," *American Journal of Public Health* 100 (May 2010): 919–924.

⁴Centers for Disease Control and Prevention, "Injury Prevention & Control: Motor Vehicle Safety: Impaired Driving," http://www.cdc.gov/motorvehiclesafety/impaired_driving/impaired-drv_factsheet.html (accessed May 18, 2010).

⁵R.C. Peck et al., "Driver License Strategies for Controlling the Persistent DUI Offender: Strategies for Dealing with the Persistent Drinking Driver," *Transportation Research Board, Transportation Research Circular 437* (Washington, D.C.: National Research Council, 1995), 48–49.

⁶Robert B. Voas et al., "The Alberta Interlock Program: The Evaluation of a Province-Wide Program on DUI Recidivism," *Addiction* 94, no. 12 (December 1999): 1849–1859.


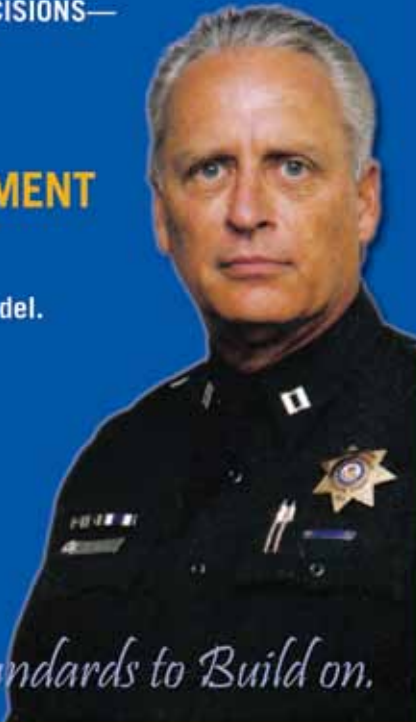
⁷Data provided by Mothers against Drunk Driving, Office of Public Policy.



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Officer Safety on Our Roadways:

What the Numbers Say about Saving Lives

By Craig W. Floyd, Chairman and Chief Executive Officer, National Law Enforcement Officers Memorial Fund; and Kevin P. Morison, Senior Director of Communications, National Law Enforcement Officers Memorial Fund



In 2009, more U.S. law enforcement officers died in the line of duty in traffic-related incidents than were killed by firearms or any other single cause of death.¹ This was not a statistical anomaly; 2009 marked the 12th consecutive year in which traffic incidents were the leading cause of line-of-duty law enforcement deaths in the United States, according to records kept by the National Law Enforcement Officers Memorial Fund (NLEOMF).

Perhaps no agency last year felt the human tragedy of this statistical trend more than the Las Vegas, Nevada, Metropolitan Police Department. During 2009, three of its members died in automobile crashes, including two officers killed in separate collisions within a seven-week period last fall. A fourth Las Vegas Metropolitan Police officer was shot and killed by armed robbery suspects just two days before the third fatal auto crash. The names of all four officers have been added to the National Law Enforcement Officers Memorial in Washington, D.C.

Las Vegas Metropolitan Police Sheriff Douglas C. Gillespie responded to this spate of traffic deaths in a forceful and public manner. He implemented a number of changes in department policy and training designed to improve officer safety. Many of the reforms focused on two critical issues—excessive speed and the failure to wear safety belts—that, over the years, have endangered police officers in Las Vegas and across the United States. To further drive home the message, the sheriff secured the pro bono services of an advertising agency to develop an internal communications campaign reminding officers of the rules regarding mandatory seat belt use and following departmental restrictions on speeding.

In many respects, Sheriff Gillespie's efforts are aimed at changing not just the behavior of individual officers but the broader culture of his agency, and to save officers' lives in the process. Anecdotally, members of the department report that the reforms and the shift in culture are taking hold. Their only regret is that it took

the tragic deaths of their fellow officers to make it happen.

Lessons Learned from Gunfire Deaths Reduction

While the traffic deaths and resulting reforms in Las Vegas have received a great deal of attention, they seem to be the exception rather than the rule. Law enforcement traffic fatalities never seem to garner as much attention as fatal shootings do in the news media, from the general public, or at times, within the law enforcement profession itself. Far too often, officer injuries and deaths on the roadways are viewed as a normal and even unavoidable part of the job. After all, the thinking goes most officers spend much of their time behind the wheel or involved in other traffic-related activities, so it should be “expected” that some number of these officers would be injured or killed in traffic incidents.

This same reasoning was evident at times in the 1970s—the deadliest decade in U.S. law enforcement history—when close to 130 officers were killed by gunfire each year.² Since then, attitudes and safety measures have changed dramatically, and officers' lives have been saved. In 2008, 40 officers nationwide were killed in firearms-related incidents—one of the lowest totals in more than five decades. And although fatal shootings of officers began to increase in 2009 and the first half of 2010, the numbers are still substantially lower than those from the peak year of 1973, when 156 officers were killed by gunfire.³

A number of factors are behind the stunning decline in firearms-related deaths. The continued development of bullet-resistant technology and the growing use of safety vests among officers are two of the main factors. The IACP/DuPont Kevlar Survivors' Club has documented more than 3,000 officers saved by safety vests.⁴ Resistance to the wearing of vests by officers seems to be declining as well. Better training, stronger policies, and the increased use of electronic control devices and other less-than-lethal weaponry have also helped.

A number of law enforcement organizations, researchers, and safety experts currently are working to apply some of the lessons learned from the reduction in firearms fatalities to the problem of traffic-related law enforcement deaths. Their efforts include the following:

- Through its Safe Shield program, the IACP's division of State Associations of Chiefs of Police (SACOP) is focusing on law enforcement awareness and training efforts through the adoption of a zero-tolerance culture for officer deaths and injuries.
- The IACP's Law Enforcement Stops and Safety Subcommittee continues to collect data and analyze issues related to officer safety both behind the wheel and during traffic stops, when officers are outside their vehicles and are exposed to the dangers posed by other vehicles. The subcommittee has produced a series of compelling roll-call videos to drive home this safety message for officers.
- The International Law Enforcement Educators and Trainers Association and the NLEOMF are exploring ways to work together to enhance traffic safety information and awareness among law enforcement trainers.
- The California Commission on Peace Officer Standards and Training (CalPOST) has launched an extensive, research-driven project called SAFE Driving. This initiative is working to identify the factors contributing to law enforcement roadway deaths and to recommend improvements—in policy, operations, and organizational culture—that will reduce injuries and save officers' lives. The NLEOMF serves on the SAFE Driving Advisory Board.

Understanding the Problem, Pointing to Solutions

One of the ways in which the NLEOMF is supporting these and other safety initiatives is by contributing data. The memorial fund maintains a database of the approximately 19,000 line-of-duty law enforcement deaths

that have been documented throughout U.S. history—the largest collection of such information. The memorial fund understands that data are critically important to understanding the nature and extent of the safety problems confronting law enforcement.

Twice a year, the NLEOMF publishes research bulletins that examine recent statistical trends in law enforcement fatalities, as documented in the data forms collected from departments whose officers are added each year to the National Law Enforcement Officers Memorial. The memorial fund also makes these data available to other researchers and practitioners. While NLEOMF statistics are by no means the only data source for these issues, they do provide a broad overview of trends and point toward those areas where additional action—including, in many cases, additional collection of data—is needed.

As noted, traffic-related incidents have been the leading cause of law enforcement deaths for each of the past 12 years, and the pattern is continuing into 2010. This is a dramatic reversal of historical trends. In fact, of the 18,983 officers whose names are engraved on the national memorial in Washington, D.C., 56 percent were killed by gunfire, and another 28 percent died in traffic incidents. From 1998 through 2009, however, the pattern has almost reversed: 44 percent of officers died in traffic inci-

dents, and 35 percent were killed by gunfire, according to the NLEOMF's internal Fallen Officer Database.

Expanding the data set to the past four decades, the longer-range trends become even starker. Since 1969, firearms-related law enforcement fatalities have declined 63 percent, while traffic-related fatalities have increased 45 percent. The year 1998 marked the first time that traffic deaths outnumbered firearm deaths, and that has remained the case ever since. What makes this trend even more remarkable, and troubling, is that it comes at a time when American motorists as a whole are safer than they have been in decades. Total traffic fatalities in the United States have declined 17 percent over the past 15 years,⁵ and the 34,000 people killed on U.S. roadways in 2009 was the lowest total since the federal government began collecting comparable statistics in 1954.⁶ As are law enforcement officers, Americans are logging more miles behind the wheel than ever before. But unlike law enforcement officers, fewer citizens are dying on the roadways.

A Sharp Rise in Fatal Automobile Crashes

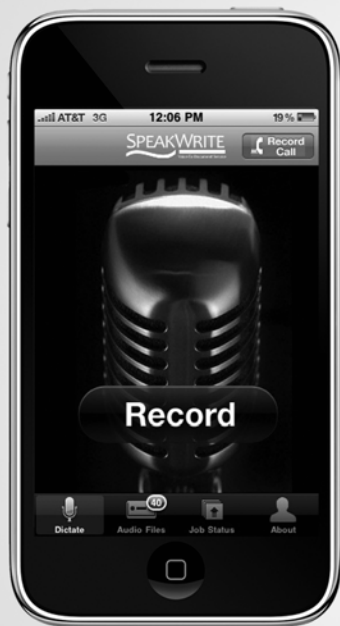
In the NLEOMF data set, the category "traffic-related deaths" comprises three types of incidents: automobile crashes, motorcycle collisions, and officers struck and killed by other vehicles while outside

their police vehicles or on foot. Over the past 40 years, the trends within each individual category have varied.

In general, the number of officers killed in motorcycle crashes and the number struck and killed have remained fairly steady throughout this period. In fact, according to the NLEOMF data set, motorcycle fatalities declined by 10 percent between 1969 and 2009.

During this same period, however, the number of officers killed in automobile crashes surged approximately 25 percent. In 2009, automobile fatalities accounted for nearly 75 percent of all traffic-related deaths among U.S. law enforcement. While there are certainly opportunities for safety improvements in all three types of traffic-related incidents, the data show that the biggest challenges, and the largest opportunities to save officers' lives, lie in the area of automobile collisions.

A closer look at NLEOMF data on the 477 automobile fatalities that occurred from 1999 through 2008 reveals some interesting trends. Approximately 20 percent of the incidents were described as "routine patrol." The vast majority of the fatalities involved some type of enforcement action: crimes in progress (20 percent); pursuits (20 percent); assisting another officer (14 percent); responding to collisions (7 percent); and assisting motor-



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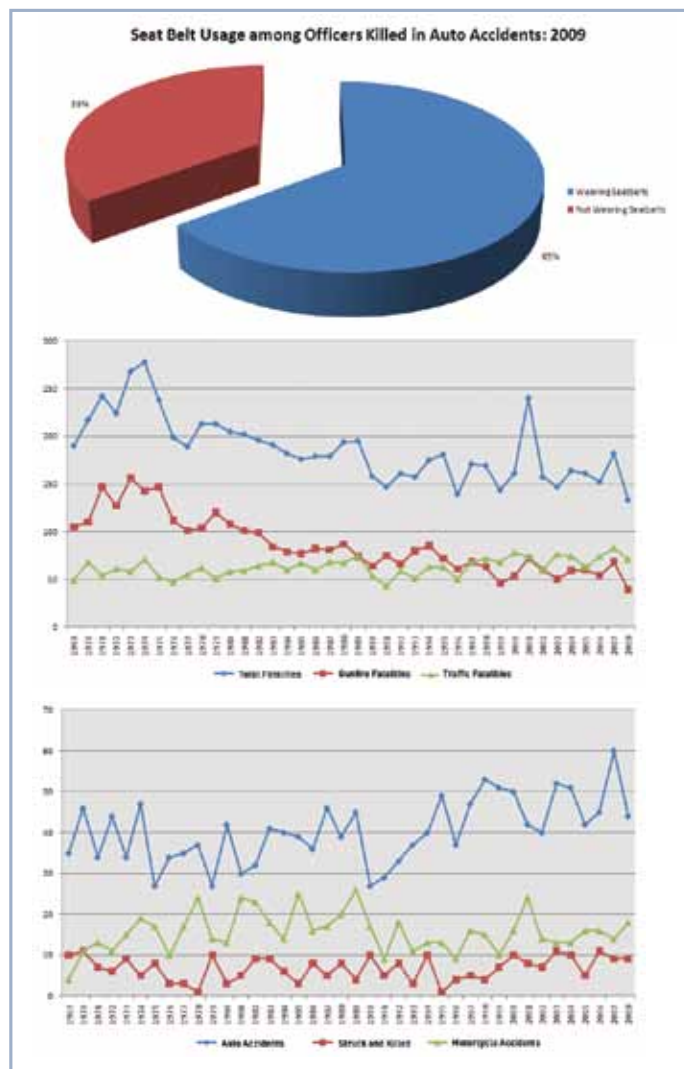
ists (6 percent). Another 5 percent of the fatalities occurred while transporting prisoners, according to the NLEOMF's internal Fallen Officer Database.

Interestingly, 43 percent of the automobile fatalities during this 10-year period were single-vehicle crashes; the remaining 57 percent involved collisions with other vehicles. By contrast, just 16 percent of all motorcycle fatalities during this period were single-vehicle incidents.

One of the officer safety issues generating considerable attention from the IACP, CalPOST's SAFE Driving Campaign, and others is seat belt usage by officers. The memorial fund has only recently begun collecting data in this area, but even the limited information collected thus far provides some troubling news. Among 37 officers killed in automobile crashes in 2009, 24 (or 65 percent) were wearing seat belts, but 13 (or 35 percent) were not (no data were available for a 38th automobile crash fatality.) By comparison, the latest data from the NHTSA show that among all U.S. drivers, 84 percent wore seat belts in 2009 and 16 percent did not.⁷

While some safety experts argue that seat belts represent an after-the-fact bandage approach to dangerous driving behavior in the first place, the trend among the general public is clear: as seat belt use has risen, the number of people killed in vehicle crashes has declined. The rise in seat belt use among drivers and passengers has coincided with tougher laws and stepped-up law enforcement through programs such as Click It or Ticket. The memorial fund will continue to collect data on seat belt usage among officers killed in the line of the duty as one measure of whether the number of officers wearing seat belts is changing.

Another serious, and seemingly contradictory, trend in law enforcement fatalities involves the impact of drunk drivers. Among the general population, drunk driving-related deaths have generally declined in recent years. In fact, since NHTSA began recording alcohol-related statistics in 1982, alcohol-impaired driving fatalities



have decreased 44 percent, from 21,113 in 1982 to fewer than 12,000 in 2008.⁸ At the same time, the number of law enforcement officers killed by drunk drivers has risen. According to NLEOMF data, 104 officers died in drunk driving-related incidents between 2000 and 2009, compared with 80 during the 1980s—an increase of 30 percent. Stepped-up enforcement of drunk driving laws has positively impacted the problem among the general population, but ironically, such efforts seem to have put law enforcement officers at greater risk.

The visibility of officers when they are outside their vehicles on the side of the road remains a critical safety concern as well. NLEOMF statistics show that in the 10 years between 1999 and 2008, 60 percent of the struck-and-killed incidents occurred during the nighttime hours of 6:00 p.m. to 6:00 a.m.

The Federal Highway Administration has responded to concerns about officer visibility with new regulations, contained in the December 2009 revisions to the *Manual on Uniform Traffic Control Devices (MUTCD)*.⁹ These regulations require officers engaged in a wide range of traffic enforcement activities to wear high-visibility apparel on all roads, not just on federal-aid highways, as the previous regulations specified. In addition, new requirements and options exist for the public safety vests worn by law enforcement, with the ANSI 206-2007 Public Safety Vest designed specially for law enforcement personnel now an approved option. Over the last two years, the NLEOMF has teamed with 3M to get the word out about officer visibility and the new federal requirements and options.

Drive Safely Campaign Stresses the Public's Role

Of course, the public also has a role to play in officer safety on the roadways. That is why the memorial fund launched its Drive Safely

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campaign, designed to raise awareness among the public of the dangers officers face and to provide motorists with specific, actionable steps they can take to help keep officers safe.

One of the key elements of the campaign is to increase public awareness of and compliance with Move Over laws. Currently, 47 states have laws requiring motorists to slow down and, if possible, safely move over one lane of traffic when they come upon law enforcement officers and other safety personnel stopped by the side of the road. Hawaii, Maryland, New York, and the District of Columbia do not have Move Over laws.

Move Over laws are not a panacea. According to a recent poll commissioned by the National Safety Commission and Move Over America, approximately 7 in 10 Americans have never heard of Move Over laws.¹⁰ Law enforcement officers report that safely and effectively enforcing the laws remain a challenge. Making more people aware of the Move Over concept and getting more motorists to comply voluntarily remains a major goal of the NLEOMF Drive Safely campaign and other traffic safety programs.

Latest Numbers Offer Encouraging News

The encouraging news is that there is some evidence that all of these safety efforts may be starting to have an impact. After reaching an all-time high of 84 deaths in 2007, traffic-related law enforcement deaths declined 39 percent over the next two years, according to NLEOMF statistics. The 51 traffic-related fatalities in 2009 marked the lowest total since 1996, when there were 50.¹¹

To keep these numbers moving in the right direction, the memorial fund will continue to partner with other law enforcement and traffic safety organizations to develop and deliver appropriate safety messages for both law enforcement and civilian audiences. As Sheriff Gillespie and his officers in Las Vegas have discovered, real and sustained progress will come when both driving habits and culture change, inside and outside the law enforcement profession. ❖

Notes:

¹National Law Enforcement Officers Memorial Fund (NLEOMF), "Law Enforcement Officer Deaths: Final 2009 Report," *Research Bulletin*, April 2010, http://www.nleomf.org/assets/pdfs/law_enforcement_officer_fatalities_2009_end_year_report_apr10.pdf (accessed May 17, 2010).

²Ibid., 2.

³NLEOMF, "Law Enforcement Officer Deaths: Final 2009 Report," 2.

⁴Michael J. Carroll, "President's Message: Safeguarding Officers: A Continuing Priority," *The Police Chief* 76 (December 2009): 6.

⁵This was derived by calculating the percentage change between the 1994 total traffic fatalities of 40,716 (as reported in NHTSA's FARS Encyclopedia, <http://www-fars.nhtsa.dot.gov/Main/index.aspx>) and the 2009 estimate of total traffic fatalities of 33,963 (as reported in <http://www-nrd.nhtsa.dot.gov/pubs/811291.pdf>).

⁶NHTSA's National Center for Statistics and Analysis, "Early Estimate of Motor Vehicle Traffic Fatalities in 2009," *Traffic Safety Facts*, DOT HS 811 291 (March 2010), <http://www-nrd.nhtsa.dot.gov/pubs/811291.pdf> (accessed May 17, 2010).

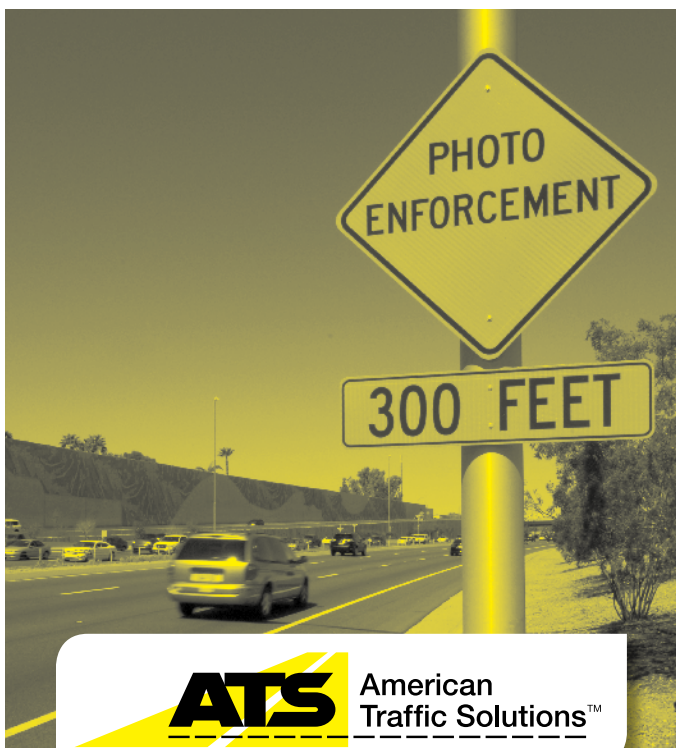
⁷NHTSA's National Center for Statistics and Analysis, "Seat Belt Use in 2009—Overall Results," *Traffic Safety Facts*, DOT HS 811 100 (September 2009), <http://www.dmv.ne.gov/highwaysafety/pdf/TSFSeatBeltOverall2009.pdf> (accessed May 17, 2010).

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The Smooth Operator Program:



Combating Aggressive Driving in the Mid-Atlantic

By Howard B. Hall, Captain, Baltimore County, Maryland, Police Department; and Thomas J. Gianni, Deputy Chief, Maryland Highway Safety Office

Each year, more than 30,000 people lose their lives in traffic crashes in the United States.¹ Scores more suffer injuries or damage to property. Fortunately, fatalities have been on the decline even as traffic volumes and congestion grow. Increasingly, however, drivers display behaviors that threaten other drivers while they all experience the effects of increasing traffic volume. This has resulted in the prevalence of what has become known as “aggressive driving.”

What Is Aggressive Driving and Why Does It Matter?

Aggressive driving has numerous definitions. Some relate to intentional acts, while others focus on behavioral issues that combine to create an aggressive driver. “Aggressive driving” and “road rage” have been terms frequently used interchangeably, although the behaviors are generally different. Road rage can be better described as predatory driving—that is, when a motorist’s actions become targeted at one or more other specific drivers. Some have referred to road rage as the big brother of aggressive driving—when moving traffic violations become criminal. For purposes of this article, the definition of aggressive driving developed by the National Highway Traffic Safety Administration (NHTSA) will be used. According to this definition, aggressive driving occurs when a driver commits a combination of moving traffic violations that endanger people or property.² Generally, the violations associated with aggressive driving include

- Speeding
- Following too closely
- Running red lights or stop signs
- Improper passing
- Weaving

Speeding, in particular, is associated with aggressive driving, especially when combined with weaving, passing, or tailgating. Since most law enforcement activity related to traffic enforcement is focused



on behavioral factors and most traffic laws do not require a showing of intent to prove the violation, the response to this problem is normally targeted patrols and high-visibility enforcement.

Several societal factors have contributed to the increased levels of aggressive driving. Traffic congestion heads the list. Drivers are spending more time in slow-moving traffic, leading to higher stress levels and, ultimately, attempts to move faster. Drivers are increasingly impatient and few plan for unintended events like congestion.³ Vehicles also provide anonymity. Drivers are hidden behind glass and metal and have very limited direct interaction with the people in other vehicles. One’s chances of being recognized on the roadway are minimal. In fact, many drivers condemn others for the same actions that they take while driving. In 2008, a study by the AAA Foundation found that 78 percent of respondents rated aggressive drivers as a serious traffic safety problem; however, many of these same people admitted to engaging in driving behavior that could be considered aggressive.⁴ Aggressive driving usually ranks ahead of impaired driving as a concern of motorists, most likely because drivers frequently witness incidents of aggressive driving during their daily travels along highways and recognize it immediately as a threat.

Aggressive driving is a major concern of the motoring public. In 2005, a survey

conducted by the *Washington Post* and *ABC News* reported that 32 percent of respondents identified aggressive driving as the greatest threat to their safety on the roadway. This is equivalent to the number of responses for identifying the dangers of drunk driving and nearly three times for the number of responses received for any other item.⁵ Clearly, the public perceives aggressive driving as dangerous and is concerned about its prevalence. Crash data support that concern.

Data from NHTSA’s Fatality Analysis Reporting System have shown that more than 55 percent of fatal crashes involve at least one driver who committed a potentially aggressive action. Speeding was the predominant violation, occurring in more than 30 percent of the fatalities included in the study.⁶ This is of particular concern since the probability of death and serious injury doubles for every 10 miles per hour over 50 miles per hour that a vehicle travels.⁷ The economic cost of speeding is estimated by NHTSA to exceed \$40 billion. Using these data, it could be surmised that approximately 20,000 people are killed each year as a result of some form of aggressive driving.

What is particularly disturbing is the involvement of younger drivers in aggressive driving-related crashes. Overall, motor vehicle crashes are the leading cause of death for individuals age 3 through 34.⁸ In 2006, 36 percent of young drivers involved in crashes had previously been cited for speeding or other hazardous moving violations. In Maryland, drivers less than 34 years old account for more than half of aggressive driving crashes, and more than 40 percent of aggressive driving-related fatalities were younger than age 24.

The available data paint a clear picture of the public safety impact of aggressive driving. Lives are being lost, and the citizens, who law enforcement is sworn to protect, are being put at risk. The good news is that this can be prevented. Law enforcement

knows from previous experiences, particularly those related to impaired driving, that public attitudes and driver behavior can be changed. The Smooth Operator Program is designed to do that through a combination of education, information, and high-visibility traffic enforcement.

History of the Smooth Operator Program

During the early morning hours of April 17, 1996, Nancy McBrien, a 41-year-old mother of three children, was traveling southbound along Virginia's George Washington Memorial Parkway. McBrien was returning from maternity leave to start a new job that day. At the same time, an incident involving aggressive driving and road rage in the northbound lanes of the Parkway was unfolding between two other drivers. They were chasing each other at speeds up to 80 miles an hour. A collision between the two vehicles sent them careening into the southbound lanes. The front of McBrien's minivan was struck by a 500-pound section of one of the cars. She died within moments of the crash. Three people were killed in this incident, including one of the drivers involved in the initial road rage. The other driver sustained a broken ankle, cuts, and bruises. He was ultimately charged in federal court with two counts of involuntary manslaughter and several other charges.

This incident captured attention all around the Washington, D.C., metropolitan area. Incidents of aggressive driving and road rage had been noticeably on the rise as traffic congestion increased and driver patience frayed. As total vehicle miles traveled has risen over the past 10 years, highway construction and expansion have been unable to keep pace. The Baltimore, Maryland, and Washington, D.C., metropolitan areas are consistently ranked as having some of the most congested highways in the country. Motorists in these heavily populated areas frequently face long commute times, and aggressive driving is frequently observed on roadways of all types. Shortly after the crash that killed McBrien, 18 law enforcement agencies in the region joined forces to conduct coordinated waves of concentrated aggressive driving enforcement. These agencies formed the beginning of the Smooth Operator Program, which has grown today to include close to 100 police departments and sheriff's offices in Virginia, Maryland, and the District of Columbia.

Following its formation in 1997, the Smooth Operator Program has expanded to become more than an enforcement initiative. This comprehensive program incorporates the five Es of highway safety: enforcement, education, engineering, emergency medical services, and regular evaluation. Highway safety offices in each jurisdiction provide funding for added enforcement, as

well as for the development and placement of media messages. Annual coordinated enforcement waves coincide with media blitzes to accomplish three objectives:

1. Inform the public of the dangers of aggressive driving.
2. Provide support to enforcement agencies by informing the public of the presence and purpose of increased concentrated traffic enforcement across the region.
3. Ultimately stigmatize the behavior by shaming aggressive drivers into respecting the rules of the road.

As the program expanded to include highway safety, government officials, and trauma experts, more state, county, and local

law enforcement agencies came together to participate in the enforcement waves. Currently, weeklong waves occur annually during the summer months of June, July, August, and September when research indicates that aggressive driving behaviors increase and aggressive driving-related crashes are more numerous. Concentrated waves of enforcement—accompanied by television, radio, and outdoor advertising—create awareness of the problem and help brand the Smooth Operator Program. By conducting the campaign in concentrated waves, as opposed to yearlong attempts to sustain enforcement and education, the program is better managed and effectively



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heightens the public's awareness of the dangers associated with aggressive driving while highlighting enforcement efforts to combat these behaviors.

Law enforcement officials, highway safety experts, and other professionals meet regularly to chart the program's course and develop the public education campaign that accompanies enforcement. This steering committee not only guides the creation of the media campaign but also coordinates major media events to announce the regional enforcement waves.

Smooth Operator in Action

Education and public information. Crash data show that speeding is a primary factor in aggressive driving. Media, however, informs the public that although speeding is a major factor, aggressive driving involves more behaviors than just speed. Great care is also taken to differentiate between road rage and aggressive driving. During the program's early years, motorist surveys indicated the public's misunderstanding of aggressive driving. Most drivers believed aggressive driving was road rage—that was what they were more familiar with, based on high-profile cases of confrontations and even assaults that resulted from highway incidents. People who could never imagine themselves losing their tempers and actually accosting

other drivers believed that aggressive driving messages were not intended for them. To counter this misperception, the Smooth Operator Program developed media messages specifically intended to educate motorists that driving behaviors, such as speeding, failing to yield the right of way, rushing through red lights and stop signs, and making improper lane changes, were actually forms of aggressive driving. Likewise, law enforcement officers were trained to avoid using the terms interchangeably.

The highlights of the annual campaigns are the large media events that kick off the summer enforcement waves across the region. Two events are usually planned—one to cover the Washington, D.C., metropolitan area and one designed specifically for the Baltimore, Maryland, metropolitan area. These events are usually staged at high-profile locations such as historic sites (the Lincoln Memorial in Washington D.C.) or congested traffic routes such as the Woodrow Wilson Bridge or the Francis Scott Key Bridge. Given the attendance of high-ranking government and law enforcement executives, kick-off events not only draw significant media attention but also energize the region's law enforcement agencies as they come together from across the tri-jurisdictional region in a unified display of traffic enforcement might. The presence of large numbers of law enforcement agen-

cies at such unique locations help to garner media coverage on area television and radio stations as news outlets announce the onset of the concentrated enforcement waves while informing their listeners of the dangers of aggressive driving. Since paid media spots can be expensive, especially when placed in concentrated blocks to support the campaign, the Smooth Operator Program relies heavily on television, radio, and print coverage to help communicate the message.

To help craft more effective messages, annual surveys are conducted to gauge motorist understanding of the problem, as well as their awareness of the Smooth Operator Program. Survey results help guide the formation of the following year's program, as well as target messages to the proper demographics. Each year, new media that attempt to inform the public of the inherent dangers of the behaviors associated with aggressive driving, as well as law enforcement's coordinated mobilization during campaign waves to combat the problem, are created. Subsequent education and campaign awareness combine sophisticated marketing techniques during law enforcement waves. Cable television and radio spots are aired during drive times and are placed on stations that target the most at-risk demographic—generally, male drivers between the ages of 18 years old and 34 years old.

Enforcement. High-visibility traffic enforcement is a key component of the Smooth Operator Program. Research suggests that public information and education campaigns are more effective when they are combined with traffic enforcement.⁹ During the five enforcement waves, participating agencies utilize an electronic reporting page on the Smooth Operator Program website to record the citations issued by individual agencies. These enforcement numbers are used to generate press releases and news stories to ensure the campaign's momentum. Since its inception, more than 3.2 million citations have been issued.¹⁰ In 2009, approximately 90 agencies participated in the effort.

The Baltimore County, Maryland, Police Department (BCOPD) has participated in the Smooth Operator Program since 2000. The county's proximity to the city of Baltimore and its extensive transportation system make the area prone to aggressive driving behavior, and traffic safety is a priority of its citizens and police. Chief James W. Johnson has made data-driven policing a priority for the agency and has emphasized high-visibility enforcement as a tool to reduce both traffic crashes and crime. In 2008, the BCOPD integrated its participation in the Smooth Operator Program with its efforts to implement what is now known as Data-Driven Approaches to Crime and Traffic Safety (DDACTS).

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DDACTS is an operational model that uses high-visibility traffic enforcement as a primary countermeasure against traffic crashes, crime, and other forms of social harm. It has been developed and promoted by NHTSA, the Bureau of Justice Assistance, and the National Institute of Justice. The Smooth Operator Program is a natural complement to DDACTS, since it is focused on areas where traffic safety problems (for example, aggressive driving) are occurring.

The BCOPD selected six highly traveled corridors for its focused enforcement in 2008. The selections were based on overlapping occurrences of robberies, burglaries, and traffic crashes. An analysis of crash causes in these areas revealed that violations associated with aggressive driving were frequent. Whereas DDACTS is an ongoing initiative that continues beyond the enforcement waves associated with Smooth Operator, these corridors were targeted for increased attention during the waves. The BCOPD used overtime funds provided by the Maryland Highway Safety Office to deploy enforcement teams into these areas. The teams consisted of a supervisor and four or five officers who worked together to provide high-visibility enforcement generally during rush hours—the time frame when aggressive driving appears to be most prevalent.

The DDACTS initiative continues to evolve in Baltimore County and the Smooth Operator Program continues to be an integral part of it. DDACTS target areas are reviewed continuously and roadways within them that experience aggressive driving-related crashes are targeted as Smooth Operator enforcement zones.

Many other agencies deploy high-visibility enforcement during Smooth Operator waves. This combines with the media efforts to heighten the perception that aggressive drivers will be stopped and cited. The BCOPD has been able to deploy significant enforcement resources to targeted areas by assigning patrol time to hot spots for high-visibility enforcement that is supplemented by overtime enforcement teams.

Traditional enforcement tactics, such as the use of radar and other speed detection devices, are combined with unmarked vehicles and aerial enforcement to enhance impact. A particularly interesting tactic known as the “centipede” is used in some areas and involves placing enforcement units several miles apart along targeted stretches of highways, particularly on interstates, to provide the impression that police enforcement is omnipresent. It may also serve to deter those tending to speed up or ignore other regulations after seeing a patrol unit. The combination of enforcement efforts from all of the participating agencies enhances the deterrent effect as the visibility stretches across the entire region.

Engineering efforts. Traffic engineers play an important role in traffic safety and crash reduction. During the Smooth Operator waves, highway officials contribute by posting warning signs in targeted areas. These signs identify Smooth Operator and inform drivers that the roadway has been designated for increased enforcement. Engineering partners have analyzed crash data to better identify the locations, times, and dates of aggressive driving-related crashes. By identifying high-risk crash corridors, law enforcement officials are better able to effectively target concentrated enforcement resources.

Another effective strategy is the use of roadway safety audits. While not unique to the Smooth Operator Program, roadway safety audits are an excellent means of obtaining an outside, objective review of roadway conditions where crash problems have developed. A team of engineers and safety experts from other jurisdictions review all aspects of traffic safety in the targeted area and make recommendations for maintenance, improvements, and enforcement to counter identified problems. These have been used along several targeted roadways in Baltimore County, and the results have proven valuable. Although major construction changes cannot occur immediately, many of the recommendations include steps that are of minimal cost and easy to implement, providing immediate improvements that can increase the safety of a targeted roadway.

Emergency medical services. Trauma center staff is all too familiar with the carnage that is wreaked on area highways as a result of



Media events are supported by law enforcement from Maryland; Washington, D.C.; and Northern Virginia. Westminster, Maryland's Chief Jeffrey Spaulding (at podium) and other Baltimore area law enforcement executives attended the Baltimore kickoff event.

aggressive driving. These dedicated professionals are quick to lend a hand to get the message out in support of the Smooth Operator Program. The trauma centers are frequent locations for major media events in partnership with law enforcement officers from around the region. Emergency providers also support the Smooth Operator Program by participating on the steering committee and by providing information to the media and public about the devastating injuries that result from traffic crashes.

Smooth Operator Program Results

The Smooth Operator Program results in a substantial amount of media, public information, and enforcement targeted toward drivers. This combination is known to be an effective method of changing driver behavior. Elizabeth A. Baker, PhD, NHTSA

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Region III administrator, said, "The Smooth Operator Program has significantly raised awareness among motorists regarding the dangers of aggressive driving. Once again, focused enforcement, coupled with paid and earned media coverage, results in a successful program."

Nearly 2,000 radio spots were broadcast during the 2009 campaign in the Washington, D.C., and Baltimore, Maryland, markets. These alone produced almost 26 million total impressions on listeners. Added media value and public service announcements resulted in more than \$265,000 of free media placement to promote the Smooth Operator message.¹¹ Outdoor advertising, including billboards, and additional police presence were positioned on the corridors of high-crash incidence. These boards, as well as signage on buses traveling the same routes, increased the campaign's profile for all drivers during enforcement waves. Additionally, assorted forms of Internet advertising helped saturate the area with the Smooth Operator message.

Since 1997, law enforcement agencies in the region have issued more than 3.2 million citations and warnings during Smooth Operator enforcement waves. Additionally, the enforcement reach has grown to include the entire state of Maryland, the most densely populated counties of northern Virginia, and metropolitan and federal law enforcement agencies inside the District of Columbia. In 2009, more than 400,000 citations were issued during the enforcement waves, including 205,066 in Maryland; 125,813 in Virginia; and 77,698 in Washington, D.C. This is a substantial increase from 2008, during which 319,379 citations were issued in these states, and is more than four times the citations issued in the first year of the program.

The BCOPD has been able to deploy significant enforcement resources to targeted areas by assigning patrol time to hot spots for high visibility enforcement that is supplemented by overtime enforcement teams. In 2008, the agency expended more than 51,000 hours of enforcement time along targeted roadways and reported more than 65,000 violator contacts. During the Smooth Operator waves, more than 10,000 citations and warnings were issued.¹²

At the end of each campaign, the program's steering committee organizes a reception and recognition event to award officers in each actively participating agency for their dedication to highway safety, specifically aggressive driving enforcement. Agencies are provided a set number of nominations based on agency size. Coordinators select officers whom they believe deserve recognition for their efforts during the past year's campaign. These officers are invited to a formal ceremony, along with their peers from across the tri-jurisdictional

region, where they receive a specially made Smooth Operator medal and a uniform pin comprised of the campaign colors.

In addition to outputs related to enforcement and education, it is important to measure outcomes, particularly related to crash reductions. Since Smooth Operator is designed to stigmatize aggressive driving and reduce its overall incidence, specific numbers during enforcement waves are not measured across all jurisdictions. However, following are some notable outcomes:

- Overall aggressive driving crashes peaked in Maryland in 2006 and have been declining for the past two years. Persons killed in aggressive driving crashes have declined from a high of 88 in 2006 to 62 in 2008.
- In 2008, the BCOPD experienced a 6 percent overall reduction in crashes along the 6 targeted corridors and a 14.7 percent reduction in injury crashes. As a result of the DDACTS initiative, corresponding crime reductions have been realized in areas where targeted, high-visibility enforcement has been utilized.
- In 2007, overall crashes in Howard County, Maryland, dropped during all four waves of the Smooth Operator Program, as compared to other time frames.
- In 2005, the Fairfax County, Virginia, Police Department reported that citations issued by red light cameras, as well as overall crashes, declined during the summer months.¹³

Although these are generalized data, post-campaign surveys indicate that public awareness of the problem has increased. In 2009, 72 percent of individuals contacted selected total awareness of all Smooth Operator Program messages, up from 64 percent in the pre-campaign survey. More importantly, within the target demographic, awareness of the enforcement message was 58 percent—a 6 percent increase from the pre- to the post-survey. These results confirm the success of the campaign's goal of delivering a stronger enforcement message to this at-risk demographic.¹⁴

The goal of the Smooth Operator Program has been to stigmatize the driving behaviors associated with aggressive driving, increase enforcement of related violations, and ultimately reduce related crashes. The hard work of the participants has been paying off as crash numbers decline. This is likely due to three strategies that have been incorporated:

- Enforcement and education efforts have been targeted to the areas where the problem is most prevalent.
- Media has been designed to reach those most likely to engage in aggressive driving behaviors.

- Collaboration has provided a multiagency, multi-state approach. This collaboration not only increases ideas and expertise but provides an expanded reach as drivers observe program activity across jurisdictional lines, which also maximizes the efficient use of limited resources.

Smooth Operator is a program that has benefited the Mid-Atlantic region by addressing the problem of traffic safety. It is also a program that can be replicated anywhere that aggressive driving or other safety problems arise. The starting point is identifying partners from within law enforcement, the community, and other agencies concerned with traffic safety issues. The use of combined resources will result in a broader reach and greater benefits.

More information regarding the Smooth Operator Program can be obtained by contacting the authors or by visiting <http://www.smoothoperatorprogram.com>. ♦

Notes:

¹NHTSA's National Center for Statistics and Analysis, "Early Estimate of Motor Vehicle Traffic Fatalities in 2009," *Traffic Safety Facts*, DOT HS 811 291, March 2010, <http://www-nrd.nhtsa.dot.gov/pubs/811291.pdf>.

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⁸Rajesh Subramanian, "Top 10 Leading Causes of Death in the United States for 2006," *Traffic Safety Facts: Research Note*, October 2009, DOT HS 811 226, 2, table Top 10 Leading Causes of Death in the United States for 2006, by Age Group, <http://www-nrd.nhtsa.dot.gov/Pubs/811226.PDF> (accessed May 13, 2010).

⁹National Cooperative Highway Research Program, "Public Information and Education in the Promotion of Highway Safety," *Research Results Digest* 322 (August 2007): 10, http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rrd_322.pdf (accessed May 17, 2010).

¹⁰Maryland Highway Safety Office, *The 2009 Smooth Operator Program Annual Report*, 3.

¹¹*Ibid.*, 8.

¹²These statistics were reported by the BCOPD as a result of the DDACTS and Smooth Operator Programs.

¹³These statistics were reported to the Maryland Highway Safety Office by the INOVA-Fairfax Hospital as part of a contracted evaluation report.

¹⁴Maryland Highway Safety Office, *The 2009 Smooth Operator Program Annual Report*, 10.

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*Associate Members

All other listings are active members.

CANADA

Quebec

Montreal—Covey, Stephen, Chief of Police, CN Police Dept, 935 de la Gauchetiere St W, 11th Fl, H3B 2M9, (514) 399-6220, Fax: (514) 399-8846, E-mail: stephen.covey@cn.ca

NIGERIA

Abuja—*Bernard, Ajewole, Investigation Officer, Economic & Financial Crimes Commission, Aftiu 5 Fomella St, Off Ademola Adetokunbo Way, 234 5274877, E-mail: bernajewole@yahoo.com

—*Mbadugha, Ifeyinwa I, Litigation Lawyer, Freshfield Solicitors Chambers Abuja, Bavis House 19 Gwani St Wuse Zone 4, Near Pioneer Hotel, 44 7909463611, E-mail: ifyirene@yahoo.com

—Mohammed, Isyaku, Superintendent of Police, Nigeria Police Force, Force HQS Louis Edet House, Area 11 Garki, 234 6434959, E-mail: m_isyaku@yahoo.co.uk

—Vandefan, Tersugh J, Superintendent, Nigeria Police Force Accounts Dept, EFCC HQS Wuse II, 5 Fomella St, 234 32277227, E-mail: vandefanjtv@gmail.com

Calabar—Doghudje, Ayim M, Deputy Superintendent of Police, Nigeria Police Force, PO Box 2228, 234 8086170900, E-mail: mary.ayim@yahoo.com

Ibadan—*Arowosola, Otunba O, Police Community Relations Committee, Nigeria Police Force, PPRO's Office Oyo State Police Command, Eleyele, 234 8033271329, E-mail: femehtechcom@yahoo.com

Ikeja—*Green, Muiyiwa, CEO, Opass Nigeria Security Consultants, Opass Bldg 1 Adeboye Solanke Ave, Off Allen, 234 8055710651, E-mail: jonathangreen66@hotmail.com

—*Ikekhuwa, Patrick A, Security Consultant, Committee of Registered Engineers of Nigeria, PO Box 9221, 234 7042243178, E-mail: patikekhuwa@yahoo.co.uk

Ikoyi—*Dayo-Akinbisehin, Bimpe, Executive Committee Member, Police Officers Wives Assn, 13 Milverton Rd, 234 8029499000, E-mail: dybimx@yahoo.com

Ijuo, Plus O, Assistant Superintendent of Police, Nigeria Police Force, Special Fraud Unit FCID Annex, 13 Milverton Rd, 234 8023054474

—*Sorinolu, Sherifat F, Police Detective, Nigeria Police Force, Special Fraud Unit FCID Annex, 13 Milverton Rd, 234 8058019977

Lagos—Daura, Ahmed I, Superintendent of Police, Nigeria Police Force, NPA House 26/28 Marina, 234 8037084449, E-mail: khadi4u2009@yahoo.com

Ndambabo, Usman, Chief Superintendent of Police, Nigeria Police Force, Festac Town Police Station, 234 8033058903, E-mail: usmandanbabo@yahoo.com

—*Okiovo, Anthony O, Operations Manager, Securiplus Ltd, 45 Aborishade Rd, Lawanson Surulere, 234 8065791105, E-mail: muyenralph@yahoo.com

—Opara, Hilary N, Commissioner of Police, Nigeria Police Force, NPA House 26/28 Marina, 234 8033001239, E-mail: opara13672@yahoo.com

Makurdi—Medugu, Hyacinth D, Deputy Commissioner of Police, Nigeria Police Force, Benue State Police Command, 234 8034819338, E-mail: hyacinthdagala@yahoo.com

Yenagoa Bayelsa—*Emmanuel, Ibama, Chief Security Consultant, Yenagoa State Security Service, Government House CSO's Office, 234 8033411038, E-mail: eibama@yahoo.com

—*Richard, Kpodoh D, Special Assistant to His Excellency, Bayelsa State Government, Governor's Office, 234 8033094338, E-mail: ididie@yahoo.com

PHILIPPINES

Benguet—Sevilla, Ferdinando G, Police Senior Superintendent, Philippine National Police, ORCD Camp Dangwa La Trinidad, 63 4225336, E-mail: dingsevilla1984@yahoo.com

Quezon City—Cuy, Catalino S, Police Chief Superintendent, Philippine National Police, Camp Crame, 63 27255119, Fax: 63 24159190, E-mail: cuylito@yahoo.com.ph

UNITED STATES

Alabama

Dothan—Jay, David, Lieutenant/Commander Criminal Investigations, Dothan Police Dept, 210 N St Andrews St, 36303, (334) 615-3632, Fax: (334) 615-3639, E-mail: wdjay@dothan.org, Web: www.dothanpolice.org

Gadsden—Garigues, James M, Lieutenant/Commander of CID, Gadsden Police Dept, 90 Broad St, 35901, (256) 549-4652, Fax: (256) 549-4651, E-mail: mgarigues@gadsdenpd.org

Alaska

Bethel—Elarton, Laurance, Chief of Police, Bethel Police Dept, PO Box 809, 99559, (907) 543-3781, Fax: (907) 543-5086, E-mail: lartont@cityofbethel.net, Web: www.cityofbethel.org

Arizona

Glendale—Apodaca, Matthew J, Lieutenant, Glendale Police Dept, 6835 N 57 Dr, 85301, (623) 693-9740, E-mail: mopodaca@glendaleaz.com, Web: www.ci.glendale.az.us

Goodyear—*Rogers, Susan L, Assistant City Attorney, City of Goodyear, PO Box 5100, 85338, (623) 882-7228, Fax: (623) 882-7230, E-mail: susan.rogers@goodyearaz.gov, Web: www.goodyearaz.gov

Arkansas

Plumerville—Hartman, William, Chief of Police, Plumerville Police Dept, 101 W Church St, 72127, (501) 354-6400, Fax: (501) 354-9122, E-mail: plumpd@cyberback.com

California

Berkeley—Greenwood, Andrew R, Lieutenant, Berkeley Police Dept, 2100 Martin Luther King Jr Way, 94704, (510) 812-9647, E-mail: agreenwood@ci.berkeley.ca.us

Burbank—Kroeker, Mark A, VP Global Intelligence, The Walt Disney Co, 500 S Buena Vista St, 91521, E-mail: mark.kroeker@disney.com

—*Yadon, Daniel A, Sergeant, Burbank Police Dept, 200 N Third St, 91502, (818) 517-7207, E-mail: dyadon@ci.burbank.ca.us

Camp Pendleton—*Broussard, Gordon A, Marine Corps Installation West Law Enforcement Manager, USMC, PO Box 555200, 92055-5200, E-mail: gordon.a.broussard.ctr@usmc.mil

Cupertino—McMahon, James, Assistant Chief of Police, Foothill DeAnza Community College Police Dept, 21250 Stevens Creek Blvd, 95014, (408) 864-8919, Fax: (408) 864-5429, E-mail: mcmahonjim@fhda.edu

Long Beach—Johnson, Nathan, Chief Law Enforcement Officer, CA State Univ Office of the Chancellor, 401 Golden Shore, 90802, (562) 951-4054, Fax: (562) 951-4918, E-mail: njohnson@calstate.edu, Web: www.calstate.edu

Los Angeles—Hollowell, Benny, Lieutenant, Los Angeles Co Sheriff's Dept, 1277 N Eastern Ave, 90063, (323) 881-8040, Fax: (323) 415-3813, E-mail: bhollowell@lasd.org, Web: www.lasd.org

—Lewis, Bill L, Special Agent in Charge, FBI, 11000 Wilshire Blvd, Ste 1100, 90024, (310) 996-3940, Fax: (310) 996-4001, E-mail: bill.lewis@ci.fbi.gov

—Sambar, Steven S, Captain, Los Angeles Police Dept, 100 W First St Ste 973, 90012, (213) 926-9317, E-mail: 24822@lapd.lacity.org

Orland—Carr, Paula A, Chief of Police, Orland Police Dept, 817 Fourth St, 95963, (530) 865-1616, Fax: (530) 865-1626, E-mail: pcarr@cityoforland.com, Web: www.cityoforland.com

Victorville—Knight, Leonard, Chief of Police, Victor Valley College, 18422 Bear Valley Rd, 92395, (760) 245-4271 Ext. 2516, Fax: (760) 245-3411, E-mail: knight@vvc.edu, Web: www.vvc.edu

Colorado

Lakewood—Goodwin, Jeff, Captain, CO State Patrol, 700 Kipling St, Ste 3000, 80215, (303) 239-4419, Fax: (303) 239-4693, E-mail: jeff.goodwin@cdps.state.co.us

Longmont—*Hinkle, William H, Senior Vice President Strategic Relations, Intrado, 1601 Dry Creek Dr, 80503, E-mail: william.hinkle@intrado.com, Web: www.intrado.com

Connecticut

South Windsor—Bond, Richard, Lieutenant, South Windsor Police Services, 151 Sand Hill Rd, 06074, (860) 644-2551, E-mail: richard.bond@southwindsor.org

Delaware

New Castle—Becker, Robert C, Captain, New Castle Co Police Dept, 3601 N DuPont Hwy, 19720, (302) 395-8018, E-mail: rcbecker@ncdcde.org

Wilmington—*Smith, Stephen P, Sergeant, Elsmere Bureau of Police, 11 Poplar Ave, 19805, (302) 998-1173 Ext. 654, Fax: (302) 998-9922, E-mail: stephen.smith@cj.state.de.us, Web: www.townofelmsere.com/police.htm

District of Columbia

Washington—*Register, Terry D, Law Enforcement Senior Advisor, Pentagon Force Protection Agency, The Pentagon, 20301, (703) 614-4562, E-mail: terry.register@pfpa.mil

—Saupp, Kevin M, Acting Director OCSF, US Dept of Homeland Security, 500 C St SW, 22D, 20472, E-mail: kevin.saupp@dhs.gov

—*Toms, Joshua J, Intelligence Officer, National Counterterrorism Center, 3B-520 LX-2, 20505, E-mail: joshuajt@nctc.gov

—Wilbanks, Linda, Executive Assistant Director IT/CIO, Naval Criminal Investigative Service, 716 Sicard St SE, Ste 2000, 26388, (202) 685-1305, E-mail: linda.wilbanks@navy.mil

Florida

Crestview—Mitchell, Brian, Chief of Police, Crestview Police Dept, 201 Stillwell Blvd, 32536, (850) 682-3544, Fax: (850) 682-2080, E-mail: mitchellb@crestviewpd.org, Web: www.crestviewpd.org

Fort Lauderdale—Brogna, Eric, Captain, Fort Lauderdale Police Dept, 1300 W Broward Blvd, 33312, (954) 828-5700, Fax: (954) 828-6889, E-mail: ebrogna@fortlauderdale.gov, Web: www.flpd.org

—MacDougall, Douglas, Captain, Fort Lauderdale Police Dept, 1300 W Broward Blvd, 33312, (954) 828-5572, Fax: (954) 828-6001, E-mail: dmacdougall@fortlauderdale.gov, Web: www.flpd.org

—Maglione, Rick, Captain/Internal Affairs, Fort Lauderdale Police Dept, 1300 W Broward Blvd, 33312, (954) 828-6962, Fax: (954) 759-5964, E-mail: rmaglione@fortlauderdale.gov, Web: www.flpd.org

Haines City—Sloan, Richard H, Chief of Police, Haines City Police Dept, 35400 Hwy 27, PO Box 1507, 33845, (863) 421-3636, Fax: (863) 419-3023, E-mail: chiefsloan@hainescitypd.com

Hallandale Beach—Quinones, Sonia, Captain, Hallandale Beach Police Dept, 400 S Federal Hwy, 33009, (954) 457-1400, Fax: (954) 457-1420, E-mail: squinones@cohb.org

Miami—Foster, James M, Special Agent in Charge, US Dept of State/Diplomatic Security Svc, 51 SW First Ave #404, 33130, E-mail: j.michaelfoster@yahoo.com

Tallahassee—Ellis, Kenneth L, Captain Special Operations, FL Dept of Financial Services Fraud Division, 200 E Gaines St, 32308, (850) 413-3115, Fax: (850) 414-5687, E-mail: ken.ellis@myfloridacfo.com, Web: www.myfloridacfo.com

Tampa—*Mertz, Gregory J, Special Agent, Transportation Security Administration, 4200 George Bean Pkwy, Ste 2518, 33607, (813) 227-4046, Fax: (813) 348-1501, E-mail: greg.mertz@dhs.gov
Vero Beach—Smith, Don, Captain, Indian River Co Sheriff's Office, 4055 41st Ave, 32960, (772) 978-6160, Fax: (772) 978-6164, E-mail: dsmith@ircsheriff.org, Web: www.ircsheriff.org

Georgia

Brunswick—*Robbs, Michael, Program Manager, FLETC/DHS, 1131 Chapel Crossing Rd, 31524, (912) 506-1153, Fax: (912) 267-2861, E-mail: mike.robbs@dhs.gov
Marietta—Arnold, Tom, Major, Cobb Co Police Dept, 140 N Marietta Pkwy, 30060, (770) 590-5732, Fax: (770) 590-5627, E-mail: thomas.arnold@cobbcounty.org, Web: www.cobbcounty.org
—Merrifield, Steve, Captain, Cobb Co Police Dept, 140 N Marietta Pkwy, 30060, (770) 499-4501, E-mail: stephen.merrifield@cobbcounty.org, Web: www.police.cobbcounty.ga.gov
—Sampson, Robert C, Major, Cobb Co Police Dept, 140 N Marietta Pkwy, 30060, (770) 241-6058, Fax: (770) 590-5627, E-mail: robert.sampson@cobbcounty.org, Web: www.cobbcounty.org
Norcross—Stidd, Dallas, Chief of Police, Norcross Police Dept, 65 Lawrenceville St, 30071, (770) 448-2111, Fax: (770) 447-5505, E-mail: dstdidd@norcrosspd.com

Idaho

Meridian—Colaiani, Scott, Lieutenant, Meridian Police Dept, 1401 E Watertower St, 83642, (208) 846-7370, Fax: (208) 846-7372, E-mail: scolaianni@meridiandcity.org
Pocatello—Felsman, Terry F, Captain of Investigations, Pocatello Police Dept, 911 N Seventh Ave, 83206-2877, (208) 234-6127, Fax: (208) 234-6119, E-mail: tfelsman@pocatello.us

Illinois

Elmhurst—Kveton, James A, Commander, Elmhurst Police Dept, 125 E First St, 60126, (630) 530-3050 Ext. 6406, Fax: (630) 941-1229, E-mail: james.kveton@elmhurst.org, Web: www.elmhurst.org
Palatine—*Smith, Luke, Senior VP Business Development, MVTRAC, 260 E Helen Rd, 60067, (847) 485-2349, Fax: (847) 241-0138, E-mail: lsmith@mvtrac.com, Web: www.mvtrac.com
Prophetstown—Fisk, Michael R, Chief of Police, Prophets-town Police Dept, 339 Washington St, PO Box 85, 61277, (815) 537-2387, Fax: (815) 537-2388, E-mail: ptowncy@thewisp.net
Yorkville—Hart, Richard T, Chief of Police, Yorkville Police Dept, 804 Gamefarm Rd, 60560, (630) 553-4340, Fax: (630) 553-1141, E-mail: rhart@yorkville.il.us, Web: www.yorkville.il.us

Indiana

Fort Wayne—Spitznagel, Kevin L, Special Agent in Charge, Norfolk Southern Railway Police, 8111 Nelson Rd, 46803, (260) 493-5457, Fax: (260) 493-5291, E-mail: kevin.spitznagel@nscorp.com
Hanover—Kroger, Ronald C, Chief of Police, Hanover Police Dept, 111 N Madison Ave, 47243, (812) 866-2131 Ext. 32, Fax: (812) 866-9161, E-mail: hanoverpd@seidata.com
Kokomo—Baker, Robert A, Chief of Police, Kokomo Police Dept, 100 S Union St, 46901, (765) 456-7100, Fax: (765) 456-7207, E-mail: rbaker@cityofkokomo.org, Web: www.kokomo-police.org
—Seldon, Brian K, Major, Kokomo Police Dept, 100 S Union, 46901, (765) 456-7284, Fax: (765) 456-7207, E-mail: bseldon@cityofkokomo.org, Web: www.kokomo-police.org
Richmond—Wolski, Kris J, Chief of Police, Richmond Police Dept, 50 N Fifth St, 47374, (765) 983-7247, Fax: (765) 983-7432, E-mail: kwolski@richmondindiana.gov, Web: www.richmondindiana.gov

Iowa

Ankeny—Hamilton, Ed, Lieutenant, Ankeny Police Dept, 411 SW Ordinance Rd, 50023, (515) 289-5240, Fax: (515) 289-9126, E-mail: ehamilton@ankenyiowa.gov, Web: www.ankenyiowa.gov
Des Moines—Mertens, Matthew, Lieutenant, Polk Co Sheriff's Office, 1985 NE 51st Pl, 50313, (515) 323-5441, Fax: (515) 323-5473, E-mail: matthew.mertens@polkcountyiowa.gov
Webster City—Hughes, Brian D, Chief of Police, Webster City Police Dept, 400 Second St, PO Box 217, 50595, (515) 832-9116 Ext. 235, Fax: (515) 832-9170, E-mail: chief@wcpolice.com

Kentucky

Frenchburg—Coffey, Rodney, Sheriff, Menifee Co Sheriff's Office, PO Box 1452, 40322, (606) 768-3875, Fax: (606) 768-3954, E-mail: menifeeso@aol.com
Springfield—Armstrong, Fred, Colonel, Springfield Police Dept, 1 Police Dr, 40069, (859) 336-5450, Fax: (859) 336-5406, E-mail: fdarmstrong@bellsouth.net

Louisiana

Baton Rouge—Penouilh, Val, Deputy Superintendent Bureau of Investigations, LA State Police, 7919 Independence Blvd, PO Box A-10, 70806, (225) 922-1467, Fax: (225) 922-0848, E-mail: val.penouilh@dps.la.gov, Web: www.lsp.org
—Williams, Anthony J, Chief of Police, Baton Rouge Metro Airport Police/ARFF, 9430 Jackie Cochran Dr, 70807, (225) 358-4221, Fax: (225) 358-4230, E-mail: awilliams@brgov.com, Web: www.flybtr.com
—Wynne, Brian J, Lieutenant Colonel, LA State Police, 7919 Independence Blvd, 70806, (225) 925-8402, Fax: (225) 925-1823, E-mail: brian.wynne@dps.la.gov, Web: www.lsp.org
Bossier City—McWilliams, Patrick, Chief of Police, Bossier City Police Dept, 620 Benton Rd, 71111, (318) 741-8621, Fax: (318) 741-8622, E-mail: mcwilliams@bossiercity.org, Web: www.bossierpolice.com
Lafayette—Sturm, Joey, Chief of Police, Univ of LA Lafayette Police Dept, PO Box 40794, 70504, (337) 482-6363, Fax: (337) 482-6451, E-mail: jsturm@louisiana.edu, Web: www.police.louisiana.edu

Maine

Kennebunk—French, Russell C, Lieutenant, Kennebunk Police Dept, 4 Summer St, 04043, (207) 985-6121, Fax: (207) 985-8769, E-mail: rfrench@kennebunkmaine.us, Web: www.kennebunkpolice.maine.org

Maryland

Baltimore—Yealdhall, Eric, Training Unit Commander/Sergeant, MD Capitol Police, 301 W Preston St M5, 21201, (410) 767-4755, Fax: (410) 333-7036, E-mail: eric.yealdhall@dgs.state.md.us
Rockville—*Wernicke, Mike, Director of Sales, Emergent BioSolutions, 2273 Research Blvd Ste 400, 20850, (301) 795-1889, Fax: (301) 795-1899, E-mail: wernickem@ebsi.com, Web: www.emergentbiosolutions.com
Seat Pleasant—Prue, Samuel A, Chief of Police, Seat Pleasant Police Dept, 6264 Central Ave, 20743, (301) 499-8700, Fax: (301) 499-8702, E-mail: policechief@seatpleasantmd.gov

Massachusetts

Amherst—Livingstone, Scott P, Chief of Police, Amherst Police Dept, 111 Main St, 01002, (413) 259-3014, Fax: (413) 259-2409, E-mail: livingstones@amherstma.gov, Web: www.amherstpd.org
Boxborough—Ryder, Warren B, Chief of Police, Boxborough Police Dept, 520 Massachusetts Ave, 01719, (978) 263-2328, Fax: (978) 266-1510, E-mail: ryder@boxboroughpolice.com, Web: www.boxboroughpolice.com
Carver—Miksch, Michael R, Chief of Police, Carver Police Dept, 112B Main St, 02330, (508) 866-2000, Fax: (508) 866-4538, E-mail: mmiksch@carverpolice.org, Web: www.carverpolice.org
Lynn—Reddy, Christopher, Captain, Lynn Police Dept, 300 Washington St, 01902, (781) 595-2000, Fax: (781) 598-5645, E-mail: creddy@lynnpolice.org, Web: www.lynnpolice.org
Methuen—Kelley, David W, Deputy Director, New England HIDTA, 13 Branch St, Ste 9, 01844, (978) 691-2502, Fax: (978) 691-2510, E-mail: dkelley@nehidta.org
Nahant—Dwyer, Robert C, Chief of Police, Nahant Police Dept, 198 Nahant Rd, 01908, (781) 581-1212, Fax: (781) 581-1907, E-mail: rdwyer@nahantpolice.org, Web: www.nahantpolice.org
Pepperell—Scott, David, Chief of Police, Pepperell Police Dept, PO Box 295, 59 Main St, 01463, (978) 433-2424, Fax: (978) 433-0300, E-mail: dscott@town.pepperell.ma.us, Web: www.town.pepperell.ma.us/emergency/police
Shrewsbury—*Laprade, Mark C, Sales Director, Creative Safety Products, 352 Boston Turnpike Rd, 01545, (508) 797-9797, E-mail: mark@creativesafety.net

Michigan

Eastpointe—Borowsky, Leo, Deputy Chief of Police, Eastpointe Police Dept, 16083 Nine Mile, 48021, (586) 445-8069, Fax: (586) 775-2853, E-mail: lborowsky@eastpointecity.org
Waterford—*Good, Scott, Administrative Sergeant, Waterford Police Dept, 5150 Civic Center Dr, 48329, (248) 618-7470, Fax: (248) 618-7552, E-mail: sgood@twp.waterford.mi.us

Minnesota

Brooklyn Park—Ankerfelt, Jeff, Captain, Brooklyn Park Police Dept, 5400 85th Ave N, 55443, (763) 493-8309, Fax: (763) 315-8419, E-mail: jeff.ankerkfelt@brooklynpark.org, Web: www.brooklynpark.org
—Enevoldsen, Craig, Captain of Patrol, Brooklyn Park Police Dept, 5400 85th Ave N, 55443, (763) 493-8308, Fax: (763) 315-8419, E-mail: craig.enevoldsen@brooklynpark.org, Web: www.brooklynpark.org

Mound View—*Chaffee, Robert B, SME Agency Integration, Pegasus Research Foundation, 7842 Eastwood, 55112, (763) 717-1554, Fax: (815) 301-9877, E-mail: rchaffee@pegasusprogram.us
St Paul—*Schultz, Rob, Executive Director, St Paul Police Foundation, 380 Jackson St, Ste 287, 55101, (612) 385-8114, Fax: (715) 377-1155, E-mail: rob.schultz@me.com, Web: www.saintpaulpolicefoundation.com

Mississippi

Jackson—Berthay, Michael, Colonel, MS Hwy Patrol, 1900 Woodrow Wilson, 39205, (601) 940-7440, E-mail: mberthay@mdps.state.ms.us
Waynesboro—Bunch, James C, Chief of Police, Waynesboro Police Dept, 714 Wayne St, 39367, (601) 735-3192, Fax: (601) 735-6409, E-mail: jamesbunch@gmail.com

Missouri

Canton—Kemp, Michael K, Chief of Police/Colonel, Canton Police Dept, 108 N Fifth St, 63435, (573) 288-4412, Fax: (573) 288-4498, E-mail: michael.kemp@leo.gov
Ferguson—Jackson, Thomas, Chief of Police, Ferguson Police Dept, 222 S Florissant Rd, 63135, (314) 524-5260, E-mail: tjackson@fergusoncity.com, Web: www.fergusoncity.com
Jefferson City—Schmidt, Dale A, Major/Support Services Bureau Commander, MO State Hwy Patrol, 1510 E Elm St, 65101, (573) 526-6140, Fax: (573) 526-6223, E-mail: dale.schmidt@mshp.dps.mo.gov
Joplin—Kennedy, Kenneth R, Chief of Campus Police, MO Southern State Univ, 3950 E Newman, 64801, (417) 625-9741, Fax: (417) 625-3064, E-mail: kennedy-k@mssu.edu, Web: www.mssu.edu
Moscow Mills—Foster, Terry L, Chief of Police, Moscow Mills Police Dept, 71 Progress Ct, 63362, (636) 358-4612, Fax: (636) 356-4062, E-mail: mmpdchief@centurytel.net

Montana

Belgrade—Clark, E J, Chief of Police, Belgrade Police Dept, 91 E Central, 59714, (406) 388-4262, Fax: (406) 388-4708, E-mail: eclark@belgradepolice.net, Web: www.belgradepolice.net
Helena—Jeseritz, David D, Assistant Chief of Police, Helena Police Dept, 221 Breckenridge, 59601, (406) 447-8479, Fax: (406) 442-3965, E-mail: djeseritz@ci.helena.mt.us

Nebraska

Fremont—Elliott, Jeff J, Deputy Chief of Police, Fremont Police Dept, 725 N Park Ave, 68025, (402) 727-2687, Fax: (402) 727-2699, E-mail: jeff.elliott@fremontne.gov, Web: www.fremontne.gov
McCook—Brown, Isaac S, Chief of Police, McCook Police Dept, PO Box 1066, 526 W B St, 69001, (308) 345-3450, Fax: (308) 345-4369, E-mail: sbrown@cityofmccook.com, Web: www.cityofmccookne.com
Ralston—*Bishop, Blair, Training Sergeant, Ralston Police Dept, 7400 Main St, 68127, (402) 331-1786, Fax: (402) 331-0765, E-mail: bbishop@cityofralston.com
—*Leonardo, Marc, Administrative Sergeant, Ralston Police Dept, 7400 Main St, 68127, (402) 331-1786, Fax: (402) 331-0765, E-mail: mleonardo@cityofralston.com

New Hampshire

Concord—Quinn, Robert L, Colonel, NH State Police, 33 Hazen Dr, 03305, (603) 271-2450, Fax: (603) 271-0336, E-mail: robert.l.quinn@dos.nh.gov
Grantham—Madore, Walter A, Chief of Police, Grantham Police Dept, 300 Route 10 S Hwy, PO Box 704, 03753, (603) 863-6844, Fax: (603) 863-8152, E-mail: wmadore@granthamnh.net, Web: www.granthamnh.net
Thornton—Parent, Aimee, Chief of Police, Thornton Police Dept, 16 Merrill Access Rd, 03285, (603) 726-3871, Fax: (603) 726-7632, E-mail: chief@thorntonnhpd.org, Web: www.thorntonnhpd.org

New Jersey

Clifton—Giardina, Gary F, Chief of Police, Clifton Police Dept, 900 Clifton Ave, 07013, (973) 470-5921, Fax: (973) 779-0266, E-mail: gfgiardina@cliftonnj.org, Web: www.cliftonpolice.org
Freehold—Golden, Shaun, Sheriff, Monmouth Co Sheriff's Office, 50 E Main St, 07728, (732) 431-7140, Fax: (732) 294-5965, E-mail: sgolden@co.monmouth.nj.us, Web: www.sheriffgoblue.com
Toms River—Armstrong, Matthew J, Captain, Ocean Co Sheriff's Office, 239 Washington St at 6 Mott Pl, 08754, (732) 929-2132, Fax: (732) 349-1888, E-mail: marmstrong@co.ocean.nj.us

—*Bordonaro, John, Sergeant, Ocean Co Sheriff's Office, 239 Washington St at 6 Mott Pl, 08754, (732) 929-2050, Fax: (732) 341-1888, E-mail: jbordono@co.ocean.nj.us
Trenton—*Zaleski, Christopher D, Sergeant, NJ State Parole, 171 Jersey St Bldg 2, PO Box 862, 08625, (609) 649-4123, Fax: (609) 417-2256, E-mail: christopher.zaleski@spb.state.nj.us

New Mexico

Acoma—Pargas, Dominic J, Chief of Police, Pueblo of Acoma Police Dept, PO Box 468, 87034, (505) 552-6602, Fax: (505) 552-6206, E-mail: dpargas@puebloofacoma.org

New York

Freeport—Bermudez, Miguel, Deputy Chief of Police, Freeport Police Dept, 40 N Ocean Ave, 11520, (516) 377-2411, Fax: (516) 377-2432, E-mail: m.bermudez@freeportpolice.org
Gloversville—Beaudin, Edgar J, Chief of Police, Gloversville Police Dept, 3 Frontage Rd, 12078, (518) 773-4514, Fax: (518) 773-4540, E-mail: ebeaudin@gpd.fulton.ny.us

Harrison—Marraccini, Anthony, Chief of Police, Harrison Police Dept, 650 North St, 10528, (914) 967-8150, Fax: (914) 813-7428, E-mail: amarraccini@harrison.ny.gov
Hawthorne—Yasinski, Joseph J, 1st Deputy Commissioner, Westchester Co Dept of Public Safety, 1 Saw Mill River Pkwy, 10532, (914) 864-7900, Fax: (914) 864-741, E-mail: jyy2@westchestergov.com, Web: www.westchestergov.co

Lockport—Wentland, Brain, Lieutenant, Lockport Police Dept, One Locks Plaza, 14094, (716) 433-7700, Fax: (716) 439-6777, E-mail: brianwentland.lpd21@roadrunner.com

Long Island City—Chan, Thomas M, Assistant Chief of Police, New York City Police Dept, 28-11 Queens Plaza N, 9th Fl, 11101, (718) 730-8776, Fax: (718) 730-8939, E-mail: thomas.chan@nypd.org

New Rochelle—*Beaudoin, Charles E, Director of Security, Sidney Frank Importing Co Inc, 20 Cedar St Ste 203, 10801, (914) 637-5797, Fax: (914) 633-5736, E-mail: charlie@sidneyfrank.com, Web: www.sidneyfrank.com

New York—Joyce, Sean J, Commanding Officer Special Projects, New York City Police Dept Intelligence Division, 1 Police Plaza, Rm 1108, 10038, E-mail: sjoyce@nynjhidta.org

Newark—Thoms, Mark A, Captain/Deputy Chief of Police, Village of Newark Police Dept, 100 E Miller St, 14513, (315) 331-3701, Fax: (315) 331-8336, E-mail: mthoms@newarkpd.net
Oneonta—Nayor, Dennis R, Lieutenant, Oneonta Police Dept, 79 Main St, 13820, (607) 433-3444, Fax: (607) 433-3448, E-mail: dnayor@oneonta.ny.us, Web: www.oneonta.ny.us/police

Riverhead—DeMarco, Vincent, Sheriff, Suffolk Co Sheriff's Office, 100 Center Dr, 11901, (631) 852-2205, Fax: (631) 853-6597, E-mail: vincent.demarco@suffolkcountyny.gov

Tuxedo—Welsh, Patrick W, Chief of Police, Tuxedo Police Dept, 1075 State Route 17, PO Box 728, 10987, (845) 351-5111, Fax: (845) 351-5114, E-mail: pwelsh@tuxedopd.com, Web: www.tuxedopd.com

Utica—Toomey, John, Deputy Chief of Police, Utica Police Dept, 413 Oriskany St W, 13502, (315) 223-3403, Fax: (315) 223-3409, E-mail: jtoomey@uticapd.com

North Carolina

Burgaw—King, Wilbert D, Chief of Police, Burgaw Police Dept, 109 N Walker St, 28425, (910) 259-4924, Fax: (910) 259-5919, E-mail: police.chief@townofburgaw.com

Charlotte—Smathers, Mike J, Captain, Charlotte Mecklenburg Police Dept, 601 E Trade St, 28202, (704) 336-4183, E-mail: msmathers@cmpd.org

Hickory—*Isenhour, Solomon A, Director of Safety & Security, Catawba Valley Community College, 2550 Hwy 70 SE, 28602-8302, (828) 327-7000, Fax: (828) 327-7276, E-mail: sisenhour@cvcc.edu, Web: www.cvcc.edu

Lumberton—McNeill, Michael, Chief of Police, Lumberton Police Dept, 1305 Godwin Ave, PO Box 1051, 28359, (910) 671-3845, Fax: (910) 671-3847, E-mail: mmcneill@ci.lumberton.nc.us, Web: www.ci.lumberton.nc.us

Madison—Webster, Perry L, Chief of Police, Madison Police Dept, 310 Carter St, 27025, (336) 548-6097, Fax: (336) 548-6054, E-mail: pwebster@embargmail.com, Web: www.townofmadison.org

Raleigh—*Buffaloe, Eddie M, Assistant Director Forensic Tests For Alcohol, NC Dept of Health & Human Services, 1922 Mail Service Ctr, 27699-1922, (252) 527-4105, Fax: (252) 537-8328, E-mail: eddie.buffaloe@dhs.nc.gov

Ohio

Cleveland—*Chriss, James J, Professor, Cleveland State Univ, Dept of Sociology & Criminology, 1860 E 22nd St, 44115, (216) 687-2573, Fax: (216) 687-9314, E-mail: j.chriss@csuohio.edu

Columbus—Blackwell, Jeffrey, Deputy Chief of Police, Columbus Division of Police, 120 Marconi Blvd, 43215, (614) 645-4506, Fax: (614) 645-4551, E-mail: jblackwell@columbuspolice.org, Web: www.columbuspolice.org

—Jacobs, Kimberley K, Deputy Chief of Police, Columbus Division of Police, 120 Marconi Blvd, 43215, (614) 645-4691, Fax: (614) 645-4551, E-mail: kjacobs@columbuspolice.org, Web: www.columbuspolice.org

Gahanna—*Daniels, Toni, Independent Sales Consultant, Creative Safety Products, 845 Claycraft Rd, Ste 0, 43230, (614) 554-3219, Fax: (614) 575-0161, E-mail: tonidaniels913@hotmail.com, Web: www.officerphil.com

—*Youngpeters, Kelli, Sales Director, Creative Safety Products, 845 Claycraft Rd, Ste 0, 43230, (614) 575-0100, Fax: (614) 575-0161, E-mail: kyoungpeters@officerphil.com, Web: www.officerphil.com

McDonald—Ronghi, Lou, Chief of Police, McDonald Police Dept, 451 Ohio Ave, 44437, E-mail: chiefronghi@yahoo.com
Monroe—Homer, Gregory C, Chief of Police, Monroe Police Dept, 233 S Main St, 45050, (513) 539-9234, Fax: (513) 539-6205, E-mail: homerj@monroeoio.org, Web: www.monroeoio.org

Oklahoma

Lawton—Apple, James, Assistant Chief of Police/Lieutenant Colonel, Lawton Police Dept, 10 SW Fourth St, 73501, (580) 581-3208, Fax: (580) 581-3202, E-mail: japple@cityoflawton.ok.us, Web: www.lawtonpd.com

Sperry—Smith, Michael W, Chief of Police, Sperry Police Dept, PO Box 607, 74073, (918) 697-5828, Fax: (918) 288-2310, E-mail: sperryemd@yahoo.com

Tonkawa—Dark, Scott, Chief of Police, Tonkawa Police Dept, 110 E Noc Dr, 74653, (580) 628-4151, Fax: (580) 628-5029, E-mail: tonkapolicechief@cableone.net

Wyandotte—Murphy, Kendal A, Chief of Police, Wyandotte Nation Tribal Police, 64700 E Hwy 60, 74370, (918) 397-9034, Fax: (918) 678-3899, E-mail: chief@wntpd.com

Oregon

Gresham—LeDuc, Michael, Lieutenant, Gresham Police Dept, 1333 NW Eastman Pkwy, 97030, E-mail: michael.leduc@greshamoregon.gov

Lake Oswego—*Nelson, David K, Law Enforcement Program Administrator, City County Insurance Services, PO Box 1469, 97035, (503) 763-3847, Fax: (503) 763-3947, E-mail: dnelson@cisoregon.org, Web: www.cisoregon.org

Milwaukie—*Hipes, John W, Sergeant of Patrol, Milwaukie Police Dept, 3200 SE Harrison, 97222, (503) 786-7483, Fax: (503) 786-7426, E-mail: hipesj@ci.milwaukie.or.us

Myrtle Point—Rakosi, A C, Chief of Police, Myrtle Point Police Dept, 424 Fifth St, 97458, (541) 572-2124, Fax: (541) 572-5086, E-mail: r.rakosi@myrtlepointpolice.com

Oregon City—Conrad, Michael K, Chief of Police, Oregon City Police Dept, PO Box 3040, 97045, (503) 496-1680, E-mail: mconrad@orc.city.org

Portland—Soto, Michael D, Director of Public Safety, Portland State Univ, 1914 SW Park, Ste 148, 97201, (503) 725-4782, Fax: (503) 725-5593, E-mail: sotom@pdx.edu, Web: www.pdx.edu/cps

Sandy—Yamashita, Kim E, Chief of Police, Sandy Police Dept, 38970 Proctor Blvd, 97055, (503) 668-5566, E-mail: kyamashita@ci.sandy.or.us

West Linn—Lancaster, Victor R, Captain, West Linn Police Dept, 22825 Willamette Dr, 97068, (503) 655-6214, Fax: (503) 651-0319, E-mail: vlancaster@westlinnoregon.gov, Web: www.westlinnoregon.gov/police

—Schwartz, Ronald H, Captain, West Linn Police Dept, 22825 Willamette Dr, 97068, (503) 655-6214, Fax: (503) 656-0319, E-mail: rschwartz@westlinnoregon.gov, Web: www.westlinnoregon.gov/police

Woodburn—Alexander, Jason, Captain, Woodburn Police Dept, 1060 Mount Hood Ave, 97071, (503) 982-2345, Fax: (503) 982-2371, E-mail: jason.alexander@ci.woodburn.or.us, Web: www.ci.woodburn.or.us

—Garrett, Doug, Captain, Woodburn Police Dept, 1060 Mount Hope Ave, 97071, (503) 982-2345, Fax: (503) 982-2371, E-mail: doug.garrett@ci.woodburn.or.us, Web: www.ci.woodburn.or.us

Pennsylvania

Carlisle—Anderson, Ron, Sheriff, Cumberland Co Sheriff's Office, 1 Courthouse Sq Rm 303, 17013, E-mail: randerson@ccpa.net

Hazleton—Ferdinand, Robert, Chief of Police, Hazleton Police Dept, 40 N Church St, 18201, (570) 459-4940, Fax: (570) 459-4949, E-mail: rferd119@gmail.com

Pittsburgh—Freedman, Ralph C, Chief of Police, Ross Twp Police Dept, 1000 Ross Municipal Dr, 15237, (412) 931-9070, Fax: (412) 931-7065, E-mail: rfreedman@rosspolice.net

—Lavigna, Matthew, Acting Special Agent in Charge, US Secret Service, Two Chatham Center #1610, 112 Washington Pl, 15219, (412) 281-7825, Fax: (412) 281-7914, E-mail: matt.lavigna@uss.s.dhs.gov

—Lisiecki, Andrew J, Chief of Police, Green Tree Borough Police Dept, 10 W Manilla Ave, 15220, (412) 921-8624, Fax: (412) 921-2395, E-mail: alsiecki@greentreeborough.com

Wellsboro—Bodine, Jim, Chief of Police, Wellsboro Police Dept, 28 Crafton St, 16901, (570) 724-3119, Fax: (570) 724-2323, E-mail: wpdchief@epix.net

South Carolina

Greenville—Smith, Robin, Major, Greenville Police Dept, 4 McGee St, 29601, (864) 467-5263, E-mail: rsmith@greenvillesc.gov

—Stowers, Marshall R, Captain of Operations, Greenville Co Detention Center, 20 McGee St, 29601, (864) 467-2343, Fax: (864) 467-2362, E-mail: mstowers@greenvillecounty.org, Web: www.greenvillecounty.org

Hilton Head Island—Griner, James, Chief of Police, Palmetto Dunes Police Dept, 10 Queens Folly Rd, 29928, (843) 785-1120, Fax: (843) 785-4436, E-mail: jgriner@pdpdpoa.org, Web: www.pdpdpoa.org

Mauldin—Turner, M Bryan, Chief of Police, Mauldin Police Dept, PO Box 249, 29662, (864) 289-8906, Fax: (864) 289-8912, E-mail: bturner@mauldinpolice.com, Web: www.mauldinpolice.com

Port Royal—Beach, Alan, Assistant Chief of Police, Port Royal Police Dept, PO Box 576, 29935, (843) 986-2220, Fax: (843) 986-2222, E-mail: abeach@portroyal.org

Spartanburg—Cantrell, Ronald E, Lieutenant Criminal Investigations, Spartanburg Public Safety Dept, 145 W Broad St, 29306, (864) 596-2860, Fax: (864) 596-2280, E-mail: rcantrell@cityofspartanburg.org, Web: www.spsdonline.org

Tennessee

Gallatin—Ballard, Lamar, Lieutenant, Gallatin Police Dept, 130 W Franklin St, 37066, (615) 452-1313 Ext. 226, Fax: (615) 452-1597, E-mail: lballard@gallatinpd.org, Web: www.gallatinpd.org

Memphis—Bolden, James H, Director Police Services/Public Safety, Southwest TN Community College, 170 Myrtle, 38103, (901) 333-5560, Fax: (901) 333-5742, E-mail: jbolden@southwest.tn.edu, Web: www.southwest.tn.edu

Texas

Abilene—Standridge, Stan, Chief of Police, Abilene Police Dept, PO Box 174, 79604, (325) 676-6000, Fax: (325) 676-6006, E-mail: stan.standridge@abilenetx.com, Web: www.abilenepolice.org

Crandall—Winters, Dean, Chief of Police, Crandall Police Dept, PO Box 911, 75114, (469) 447-4095, Fax: (469) 447-4130, E-mail: dwinters@crandalltexas.com, Web: www.crandalltexas.com

Dallas—Bustamante, Tommy A, Chief Deputy US Marshal, US Marshals Service, 1100 Commerce St, Ste 1657, 75242, (214) 767-0837, Fax: (214) 767-4974, E-mail: gbusta5823@aol.com

—Gomez, Jesse, Assistant Chief of Police, Baylor Health Care System Police Dept, 3500 Gaston Ave, 75246, (214) 325-8750, Fax: (214) 820-7898, E-mail: jesseg@baylorhealth.edu

Gregory—Roberts, Joseph A, Chief of Police, Gregory Police Dept, 206 W Fourth St, PO Box 297, 78359, (361) 643-7555, Fax: (361) 643-1335, E-mail: gpdcchief@cableone.net

Humble—Warman, Gary W, Chief of Police, Humble Police Dept, 310 Bender, 77338, (281) 319-9700, Fax: (281) 446-9088, E-mail: gwarman@humblepolice.com, Web: www.humblepolice.com

Jasper—Hunter, Todd, Chief of Police, Jasper Police Dept, 555 S Main, 75951, (409) 384-3471, Fax: (409) 383-6174, E-mail: thunter@jas.net, Web: www.jasperpd.com

Vermont

Burlington—Higbee, Andi L, Deputy Chief of Police, Burlington Police Dept, 1 North Ave, 05401, (802) 540-2107, Fax: (802) 864-5945, E-mail: ahigbee@bpdvt.org

Montpelier—Facos, Anthony J, Chief of Police, Montpelier Police Dept, 1 Pitkin Ct, 05602, (802) 223-3445, Fax: (802) 223-9518, E-mail: afacos@montpelier-vt.org, Web: www.montpelier-vt.org

Virginia

Alexandria—Donaldson, Jody D, Commander Media Services, Alexandria Police Dept, 2003 Mill Rd, 22314, (703) 838-4636, Fax: (703) 549-7160, E-mail: jody.donaldson@alexandriava.gov, Web: www.alexandriava.gov

Fairfax—Loan, James W, Lieutenant Colonel, Fairfax Co Sheriff's Office, 10459 Main St, 22030, (703) 246-2259, Fax: (703) 691-0510, E-mail: dbohna@fairfaxcounty.gov, Web: www.fairfaxcounty.gov/sheriff/

—Sites, Mark W, Major, Fairfax Co Sheriff's Office, 10459 Main St, 22030, (703) 246-2225, Fax: (703) 691-0510, E-mail: msites@fairfaxcounty.gov, Web: www.fairfaxcounty.gov/sheriff/ Middleburg—Webber, Steven L, Chief of Police, Middleburg Police Dept, 143 S Madison St, PO Box 187, 20117, E-mail: swebber@townofmiddleburg.org

Virginia Beach—Eisenberg, Raymond V, Deputy Chief of Police, Virginia Beach Police Dept, 2509 Princess Anne Rd, 23456, (757) 385-8587, Fax: (757) 427-9163, E-mail: reisenbe@vbgo.com, Web: www.vbgo.com

Williamsburg—Buckley, Kevin J, Psychologist, AFETA, 1100 Executive Dr, 23188, (703) 625-9486, E-mail: buckleykj@operamail.com

Washington

Joint Base Lewis-McChord—Burden, William M, Joint Base Lewis McChord Provost Marshal, US Army Military Police Corps, Bldg 2007C, 98433, (253) 966-3623, Fax: (253) 967-9926, E-mail: william.burden@us.army.mil

—Overbey, Darcy, Deputy Brigade Commander, 42nd Military Police Brigade, Box 339500 MS 55, 98433, E-mail: darcy.overbey@us.army.mil

Lacey—Goodman, Kim, Administrative Services Director, WA Assn of Sheriffs & Police Chiefs, 3060 Willamette Dr NE, 98516, (360) 486-2380, Fax: (360) 486-2381, E-mail: kgoodman@waspc.org

Mabton—Gutierrez, Ricardo, Chief of Police, Mabton Police Dept, 307 Main St, PO Box 655, 98935, (509) 894-4096, Fax: (509) 894-4813, E-mail: ricardo.gutierrez@co.yakima.wa.us

West Virginia

Clarksburg—Jennings, L C, Supervisory Special Agent, FBI, 1000 Custer Hollow Rd, 26306, (304) 625-3141, Fax: (304) 625-3456, E-mail: larry.jennings@leo.gov

Wisconsin

Burlington—Nimmer, Peter A, Chief of Police, Burlington Police Dept, 224 E Jefferson St, 53105, (262) 342-1102, E-mail: pnimmer@burlington-wi.gov, Web: www.burlington-wi.gov Ripon—Wallner, William B, Chief of Police, Ripon Police Dept, 100 E Jackson St, 54971, E-mail: wwaller@cityofripon.com, Web: www.riponpolice.com

The IACP notes the passing of the following association members with deepest regret and extends its sympathy to the families and coworkers left to carry on without them.

Herbert A. Adams, Chief of Police (ret.), Flint, Michigan; Flushing, Michigan (life member)

John W. Anderson, Chief of Police (ret.), Brookfield, Connecticut (life member)

Paul Bernstein, Police Commissioner (ret.), Milford, Connecticut; West Haven, Connecticut (life member)

Gavin L. Blane, Chief of Police (ret.), Bergenfield, New Jersey (life member)

William F. Gross, Chief of Police (ret.), Stoughton, Massachusetts (life member)

Willard R. Keil, Executive Director, Tri-River Police Training Association, Crest Hill, Illinois

Louis J. Miller, Deputy Commissioner (ret.), Poughkeepsie, New York (life member)

Allan A. Nalepa, Chief of Police (ret.), Sterling Heights, Michigan (life member)

Edward T. O'Leary, Chief of Police (ret.), South Amboy, New Jersey (life member)

Douglas O. Rimbach, Lieutenant Colonel, US Army (ret.), Carver, Massachusetts (life member)

Ben Roach Jr., Chief of Police (ret.), East Peoria, Illinois; Denver, Colorado (life member)

John K. Schofield, President, J. K. Schofield & Co., Winter Park, Florida (life member)

Denny M. Slane, Superintendent (ret.), Virginia State Police, Harrisonburg, Virginia (life member)

Rudy C. Sowders Jr., Chief of Police (ret.), Alton, Illinois (life member)

Dan L. Talkington, Chief of Police, University of Texas Police Department, Luling, Texas (life member)

Joe M. Watson, Chief of Police (ret.), Hurst, Texas (life member)

Gale F. Weeks, Chief of Police (ret.), Little Rock, Arkansas; Paron, Arkansas (life member)

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 - Resistant to tears and abrasions
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Product update

The **Police Chief** keeps you on the cutting edge of law enforcement technology with monthly product announcements. For free in-depth information, visit us online at <http://www.naylornetwork.com/iac-nxt>. Items about new or improved products are based on news releases supplied by manufacturers and distributors; IACP endorsement is in no way implied.



Tactical knives

Ontario Knife Company launches its new Ontario Knife Company GEN II series. The revolutionary new Ontario Knife Company GEN II series starts with special metallurgist-inspected 5160 high-carbon steel—tougher than other steels and perfectly suited to the industrial heat-treating techniques in which the new line is forged. Each of the new models has rock-solid, black texture powder-coated blades. The designer also introduced a snap temper system: a short, low-temperature process that relieves the stress inherent in hardening steps before the clamp temper and prevents any cracking of the blades while they are clamped into the straightening racks.

For more information, visit <http://www.ontarioknife.com>.

Glass-breaking projectile

Nelson Paint Company has introduced Deter-it Crasher glass-breaking rounds for law enforcement and military agencies to complement its line of Deter-it less-lethal kinetic energy rounds. Nelson Deter-it Crasher projectiles are dense, injection-molded nylon projectiles designed to break vehicular and structural glass upon impact during hostage and barricade incidents. The product is built for resilience, allowing reuse during training when used against even moderately hard targets and has an operating range of -60 degrees Fahrenheit

to 150 degrees Fahrenheit with an indefinite shelf life.

For more information, visit <http://www.nelsonpaintball.com>.

Bunker

In high-threat situations, body armor protects only critical areas of the body and has a limited ballistic rating. In response, Daw Technologies' Ballistics Products Division presents its new, small special operations bunker. The bunker is NIJ Level III and stops .308, 30-06, M855 AP, and the 7.62x39 AP with its mild steel core. The vision shield is Level IV and is removable for easy transportation. Various configurations of gun ports are available, and foam-filled tires eliminate the possibilities for flat tires. The bunker provides protection for up to two people.

For more information, visit <http://www.ballisticbunker.com>.

Security cameras

Vicon Industries, Inc., a leading designer and producer of integrated IP video surveillance and access-control systems, introduces a new camera module within its low-cost line of 4.5-inch fixed camera domes. The cameras, available in indoor and outdoor housings with color, day/night, and IR camera modules, now offer several new features and improved performance specifications. All cameras provide digital noise

reduction, improving image quality in low light and providing a better compression ratio that decreases storage requirements. A joystick-controlled, on-screen menu system replaces the previous DIP switches and allows users to customize camera performance based on a wide range of variables.

For more information, visit <http://www.vicon-cctv.com>.

Gun locker

The Commander Series pistol lockers by Precision Locker Company are designed to accommodate all law enforcement and military issue handguns. These all-welded steel units are available in horizontal and vertical configurations. The standard locks have chrome-plated bass cores for high-security performance. All pistols lie flat on padded shelves. The product is ideal for interview rooms, courtroom entrances, sally ports, and jail areas, with several color combination choices and fast delivery available.

For more information, visit <http://www.precisionlocker.com>.

Information sharing

Memex has announced its information management suite now allows agencies to join the National Suspicious Activity Reports Initiative and automatically share reports with agencies across the United States, thus enhancing investigations and analysis while minimizing the impact on human resources. Memex adheres to NIEM and ISE-IEPD used by the initiative. Grant money may be available for agencies interested in connecting.

For more information, visit <http://www.memex.com>.



Textbooks

Northwestern University announces the availability of *Traffic Crash Reconstruction*, 2nd edition (2010) by Lynn B. Fricke, a complete rewrite of *Traffic Accident Reconstruction*, 1st edition (1990). It provides a comprehensive treatment of the subject of vehicle crash reconstruction. The techniques described by Fricke and his colleagues are considered the definitive standard by attorneys, prosecutors, and judges, as well as by law enforcement officers, engineers, and other safety groups. This new volume contains more than 800 pages of information about crash reconstruction and more than 900 exhibits in color.



For more information, visit <http://nucps.northwestern.edu/tcrbook>.



Visibility-enhancing braid

Eiseman-Ludmar Company introduces its newest high-quality uniform accessory: the Reflective Braid. Consisting of a heavy-duty nylon braid sewn to a reflective tape manufactured by 3M, this item is designed to be worn on highway patrol officers' service uniform trousers. Reflective Braid enhances uniformed officers' safety by increasing night visibility and decreasing the occurrence of job-related injuries. The initial rollout of Reflective Braid by the New York City Police Department Highway Patrol used a 1/2 -inch reflective surface area and a 3/4-inch braid in Columbia Blue. Other sizes are available.

For more information, visit <http://www.shopelc.com>.

Laptop security

Hewlett-Packard has expanded its client virtualization offerings for businesses to help reduce the costs and the complexity while improving the user experience. The new HP 4320t Mobile Thin Client is designed to meet the security and reliability needs of remote and mobile workers. HP's desk-based Thin Client line now features expanded multimedia capabilities. HP also has worked with Citrix to develop new virtual desktop infrastructure reference architectures for XenDesktop and XenServer that help reduce the threat of potential data loss or theft, lower the complexity and cost of desktop management, and provide

<http://www.naylornetwork.com/iac-nxt>



end users with the functionality of a stand-alone desktop.

For more information, visit <http://www.hp.com>.

Communication device

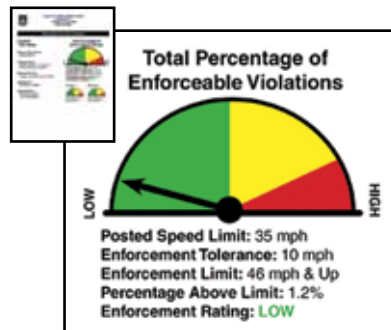
Federal Signal introduces the Informer-IP, the latest IP version of the Informer, which has long been used as a tonal warning device for schools, hospitals, police and fire stations, government facilities, and industrial

plants. Informer-IP supports a full scope of indoor warning and two-way intercom communications and offers Ethernet or Wi-Fi connectivity on the Federal Digital Codespear interoperable communications platform to provide an initiation point for a full complement of emergency notification applications. Engineered for both day-to-day and emergency operations, Informer-IP is able to send and receive urgent alerts. ❖

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Automated Speed Enforcement on Arizona State Highways:

A Second Look

By Jack Hegarty, Lieutenant Colonel, Arizona Department of Public Safety, Highway Patrol Division



An automated speed enforcement demonstration project on a freeway, likely the first of its kind, was completed by the city of Scottsdale, Arizona, and the Arizona Department of Transportation (AZDOT) in 2006. A 2007 *Police Chief* article provided an early assessment of the effectiveness and results of the project.¹ In the time since that article was published, the final report on the project has been made available, and automated speed enforcement has been significantly expanded in Arizona.² Another examination of the impact of the 2006 demonstration project and an initial assessment of the expanded program in Arizona can now be performed.

Both programs are unique in their scope and application and should provide valuable insight for other states considering automated speed enforcement on state roads and highways. The demonstration project on State Route 101 (SR101) in the city of Scottsdale occurred from February to October 2006. The system was turned over to the Arizona Department of Public Safety (AZDPS) after 2006, but it was then deac-

tivated and removed due to construction on that section of freeway. This provides an opportunity to assess crash data in the period before, during, and after the project. The construction involved adding a high-occupancy lane to the existing three lanes of traffic in each direction.

Table 1 includes total crashes in the automated speed enforcement zone from 2005 to 2009 during the program year dates, January 22 to October 23. Each year in the table includes crashes from this period only so they can be compared to the 2006 program year. While the system had been turned off and later removed after 2006, the new program included mobile photo speed enforcement and those units occasionally were stationed in the 2006 program area in the following years. This eliminated the ideal before and after analysis conditions, but the data are interesting regardless. The contributing factors listed are not mutually exclusive and therefore do not add to the total crashes. "Speed" in this table includes any failure to control violations, which normally are vehicles

Table 1: SR101 ASE Program Area Contributing Causes (2006 is the Program Year)

	2005	2006	2007	2008	2009
Total Crashes	209	185	173	174	156
Inattention	114	116	103	120	86
Exceed Posted Limit	3	2	1	1	0
Speed*	92	106	104	105	74

Source: Arizona DPS Crash Data

*Includes failure-to-control violations



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Universal Florida is home to the Orlando Police Department’s 5K Run on Sunday, October 24, 2010! See the sights as you run through the Wizarding World of Harry Potter, New York City, Jurassic Park, and more! Race begins at 7:00 a.m. with an award presentation at 8:00 a.m. Open to the public, the first 750 registrants will receive Brooks dri-fit shirts. Registration fee is \$30 and transportation will be provided. Race will benefit Florida Special Olympics. Learn more and register at www.strengthenorlando.org. Sponsored by Harris Corporation.



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The Orlando Police Department has two great events to offer companions this year! Sunday, October 24: Check out Dolphins, Manatees, and Gators, Oh My!, which involves a ride on a 50 passenger pontoon boat on the Banana River followed by a ride on a 15 passenger airboat to look for alligators on the American Heritage and St. Johns Rivers; cost is \$103.50/adult and \$93.25/child. Tuesday, October 26, offers a trip to Kennedy Space Center where you will have an opportunity to tour launch and landing facilities, experience live shows and jaw dropping encounters with massive rockets, cost is \$66.60/adult and \$56.50/child. Both tours include transportation. Go to www.strengthenorlando.com for details and more information!



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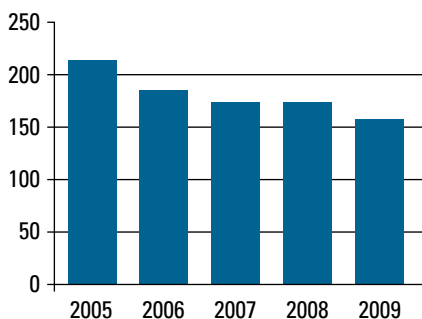


that were not exceeding the posted limit yet were responsible for crashes.

While overall crashes decreased significantly in 2006—11.5 percent compared to 2005—crashes continued to decrease after the program year. The decrease in 2007 was 6.5 percent; in 2009, it was 10.3 percent (see figure 1). This suggests other factors besides photo enforcement may have influenced crashes during the period 2005 to 2009 (see figure 2). The overall trend from 2005 to 2009 is not significantly different from national or regional trends that display similar crash reductions, and these do not involve any comprehensive or statistically significant automated enforcement programs.

The final study by Simon Washington, Ph.D., et al. regarding this project clearly shows decreases in speeds at the measurement sites and reductions in certain types of crashes during certain times of day.³ However, the assumption utilized in the analysis that traffic volume is proportional to traffic crashes is not widely accepted by traffic safety experts.⁴ Traffic volumes and crash rates are clearly related but not necessarily linearly or similarly over varying roadway types. The assumptions and the narrow focus of analysis regarding time of day and types of crashes minimize the les-

Figure 1: Total Crashes on SR101 ASE Program Area (2006 Program Year)



sons learned from the program and the final study. Clearly, the national trends in fatal crash reductions that are similar to the overall crash reductions in the Washington study on the SR101 program are not due to automated enforcement; other factors are likely significant. Experts at the National Highway Traffic Safety Administration (NHTSA) and other organizations indicate that vehicle safety systems

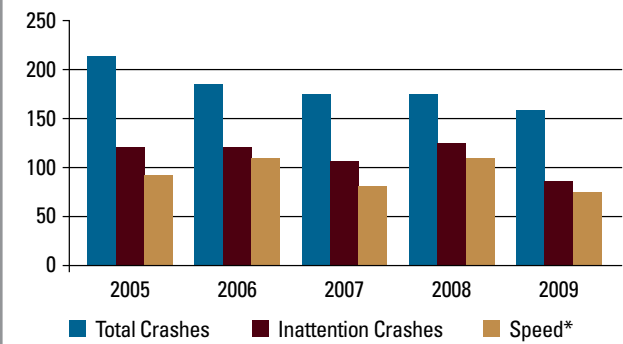
are more advanced and widespread than at any other point in passenger vehicle history.⁵ Vehicles on the road with dual front air bags surpassed 90 percent for the first time in 2007, and that number continues to increase. This is not a data set utilized in most research, but it is certainly a factor in the fatal crash reductions experienced nationwide since 2006.

Update

Since the 2006 test program on SR101, Arizona has implemented a statewide speed photo enforcement system with both fixed sites and mobile photo enforcement vehicles. Beginning October 1, 2008, 36 fixed sites on freeways and interstates in the greater Phoenix area were in operation, as well as 40 mobile units statewide.⁶ This system was planned and implemented after the 2008 Arizona legislative session required AZDPS to enter into a contract for automated speed enforcement on state highways.

The fixed units utilized sensors in the roadway to measure vehicle speeds, and the mobile units used conventional radar technology. All the utilized speed measurement and photographic technology were tested to extremes by Arizona weather, road, and traffic conditions, and the roadway environment. The freeways in the Phoenix area are multilane, and significant issues were encountered regarding sun glare, camera flash color and intensity, and blockage of violators by other vehicles. Some neighborhood residents in areas in proximity to the photo enforcement equipment complained

Figure 2: Crashes by Causation on SR101 ASE Program Area (2006 Program Year)



Source: AZ DPS Crash Data

*Includes failure-to-control violations

of camera flashes at night. Darker, red lenses seemed to solve this problem. All of these issues made early expectations regarding driver identification rates and successful service of violation notices overly optimistic and the lessons learned are significant. Only 53 percent of speed activations resulted in a violation notice being issued in the first year of the program and some drivers simply ignored the notices and resulting citations.⁷ These are significant issues for states and communities considering comprehensive automated speed enforcement programs.

The service of violations is a critical component of any program and must be viable for program success. NHTSA guidelines emphasize public outreach to educate motorists and communicate with the courts and other stakeholders to obtain support for photo enforcement prior to implementation.⁸ The AZDPS system required a full year of experience after implementation to reach a point at which the administrative support process was complete and effective. Activations were processed by the AZDPS and its vendor as notices of violations and then passed onto the court system as citations when the notices were not satisfied. Significant efforts and partnerships with courts to facilitate the service of citations were required to reach a point where stakeholders at all levels understood and committed to a system that effectively processed violations. Significant investments were made by the AZDPS and its vendor



Table 2: Crashes on Phoenix Area Freeways Compared to U.S. Fatal Crash Totals

	2006	2007	2008	2009
Phoenix Fatal Crashes	99	86	59	56
Percent Change	5%	-13%	-31%	-5%
All Phoenix Crashes	22,293	21,452	17,735	14,807
Percent Change	4%	-4%	-17%	-17%
Arizona Highway Fatal Crashes	398	321	284	228
Percent Change	3%	-18.3%	-11.5%	-20%
U.S. Fatal Crashes	38648	37435	34017	30990
Percent Change	-15%	-3%	-9%	-8.9%

Source: DPS Personnel Deployment Program database and NHTSA FARS

to reach this level of effectiveness. Anticipated revenues for the state and the vendor did not materialize in the first year of the program. By mid-2010, after approximately 18 months of full-scale operations, activations and successful processing of violation notices and citations had stabilized and costs and revenues had become clearer.⁹

There has been significant debate around the country regarding crash reduction and photo enforcement, and Arizona's programs have been no exception. In Arizona, as in the rest of the country, fatal crashes decreased significantly in 2008 and 2009. Because the statewide photo enforcement went into effect October 1, 2008, the reductions in Arizona occurred during the same time frame as the national reductions in fatal crashes, so the impact of photo enforcement is unclear.

The analysis of the safety impact of automated speed enforcement is complex and controversial. Highways, roads, and streets are not laboratories, and conditions cannot be easily controlled. Traditional before-and-after comparisons or designation of a control corridor as a comparison are problematic due to constantly changing traffic and road conditions. Multiple factors impact traffic crashes, including vehicle safety systems, engineering changes, road conditions, construction of alternate routes, and traffic volumes. None of these factors can be controlled or held constant for analysis of the impact of automated enforcement. Multivariate regression analysis could produce significant conclusions if accurate data were available. Unfortunately, accurate and sufficiently large data sets regarding traffic volumes, road conditions, vehicle safety systems, driver profiles, and so on, are not available, so this type of analysis is not practical and, if applied, could yield misleading results.

Compounding the controversy, governments and traffic safety organizations quote NHTSA research indicating that a significant percentage of fatal crashes—usually around 30 percent—are caused by speed.¹⁰ This statement is part of the justification for automated speed enforcement; however, collection methodology in the states can vary from the NHTSA methodology, resulting in

misinterpretation of the data. Most states, including Arizona, allow investigators to select from a multitude of crash causations when documenting crashes, and NHTSA then compiles these data. The process results in state-reported crashes caused by excessive speed, speed too fast for conditions, failure to control a vehicle to avoid a collision, and similar speed-related violations, to all be recorded as speed-related in the NHTSA Fatality Analysis Reporting System (FARS) database. On state highways in Arizona, excessive speed or traveling above the speed limit was listed as the primary cause in only 2 percent of fatal crashes in 2009. In contrast, inattention or distracted driving was recorded as the contributing cause in 19 percent of all fatal crashes on state highways last year, and impaired drivers were responsible for 15 percent.¹¹

Photo enforcement opponents point to the fact that fatal traffic crashes have been decreasing for several years nationally. NHTSA, which maintains fatal traffic crash data and assesses trends, reports significant reductions in fatal traffic crashes, including a 9 percent decrease nationwide in 2008. Early estimates of 2009 data indicate another significant decrease: The first six months of 2009 resulted in a 7 percent reduction in fatal crashes, compared with the first six months of 2008. Initial 2009 estimates indicate an 8.9 percent decrease for the year. Traffic volumes were down nationwide as well.¹²

According to traffic crash records maintained by AZDPS and AZDOT, fatal crashes in 2008 decreased

Table 3: Fatal Crash Change 2006 to 2008

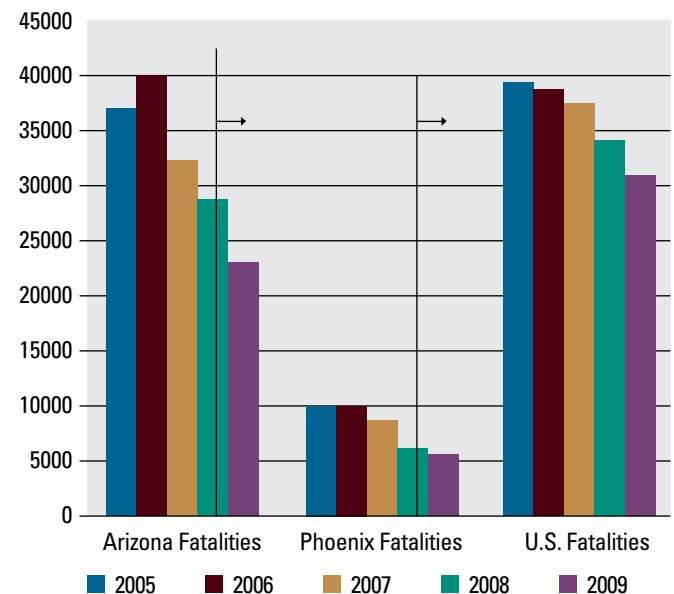
New Mexico	-24%
California	-19%
Nevada	-25%
Arizona	-24%

Source: DPS Personnel Deployment Program database and NHTSA FARS

12 percent statewide and 11.5 percent on state highways. On Phoenix's freeways, AZDPS records indicate a decrease of 31 percent in fatal crashes in 2008 and another 5 percent reduction in 2009.¹² This compares with a 20 percent decrease in fatal crashes statewide on highways in 2009. Total crash damages—fatal, injury, and property combined—decreased 17 percent in 2008 and another 17 percent in 2009 on Phoenix area freeways. These decreases compare with national decreases in fatal crashes of 9 percent in 2008 and 8.9 percent in 2009.

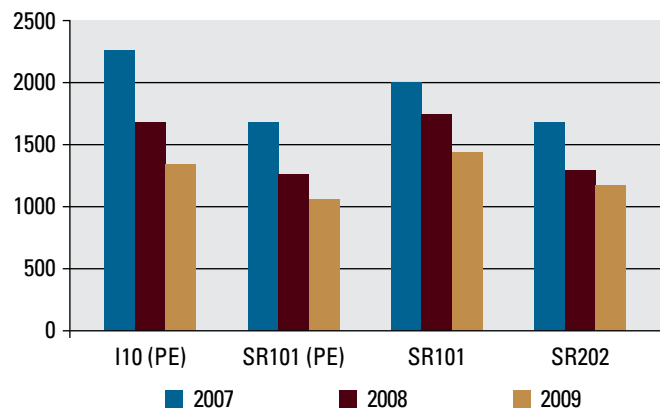
Several factors are involved with these decreases. Statewide, roadways experienced some engineering improvements. However, in the Phoenix area, significant projects were completed in 2008 and 2009, and these improvements likely played a significant role in traffic volume reductions and crash decreases. Still, a 31 percent decrease in fatal crashes in 2008 on Phoenix freeways is fairly incredible and unprecedented. Statistically, however, caution should be exercised as the total for Phoenix freeway fatal crashes in 2007 was 86; in 2008, it was 59. While a significant decrease, these totals are small numerically, and their use statistically may be limited. The total decrease is small enough that minor engineering changes or

Figure 3: Fatal Traffic Crashes in Arizona, Phoenix, and Nationally, 2005–2009



Source: DPS Personnel Deployment Program database and NHTSA FARS

Figure 4: Total Crashes on Freeway Segments with Fixed Photo Enforcement (PE) versus Without



Source: DPS Personnel Deployment Program database and NHTSA FARS

traffic volume differences, as opposed to photo enforcement, could account for the entire decrease due to the small data sets. Therefore, caution should be exercised in assessing this change. Photo enforcement was implemented only during the last quarter of 2008 and clearly is not responsible for the bulk of the 31 percent decrease. Total crashes in the Phoenix area, which numerically are much more useful, decreased 17 percent in 2008.

How does the AZDPS statewide photo enforcement system impact the national discussion of photo enforcement programs? The full implementation of the AZDPS automated speed enforcement system occurred on October 1, 2008, and only impacted the last quarter of 2008. Table 2 indicates that the reductions in Phoenix-area fatal crashes in the first full year of photo enforcement implementation are similar to the national trends and actually have not kept pace when fatal crashes are compared. In the first nine months of 2008, prior to the full implementation of photo enforcement on freeways, fatal crashes on Arizona's Valley Freeway System were down 11 percent compared to the first nine months of 2007 and 30 percent compared to the first nine months of 2006. None of these periods was significantly influenced by photo enforcement. Nationally in 2009, fatal crashes were down 8.9 percent. On Phoenix area freeways, fatal crashes were down 5 percent. This is significant since 2009 was the first full year of automated speed enforcement in the Phoenix area. The fact that the area most impacted by photo enforcement did not keep pace with national fatal crash decreases or Arizona state trends is troubling and invites further analysis.

The vertical lines in figure 3 indicate the start date of the statewide-automated speed enforcement program in Arizona. Clearly, significant decreases in fatal crashes occurred after its implementation. It is interesting,

however, that the Phoenix area saw the smallest decrease while enjoying the largest implementation of photo enforcement. More than 90 percent of all statewide photo enforcement violations occurred in Maricopa County, which includes Phoenix, yet the decrease in fatal crashes was 5 percent. Nationally, fatal crashes were down 8.9 percent; statewide, they decreased 20 percent.

While Arizona experienced a significant decline in fatal crashes from 2006 to 2008, a portion of which proponents attribute to photo enforcement, other states—none of which has comprehensive automated speed enforcement systems on state roads—experienced similar declines. New Mexico saw a 24 percent decline, California a 19 percent drop, and Nevada a 25 percent reduction. The Arizona reduction from 2006 to 2008 was 24 percent (see table 3).¹³



When specific segments of freeway in the Phoenix area are analyzed, the impact of photo enforcement is not clear. Figure 4 depicts total traffic crashes for four Phoenix area freeway segments, two of which had a significant fixed photo speed enforcement presence. All segments on Phoenix freeways had some level of mobile speed enforcement, so the comparisons are not between segments that have significant photo enforcement versus zero photo enforcement. The segments with fixed sites had significantly more photo enforcement influence than highways with mobile speed enforcement. The arrows in the year 2008 indicate the implementation of the statewide photo enforcement system.

Other Factors

What other factors are significant to crashes? AZDOT has added several hundred lane miles to Phoenix freeways in recent years. The State Route 202 loop was 100 percent completed in July 2008, just prior to the full implementation of the AZDPS photo enforcement system, adding a new option for east valley commuters and reducing traffic volumes on other major corridors. Other freeways also had significant construction projects completed in the last three years that resulted in hundreds of additional lane miles, and traffic volumes are down approximately 6 percent from

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2006 to 2008 on Phoenix valley freeways.¹⁴ All of these factors could have impacted the historic crash decreases experienced in 2008 on Phoenix freeways.

This traffic volume decrease is significant, since minor changes in traffic volume and freeway lane mileage can significantly impact crash rates. NHTSA research has historically demonstrated a direct connection between traffic volumes and crashes. As volumes increase, crash rates increase and as volumes decrease, crashes diminish. The relationship is not linear, however, and cannot be utilized to predict crash rates. Small changes in volumes can have significant impacts on crashes. Additionally, freeway crash rates are largely dependent on secondary crash frequency. Secondary crashes occur when a crash blocks the roadway and the resulting congestion causes additional crashes. The effect makes the relationship between traffic volumes on major freeways and crashes much different than on rural roads or surface streets. The difference is likely significant. An excerpt from a NHTSA report describes the difficulty in relating crash rate to traffic volumes.

... the relationship between traffic volume and phenomena such as crashes may not be linear, nor are increases in traffic volume uniformly distributed throughout the network of roads and highways. That is, a small increase in traffic volume from one year to the next might result in a disproportionate change in crash incidence. Further, changes in traffic volumes are of greater magnitude on some roadways than on others.¹⁵

Conclusion

So where does all this information lead us regarding automated speed enforcement in Arizona? Any conclusion drawn based on raw crash data or anecdotal observations during the periods before and after the implementation of the AZDPS automated speed enforcement system that does not take into account all the potential factors that impact traffic crashes is not scientific and should not be utilized when deciding the fate of automated speed enforcement on state highways. Internationally recognized research universities and organizations have never conclusively proven automated enforcement as an effective, long-term crash reduction tool, except in the immediate area of the automated enforcement device.¹⁶ In addition, it appears the area with the most significant photo enforcement presence—Phoenix freeways—lagged the national trend in fatal crash reduction in its first full year of implementation.

The debate will likely continue. A straightforward and accurate discussion of the impact of automated speed enforcement and the due process concerns created by its operation will assist public safety leaders, elected officials, and, potentially,

voters to decide its fate. AZDPS will watch the unfolding debate regarding the highway photo enforcement program with interest, but its focus will continue to be on improving safety on the state's highways with conventional traffic enforcement and programs. Several new programs have been implemented recently such as Operation Safe Commute, Operation Safe Driver, and the DUI Fugitive Warrant program. AZDPS traditional enforcement programs targeting occupant restraint and impaired drivers will continue with renewed emphasis. These programs will continue to be the mainstay of fatal crash reduction efforts on Arizona highways and automated enforcement will require further analysis to properly gauge its worth and effectiveness. ❖

Notes:

¹Jack Hegarty, "Automated Speed Enforcement Study," *The Police Chief* 74 (July 2007): 28-31, http://policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=1228&issue_id=72007 (accessed May 18, 2010).

²Jack Stuster, "Implications," *Aggressive Driving Enforcement: Evaluations of Two Demonstration Programs*, National Highway Traffic Safety Administration, DOT HS 809 707 (March 2004), <http://www.nhtsa.dot.gov/people/injury/research/AggDrivingEnf/pages/Implications.html> (accessed May 18, 2010).

³Ibid.

⁴Simon Washington et al., *Evaluation of the City of Scottsdale Loop 101 Photo Enforcement Demonstration Program*, Final Report AZ-684, Arizona Department of Transportation (November 2007), http://www.azdot.gov/TPD/ATRC/publications/project_reports/PDF/AZ684.pdf (accessed May 18, 2010).

⁵"2007 Motor Vehicle Occupant Safety Survey (MVOSS) Finds Continued Strong Support for Air Bags," *Traffic Safety Facts: Traffic Tech*, March 2009, <http://www.nhtsa.gov/DOT/NHTSA/Communication%20&%20Consumer%20Information/Traffic%20Tech%20Publications/Associated%20Files/tt370.pdf> (accessed May 18, 2010).

⁶"Photo Enforcement Freeway Camera Locations & Map," Arizona Department of Public Safety, http://www.azdps.gov/Services/Photo_Enforcement/Cameras (accessed May 18, 2010).

⁷State of Arizona Office of the Auditor General, *Department of Public Safety—Photo Enforcement Program*, no. 10-02 (January 2010), http://www.auditor.gen.state.az.us/Reports/State_Agencies/Agencies/Public_Safety_Department_of/Performance/10-02/10-02.pdf (accessed May 18, 2010).

⁸U.S. Department of Transportation, Federal Highway Administration, *Speed Enforcement Camera Systems Operational Guidelines*, DOT HS 810 916 (March 2008), http://safety.fhwa.dot.gov/speedmgt/ref_mats/fhwasa09028/resources/Speed%20Camera%20Guidelines.pdf.

⁹Ibid.

¹⁰NHTSA's National Center for Statistics and Analysis, "Speeding," *Traffic Safety Facts: 2008 Data*, DOT HS 811 166, November 2009, <http://www-nrd.nhtsa.dot.gov/Pubs/811166.pdf>

¹¹Arizona Department of Public Safety Traffic Crash and Personnel Deployment internal database report, retrieved February 1, 2010; NHTSA's National Center for Statistics and Analysis, "Early Estimate of Motor Vehicle Traffic Fatalities for the First Half (January-June) of 2009," *Traffic Safety Facts*, DOT HS 811 207 (October 2009), <http://www-nrd.nhtsa.dot.gov/Pubs/811207.pdf>; and NHTSA's National Center for Statistics and Analysis, "Early Estimate of Motor Vehicle Traffic Fatalities in 2009," *Traffic Safety Facts*, DOT HS 811 291 (March 2010), <http://www-nrd.nhtsa.dot.gov/Pubs/811291.pdf> (all accessed May 18, 2010).

¹²Arizona Department of Public Safety Traffic Crash and Personnel Deployment internal database report, retrieved February 1, 2010.

¹³"Data Resource Website," National Highway Traffic Safety Administration, <http://www-fars.nhtsa.dot.gov/Main/index.aspx> (accessed May 18, 2010).

¹⁴Multimodal Planning Division, "Average Annual Daily Traffic (AADT)," Arizona Department of Transportation, <http://www.azdot.gov/mpd/data/aadt.asp> (May 18, 2010).

¹⁵Simon Washington et al., *Evaluation of the City of Scottsdale Loop 101 Photo Enforcement Demonstration Program*, Final Report AZ-684, Arizona Department of Transportation (November 2007), http://www.azdot.gov/TPD/ATRC/publications/project_reports/PDF/AZ684.pdf (accessed May 18, 2010).

¹⁶Jack Stuster, "Implications," *Aggressive Driving Enforcement: Evaluations of Two Demonstration Programs*, National Highway Traffic Safety Administration, DOT HS 809 707 (March 2004), <http://www.nhtsa.dot.gov/people/injury/research/AggDrivingEnf/pages/Implications.html>; Lawrence E. Decina, Libby Thomas, Raghavan Srinivasan, and Loren Staplin, *Automated Enforcement: A Compendium of Worldwide Evaluations of Results*, September 2007, DOT HS 810 763, <http://www.nhtsa.gov/DOT/NHTSA/Traffic%20Injury%20Control/Articles/Associated%20Files/HS810763.pdf> (accessed May 18, 2010).



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Reducing On-Duty Collisions

By Larry Beechey, Deputy Commissioner, Ontario Provincial Police, General Headquarters, Orillia, Ontario, Canada

In 2009, the Ontario Provincial Police (OPP) experienced 112 fewer preventable, on-duty collisions when compared to 2008. The OPP has made tremendous progress when it comes to reducing serious collisions involving the public, but its officers did not stop there. The lives of officers are threatened each time they get into their patrol cars, and the OPP is finding new ways to reduce this risk and save lives.

In the years leading up to 2009, the OPP invested significant time and resources into the development of an effective collision reduction strategy for officers. As a result of an initial, in-depth study completed in 2004, OPP became acutely aware of several aspects of driver safety that needed improvement.

The OPP fleet includes nearly 3,400 automobiles, as well as more than 300 motorcycles, all-terrain vehicles, and motorized snow vehicles. These vehicles patrol approximately 166 million kilometers (more than 103 million miles) annually.

The collision rate involving OPP members in 2004 was 8.27 collisions per million kilometers traveled. This is roughly 4 times higher than the general motoring public (2.018 collisions per million kilometers traveled), but is consistent with the rate identified in an IACP study involving state police agencies—the rate in the study was 8.15 collisions per million kilometers traveled. In 2009, the OPP was able to reduce this rate to 5.95.¹

Critical Trends Identified in the Study

The 2004 OPP study found that new officers are at the greatest risk of being involved in a vehicle collision—officers with 5 or fewer years' experience are involved in 35 percent of all collisions; 72 percent of collisions involving officers with fewer than 1 year of experience are preventable; and 63 percent of collisions involving officers with 1 to 2 years' experience are preventable.²

Surprisingly, the study also determined that officers are more likely to crash during routine duties—41.5 percent of all collisions occur on routine patrol, while 6.2 percent of collisions occur during pursuits. Unnecessary speed, poor risk-management skills, and inattention are significant, contributing factors. In 2008, 22 percent of all preventable collisions were caused by driver inattention.³

The results of this initial study revealed to the OPP leadership that other agencies were experiencing collision rates similar to its own. Between 2003 and 2008, OPP officers were involved in collisions that claimed the lives of seven civilians and five officers. The OPP is not prepared to tolerate this grim statistic as a necessary cost of the profession. The OPP leadership needed to do more.

OPP Response to Collision Rates

The OPP's collision reduction strategy has focused on three main areas: driver behavior, communication, and data and measurement.

Driving behavior. Changing driving behavior is a challenging task because most drivers have a significant lack of self-awareness. Drivers can only change their behaviors if they are aware that there is a deficiency in their driving. The OPP also found that although driver training can improve skills, it will also improve confidence at a faster rate, and that can ultimately lead to officers making poor decisions.

The OPP driver training strategy is based on a competency assessment that identifies exactly what skills drivers lack. Perhaps they have difficulty managing distraction or understanding the rules of the road. Through the assessment, training is tailored to the driver and is not a generic course of swerving through traffic cones and shuffle steering.

The competency assessments provide drivers with specific feedback on what kind of drivers they are, as opposed to what kind of drivers they think they are. Training must focus on improved self-awareness, risk mitigation, and coping with distraction.

Communication. The similarity in collision statistics across police agencies also highlights the significant cultural shift required to reduce officer-involved collisions. The existing mind-set of "Go get 'em!" must change to a new mantra that includes officer and civilian safety, as well as public image, as the top priorities.

The OPP strategy emphasized a consistent message from all levels of command. The message to officers was

- that no good can come when an officer crashes on the way to assist someone else,
- that there is no expectation of risky or unsafe driving while on duty, and
- that the OPP expects officers to make decisions that ensure they return home safely at the end of their shifts.

Greater accountability is certainly a part of the OPP strategy, but improved awareness, consistent with strategies to improve driving behavior, has produced better decisions behind the wheel.

Data and measurement. The quality of the data collected with respect to on-duty collisions has improved immensely in the past three years. Strategies are driven by what the data reveal as the problem. Initiatives driven by anecdotes and personal opinions have proven ineffective in the past. A web-based electronic system allows for mandatory data to be collected and tracked in a timely manner. This facilitates the identification of trends and validates successful efforts.

The Secret behind OPP Success

With a total reduction of 16.5 percent (198 collisions) in 2009 and a further decrease to date, the OPP's strategies have started the agency moving in the right direction. The OPP has involved experts in aviation safety, psychology, and risk-management in the effort. The strategies are in response to quality data; the department's message is clear and one that recognizes how duty-bound OPP officers are. Their primary goal is not to respond to calls as quickly as possible with no regard for the consequences, but rather to use data gleaned from the OPP strategies to make safe and smart decisions while driving.

The OPP's next step is the release of a comprehensive, e-learning awareness package that each officer will complete online. This is being produced in conjunction with the Canadian Police Knowledge Network and will be available across Canada and internationally.

Few other facets of policing have a similar potential to save so significantly. Saving dollars is one issue. But saving the lives of department employees and the public, demonstrating the agency's integrity while on patrol in communities through leading by example, and ensuring officers' safe arrival when people need them are intrinsic. ❖

Notes:

¹The International Association of Chiefs of Police, *IACP Law Enforcement Fleet Crash Study*, no. 104 (September 1995).

²Ontario Provincial Police Fleet Services, *OPP Collision Review Project*, 2004.

³Ontario Provincial Police, *Annual Collision Review*, 2009.

Readers can obtain additional information of the OPP's collision reduction strategy by calling Staff Sergeant Chris Whaley at 705-329-6727, or by e-mailing chris.whaley@ontario.ca.

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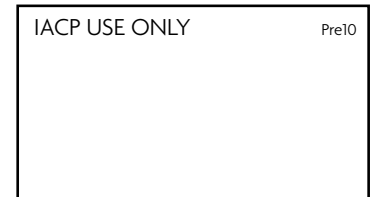
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General Services Administration
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Solutions Presentation Theatre

Session Schedule

Sunday, October 24

12:00 PM	Forensic Technology, Inc.
2:00 PM	Architects Design Group
3:00 PM	ShotSpotter

Monday, October 25

11:00 AM	McClaren, Wilson & Lawrie, Inc
1:00 PM	American Heart Association
2:00 PM	Federal Signal Corporation

For information on the IACP Sponsorship Program or Solutions Presentation Theatre sessions, please contact Karissa Jacobs at (530) 520-6933 or visit our website at

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Honor current and future leaders in the law enforcement profession: Sponsor new IACP members during the 2010 President's Membership Drive. The IACP offers many opportunities for personal growth and learning through our many regional training programs, annual conference, *Police Chief* magazine, and a network of over 20,000 law enforcement professionals from around the world.

Remember—law enforcement professionals at every level can qualify for membership in the IACP. Those in command-level positions qualify for active membership; others may be eligible for associate membership. See the application for details.

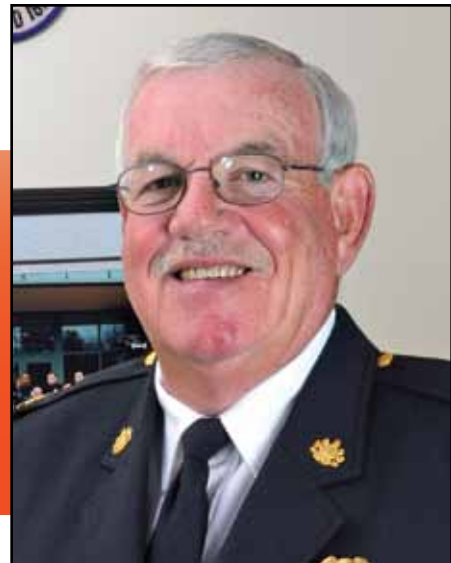
Every member who sponsors at least one new member will receive an Official IACP Gift.

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President Michael J. Carroll

2010 President's Membership Drive Rules and Information:

1. The new members you sponsor must use the 2010 President's Membership Drive application. Photocopies are acceptable.
2. Applications must be received at IACP Headquarters by the close of business August 1, 2010.
3. Renewing members do not qualify for this drive.
4. Prizes are non-transferable.
5. Winners of a free IACP Model Policy CD ROM will be able to make their choice at the conclusion of the drive.
6. The 117th Annual IACP Conference will be held in Orlando, Florida, USA October 23 – 27, 2010.
7. Members will be sent/notified of all prizes & incentives following the conclusion of the drive.
8. The first 500 members to sponsor a new member in the drive will receive the Official IACP gift. The item sent will be at the discretion of the IACP.



IACP President's Membership Drive Application

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d. 26 - 49 e. 50 - 99 f. 100 - 249 g. 250 - 499 h. 500 - 999 i. 1000+

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All memberships expire December 31 of each calendar year.
Applications received after October 1 will be credited to the following year.

**For further information on membership benefits and eligibility,
visit the IACP Web site www.theiacp.org.**

Membership Requirements

Active Membership

Commissioners, superintendents, sheriffs, chiefs and directors of national, state, provincial, county, municipal police departments.

Assistant chiefs of police, deputy chiefs of police, executive heads and division, district or bureau commanding officers. Generally the rank of lieutenant and above is classed as active membership.

Police chiefs of private colleges and universities who are qualified as law enforcement officers within their respective states/provinces.

Officers who command a division, district or bureau within the department. Command must be specified on the application.

Chief executive officers of railroad police systems and railway express company police systems.

Associate Membership

Police officers employed by police agencies below the rank of lieutenant.

Superintendents and other executive officers of prisons.

Chief executives, departmental officers and technical assistants of city, county, state, provincial and national agencies with administrative or technical responsibility for police-related activities.

Prosecuting attorneys, their deputies and deputy sheriffs.

Professors and technical staffs of colleges and universities engaged in teaching or research in criminal law, police administration and other phases of criminal justice.

Staffs of crime institutes, research bureaus, coordinating councils, law enforcement associations.

Chief executive officers of industrial or commercial security police agencies and private police or detective agencies.

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IACP Public Information Officer Section Midyear meeting, Toronto, Canada, May 2010

Department of Justice Accepting Award Nominations

The U.S. Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance is currently accepting nominations for the Public Safety Officer Medal of Valor (MOV). The MOV is the highest national award that can be bestowed upon civilian public safety officers and is awarded by the president of the United States to officers who have exhibited extraordinary valor above and beyond the call of duty.



Under the provisions of the Public Safety Officer Medal of Valor Act, up to five awards will be presented each year. To be considered for the 2010 MOV, an officer must be nominated for actions that occurred between June 1, 2009, and May 31, 2010. Nominations must be submitted online by the chief or director of the officer's employing department and must be received by the DOJ no later than 8:00 p.m. eastern time on July 31, 2010. The Medal of Valor Review Board, comprised of current and former state and local public safety officials, will consider all nominations meeting submission requirements and recommend award recipients.

For more information about the MOV, please visit <http://www.ojp.usdoj.gov/medalofvalor>.

Mental Health First Aid Defuses Crises

Mental Health First Aid is an education program that helps professionals to identify, understand, and respond to signs of mental illnesses and substance-use disorders. Mental Health First Aid USA is managed, operated, and disseminated by three national authorities: the National Council for Community Behavioral Healthcare, the Maryland Department of Health and Mental Hygiene, and the Missouri Department of Mental Health.

Recently, police in Rhode Island turned to the

Mental Health First Aid training initiative after several highly publicized incidents ended tragically when officers used deadly force on suspects with mental illnesses. Mental Health First Aid training gives officers more response options to de-escalate incidents and avoid tragic outcomes.

"The new training helps our officers better understand people with mental illnesses so they [the police] can respond appropriately without compromising safety," said Chief Anthony Silva, executive director of the Municipal Police Training Academy in Rhode Island.

Chief Silva said the training—a 12-hour certification course offered to help average citizens respond to psychiatric emergencies until professional help arrives—had to be tailored to include the police perspective along with the mental health perspective.

"Police have to learn more than the signs and symptoms of mental illness," said Lieutenant Joseph Coffey, who initiated the training at the police department in Warwick, Rhode Island. "Police officers need to look at the total situation while considering how to avoid injury to themselves and to the person in crisis."

The training was introduced to Rhode Island police officers in 2008 when Lieutenant Coffey teamed up with Carole Bernardo, a certified Mental Health First Aid instructor, at Gateway Healthcare—one of seven pilot locations in the United States for the program. More than 200 officers in Rhode Island have now received the tailored mental health training.

"Part of the training involves the officers listening to tapes of voices, similar to voices a person with mental illness may hear in his head," said Bernardo. "That's often a turning point for officers, when they realize what a person with serious mental illness may be experiencing when trying to respond to questions [from police]."

The training became applicable recently when Warwick police responded to a man with schizophrenia who had barricaded himself in his apartment after breaking into a neighbor's house. In the past, the police response may have been a dynamic entry to effect the arrest, however in gathering information from the man's family members and a neighbor familiar with the man's condition, the responding officers utilized their mental health training and defused the situation within an hour. Instead of taking the man to the cell block and potentially triggering another incident, police instead sent the man to a hospital for evaluation.

"We're finding that Mental Health First Aid is not only helping police officers better identify the signs of mental illness, but also improves their knowledge and understanding of mental

illnesses," said Linda Rosenberg, president and chief executive officer of the National Council for Community Behavioral Healthcare. She added that the training has the potential to become as common as first aid and CPR. "We hope the training will reduce the stigma of mental illness and addiction and help people understand that the illness is real, common, and treatable."

Rosenberg said community mental health organizations across the nation are replicating Rhode Island's success by offering the Mental Health First Aid program to local law enforcement and corrections officers.

The effectiveness of Mental Health First Aid has been proven in randomized trials. One trial of 301 randomized participants found that those certified in Mental Health First Aid had greater confidence in providing help to others, greater likelihood of advising people to seek professional help, improved concordance with health professionals about treatments, and decreased stigmatizing attitudes. Unexpectedly, the study also found that the program improved the mental health of the participants.

Information about Mental Health First Aid is at <http://www.MentalHealthFirstAid.org>.

Hazardous Materials Preparedness: Training for All-Hazards Response

By Shannon Arledge, Center for Domestic Preparedness, Public Affairs, Anniston, Alabama

The recent botched attempt to discharge explosive material in New York City's Times Square may leave city leaders across America questioning their own levels of preparedness during an emergency.

The Center for Domestic Preparedness (CDP) in Anniston, Alabama, plays a leading role in preparing cities and local response forces to protect, prevent, deter, and respond to acts of terrorism or major accidents involving hazardous materials.

According to Captain William Brown, from the Minot Police Department, Minot, North Dakota, the Emergency Responder Hazardous Materials Technician (ERHM) course reinforces situational awareness, identifies potential hazards, and emphasizes the need to communicate with other disciplines.

"First responders, especially law enforcement, need to recognize the need for enhanced



training regarding first response to hazardous materials," said Brown. "Whether it is a chemical spill, a train derailment, or a terrorist attack, police officers must recognize the threat is real and their role is vital to ensure any threats to the public are minimized, if not mitigated."

He added, "I am now better prepared proactively by recognizing potential threats, identifying available resources, and realizing the need to work collectively with other first responders in addressing methods to impact those events, should they occur."

Released earlier this year, the *Quadrennial Homeland Security Review Report* stated that, among others, the threats and hazards that challenge U.S. interests include "high-consequence weapons of mass destruction." The report further specifies that improvised nuclear devices and high-consequence biological weapons would have the greatest potential effects if used against the United States.

The recent failed attempt to kill and maim innocent people in Times Square may be an example of what select individuals are planning in order to disrupt order, create chaos, and instill fear across the nation.

"The ERHM program is relevant to all responders," said Frank Esposito, acting course manager. "Whether you are a firefighter, a police officer, or an emergency medical technician, all response personnel must have an understanding of identifying and mitigating hazards. This course is a response course, and we teach first responders to respond properly, save lives, protect themselves, and mitigate the scene."

ERHM is among the many courses offered at the CDP for emergency response personnel. The five-day class provides responders with a combination of lectures and advanced hands-on practical exercises.

The course introduces response personnel to the terrorist threat, the hazardous materials management system, responder health and safety, the Incident Command System, site management, information management, response objectives, and incident termination. The responder receives hands-on training in identifying hazardous materials, using advanced surveying and monitoring equipment, selecting and using the appropriate level of personal protective equipment, and performing decontamination procedures.

"It is a busy week of training," said Mike Aguilar, CDP training specialist. "But [it is] well worth the time when you consider the importance of having a well-trained hazardous materials technician in hometown America. The responders from various disciplines attending this course arrive at the CDP with very little or no experience responding to a hazardous materials incident. Graduates of this course return to their jurisdictions better prepared to safely respond to and mitigate a hazmat incident including weapons of mass destruction involving chemical, biological, radiological, nuclear, and explosive (CBRNE) materials."

In December 2008, the Commission on the Prevention of Weapons of Mass Destruction Pro-

liferation and Terrorism released a unanimous threat assessment, which stated, "Unless the world community acts decisively and with great urgency, it is more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world by the end of 2013—that weapon is more likely to be biological than nuclear."

These conclusions make it more evident that response personnel must remain vigilant and skilled with the preparedness knowledge to protect the citizens and cities they serve. ERHM provides the necessary training to prepare response personnel to tackle hazardous incidents.

The CDP is the only facility operated by the federal government for civilian training in CBRNE events. The CDP fully funds all training, including airfare, lodging, and meals.

The CDP is a component of the Federal Emergency Management Agency's National Training and Education Division in the Department of Homeland Security. The Anniston training center is the nation's only federally chartered weapons of mass destruction training facility for civilian responders.

Learn more about the CDP at <http://cdp.dhs.gov>.

Housing Options for People Leaving Prison or Jail

Successful prisoner reentry often hinges on individuals finding stable housing that can help them break the cycle of reincarceration. The Council of State Governments (CSG) Justice Center released a new resource publication, *Reentry Housing Options: The Policymakers' Guide*, which provides practical steps that lawmakers and others can take to increase public safety through better access to affordable housing for individuals released to the community.

"Some people wonder why, when housing shortages are so acute, we are focusing on finding suitable housing for people leaving prison and jail. All you need to do is look at recidivism rates among these individuals who lack housing to know that it is a public safety issue—for both supervising them in the community at fixed addresses and for helping them avoid future criminal activity," said New York State Assemblyman and CSG Justice Center Chair Jeffrion Aubry. "And it is simply the right thing to do so these individuals can be law-abiding, contributing members of families and communities."

Reentry Housing Options is the result of a project supported by the Bureau of Justice Assistance, U.S. Department of Justice. The guide provides an overview of several commonly accessed housing options, including the benefits and limitations of six of the following options:

- Private-market rentals
- Public housing
- Affordable housing
- Halfway houses
- Supportive housing
- Specialized reentry housing

It also examines three distinct approaches to increasing the availability of these housing

options: improving access, increasing housing stock, and revitalizing neighborhoods. Examples are also provided of how each approach has been put into action in these three programs:

- The Housing Authority of the County of Salt Lake (Utah)
- St. Leonard's Ministries (Chicago, Illinois)
- The New Communities Initiative (Wichita, Kansas)

Reentry Housing Options: The Policymakers' Guide is available at http://reentrypolicy.org/jc_publications/reentry-housing-options.

Additional reentry resources can be found at <http://www.nationalreentryresourcecenter.org> and <http://www.reentrypolicy.org>. ❖



Line of Duty Deaths

"They will be remembered—not for the way they died, but for how they lived."

The IACP wishes to acknowledge the following officers, who made the ultimate sacrifice for their communities and the people they served. We extend our prayers and deepest sympathies to their families, friends, and colleagues.

Sergeant Franco Rafael Aguilar
Sevier County, Utah, Sheriff's Department
Date of Death: April 29, 2010
Length of Service: 10 years

Officer Bryan J. Durman
Lexington, Ky., Division of Police
Date of Death: April 29, 2010
Length of Service: 2 years, 4 months

Officer Rodney Tomlinson Holder
Abilene, Texas, Police Department
Date of Death: April 29, 2010
Length of Service: 27 years, 7 months

Sergeant Joseph A. Bergeron
Maplewood, Minn., Police Department
Date of Death: May 1, 2010
Length of Service: 26 years

Officer Brian David Huff
Detroit, Mich., Police Department
Date of Death: May 3, 2010
Length of Service: 12 years

Investigator Brian Lamar Mahaffey
Rockdale County, Ga., Sheriff's Office
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Traffic Enforcement: An Aggravation or an Invaluable Tool?

By Earl M. Sweeney, Commissioner,
New Hampshire State Liquor
Commission; and Chair, IACP
Highway Safety Committee

Traffic death statistics are astonishing: during any three-day period of any year, between 300 and 400 people will die in traffic crashes somewhere in the United States.¹ Each victim will leave behind a family or loved ones, each victim will be mourned by someone, and each victim will have had something to contribute to society that is lost forever.

Police officers, firefighters, emergency medical technicians, department of transportation workers, employees of contractors working on road jobs, and tow-truck operators also can become traffic crash victims. Certain necessary actions place these workers in harm's way of motorists. Police officers pursuing a drunk or reckless driver or an escaping felon, or when stopped at the roadside writing a ticket or investigating a crash, are in danger out of necessity. Others responding to crashes can perish while providing a medical response, fighting vehicle fires, clearing debris, and removing vehicles. Transportation workers who maintain the roadways, remove the roadside trash and hazards, or work with construction contractors building or maintaining highways are also at risk. One person every 10 hours is killed somewhere in a work zone in the United States.²

Traffic deaths kill more than one police officer a week.³ Between 20 percent and 25 percent of firefighter deaths are caused by motor vehicle collisions,⁴ and many of these firefighters will be struck while assisting police officers at crash scenes.⁵

Every three days, more than 19,000 people—equal to the population of a small city—are injured in the nearly 16,000 reportable crashes each day.⁶ Some victims will be disabled for life, and others will suffer unimaginable pain, while still others who have inadequate or no

insurance coverage and who are involved in crashes with uninsured or underinsured drivers will be burdens on society or will lack the care they need to once again become productive members of society. In many cases, the license of an at-fault driver involved in such a crash will have been already under suspension or revocation for drunk driving or for amassing a poor driving record, yet that person continued to drive because the perceived odds of being caught were so slender. The cost to the national economy for crash-related injuries and deaths over a typical three-day period will exceed \$1.8 billion⁷—money that could be used to address other pressing societal problems or to reduce the nation's ballooning governmental deficits.

The tragic fact is that most of these annual deaths and injuries and most of the property damage and economic losses are preventable. Nearly one-third of these deaths will be caused by a drunk driver.⁸ Excessive speed will be a factor in more than 12,000 of them.⁹ A few will be caused by faulty brakes, steering, and worn-out suspension components. Some will fall victim to aggressive drivers who run red lights and stop signs. The number caused by sleepy drivers or by drivers talking on cell phones, text messaging, or manipulating an iPod or similar device will be underreported.

Traffic crashes are the major cause of death of persons between the ages of 3 and 34.¹⁰ Many deaths result from people not wearing their seat belts and not buckling their children properly in approved child-safety seats. Many crashes involve those invincible-feeling folks mistakenly believing that they can drive through all sorts of inclement weather. Unfortunately, they often leave the roadways and hit trees, roll over, or careen across the centerline into oncoming motorists because they were in a hurry and thought their personal schedules trumped other people's safety.

There are other costs to society, too, besides property damage, personal injury, and lives lost. Americans depend on the trucking industry for a great many deliveries. This industry operates

in a fast-cycle supply chain. Businesses and factories today carry very little warehouse stock and seek a "just in time" short production cycle from raw goods, to factories, to retail businesses. The groceries picked up at a supermarket today were probably delivered yesterday. Most major stores keep two days or fewer of perishable items on hand. Gasoline probably arrived at the local filling station sometime this week, or there would have been none to sell. The part a dealer needs to repair a car today probably arrived in the parts department the night before, or was ordered this morning for an afternoon delivery. Whenever a truck is caught in a traffic jam, the price of goods and services goes up. The trucking industry lost more than 243 million hours in 2004 due to traffic bottlenecks,¹¹ and 25 percent of the trucks caught in these bottlenecks were waiting for roadways to clear after traffic incidents.¹² In addition to the loss of billions of dollars, many lives are lost due to secondary collisions that occur when the road is not quickly cleared.

The only strategy that consistently is proven to reduce deaths, injuries, and property damage due to crashes is proactive, consistent enforcement of the traffic laws. Traffic enforcement is not an annoyance—it is a necessity and a lifesaving tool. The first thing most new police officers do when they are turned loose in a police car by themselves is stop a traffic violator. All it takes to enforce the traffic laws is two tools: a traffic law book and a ticket book. The public supports traffic enforcement that is fairly applied, consistent, data-driven, and not seen as merely a way to produce revenue. Citizens responding to opinion polls in hundreds of communities, even in high-crime areas of inner cities, report that the number one or two top priorities they want from their local police agency is to stop dangerous driving.¹³

If a department's traffic enforcement efforts are met with unexpected resistance, it may be time to look at the "bedside manner" of the officers doing the work, to be sure they are trained in and are using the proper approach when they issue a ticket or a warning. Reviewing in-car



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videos and having supervisors ride occasionally with their officers can correct these problems.

Every uniformed police officer has an obligation to make traffic stops—it is not just a job for specialists. Hats off to the chiefs and officers that make traffic work a priority. Everyone should respect and admire them for what they do. It is not a pleasant experience to have a combative drunk driver urinate all over the backseat of a cruiser, or to pull a small child's broken body out of a wrecked car and feel sick for weeks afterwards. It is no fun to see a DWI case lost because of a technicality after the officer spent hours at the end of shift completing the report and missed a family event as a result. These officers can be very proud of what they do—they will never

know how many lives they have saved or the crimes and crashes they have prevented by just being out there.

Police administrators, whenever they address their officers, should remember to thank them on behalf of the children, the soccer moms, the hard-working dads, and the elderly grandparents that depend on them and that feel safer when they see these guardians of the public safety out there watching traffic or pulling over a violator. ❖

Notes:

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³National Law Enforcement Officers Memorial Fund, "A Tale of Two Trends: Overall Fatalities Fall, Fatal Shootings on the Rise," *Research Bulletin* (December 2009): 3, http://www.nleomf.com/assets/pdfs/2009_end_year_fatality_report.pdf (accessed February 4, 2010).

⁴U.S. Fire Administration, "Historical Overview," findings from the report: *Firefighter Fatality Retrospective Study 1990-2000* (October 14, 2009), <http://www.usfa.dhs.gov/fireservice/fatalities/statistics/history.shtm> (accessed February 4, 2010).

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¹¹American Trucking Association, "Highway Bottlenecks Cost Truckers Millions of Lost Hours in 2004," *Hanson News* (April 2006), <http://www.hansonlogisticsgroup.com/enews/Ap2006/highwaybottlenecks.html> (accessed March 9, 2010).

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¹³IACP Highway Safety Committee, *Traffic Safety in the New Millennium: Strategies for Law Enforcement* (November 2001), 13, <http://www.nhtsa.dot.gov/people/injury/enforce/TrafficSafety.pdf> (accessed March 9, 2010).

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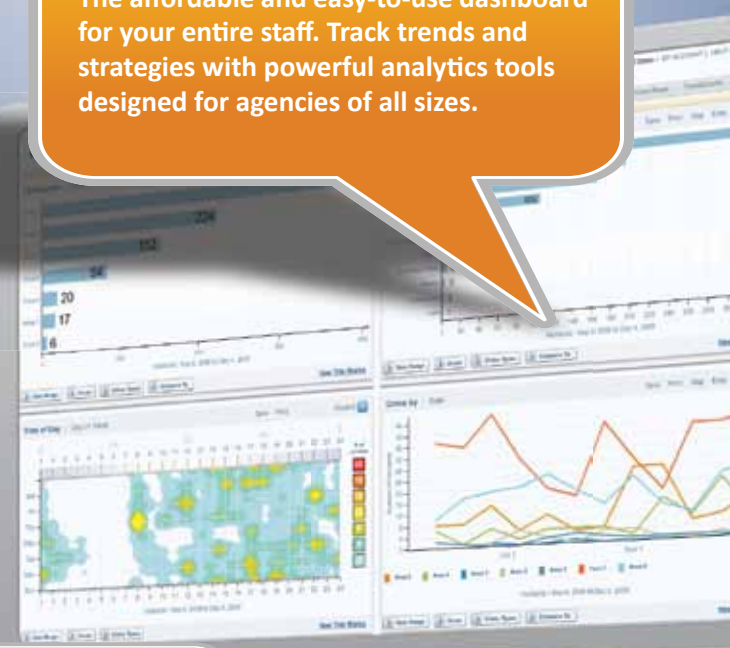
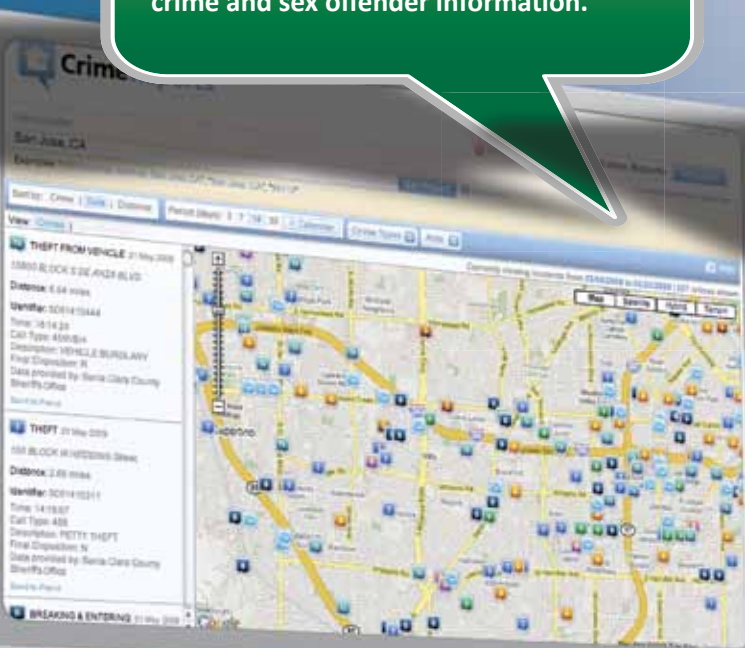
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