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JULY 1990



POLICE USE OF FORCE

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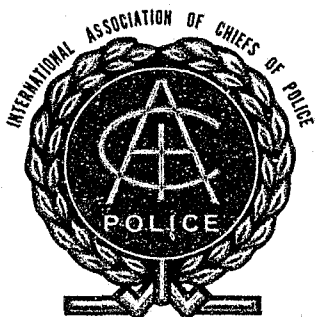
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HIGHWAY SAFETY

Law Enforcement's Role in Occupant Protection

By CHARLES PELTIER, Technical Management Specialist, IACP, Arlington, Virginia

Occupant protection continues to be one of the highest priority concerns of the U.S. Department of Transportation and the National Highway Traffic Safety Administration (NHTSA). All evidence gathered by NHTSA and state and local governments over the past decade points to the conclusion that the increased use of safety belts and child restraint devices has contributed to the lowest highway fatality rate in history. From 1983 through 1988, an estimated 15,500 lives were saved by safety belts. During the same six years, safety belts prevented an estimated 404,000 moderate to critical injuries. In 1980, the rate of safety belt use was 11 percent nationwide. The passage of child restraint and safety belt use laws, combined with automobile manufacturers offering cars equipped with air bags and passive restraints, resulted in a rise in safety belt use rates to 23 percent in 1985. Usage rates have doubled in the past five years to over 46 percent as a result of the passage of safety belt use laws in 33 states and the District of Columbia, and child restraint laws in every state.

National highway safety organizations and NHTSA made clear their goal of achieving a 70 percent usage rate by 1990. While this goal will not be met this year, most are optimistic that it can be achieved by 1992—if the police community becomes an aggressive partner in federal, state and community efforts toward safety belt acceptance. This article will attempt to synthesize some of the many issues, problems and questions confronting law enforcement relative to the enforcement of occupant protection laws, to showcase some communities and programs where law enforcement has taken a leadership role in occupant protection and, finally, to identify what resources are available to help law enforcement agencies mobilize their efforts in occupant protection.

Some of the Problems

One of the most serious obstacles facing law enforcement when it comes to safety belt compliance is the fact that

many police officers themselves do not routinely wear belts when operating a police vehicle. *It is absolutely essential for every police department in the United States to have a well-documented and enforceable safety belt policy.* Research conducted by the IACP found that police in large cities crash about four and one-half times as frequently as the general public. An estimated 25 percent of police fleet crashes involve an injury to an officer. In research conducted by the California Division of Labor Statistics, motor vehicle crashes were the proximate cause in 58 percent of the reported cases of nonfatal injuries to police officers from 1985 through 1987. Obviously, police departments lose a considerable amount of time and productivity due to employees' injuries sustained in fleet crashes. These facts compel police managers to make every effort to incorporate the use of safety belts in the overall department officer survival program. In some departments, the same officers who clamor for protective soft body armor or new automatic sidearms are those who most vigorously oppose belts. This type of inconsistent thinking in departments needs to be overcome.

Police managers also need to be concerned about potential liability for failure to enact or enforce safety belt policies. Police legal advisors are increasingly warning their employers to take the necessary precautions to protect against civil suits that might be filed against them and/or the department on the basis that actions were not taken to reduce risks to officers.

A police department's public image will be enhanced by incorporating safety belt use policy. Safety belt use will portray responsible driving to the public, and will allow officers to serve as an example to others. This is especially important for children and youth, who look to police as role models.

Some of the considerations for the police manager in developing a policy should be:

- determining how to properly restrain prisoners and other nondepartmental personnel;

- providing education on safety belt use to employees;
- providing a meaningful system of discipline for failure to comply with policy; and
- involving supervisors in developing policy and monitoring use.

Once habitual safety belt use practices have been established within the department, officers will be more likely to enforce safety belt laws and encourage safety belt use in the communities they serve.

The central issue regarding compliance with occupant protection laws in the community is the seriousness with which police enforce all applicable laws. Most experts agree that significant usage rates will never be achieved without increased levels of enforcement. The major impediment, at this juncture, seems to be motivating officers to be productive in this area of traffic enforcement. Several attitudes surface when officers are questioned about safety belt enforcement. One common argument is the perception that safety belt violations are less important than other traffic violations. Others claim that detection efforts are difficult. Still others insist that secondary enforcement for belt nonuse does not have the necessary judicial impact. In each case, management must elevate the level of importance of safety belt enforce-

ment within the scope of patrol duties. Without this conviction from top management, line personnel will never take safety belt enforcement seriously.

Crime prevention programs blossomed in the past decade in law enforcement agencies as part of a comprehensive approach by law enforcement to reduce crime in communities by stressing the safety of the community as the primary objective. In the 1990s, consideration should be given to safety belt enforcement as part of an overall traffic safety program, again with the safety of the community as the motivating force behind the program. Issues to consider in strengthening a department's safety belt enforcement program are enhancing police officers' understanding of occupant protection laws and how to detect instances of noncompliance while on patrol; emphasizing secondary enforcement for safety belt nonuse in all traffic stops for moving violations; and improving the ability of accident reconstructionists and accident investigators to determine if safety belts were used in vehicle crashes. Administrators must also periodically review the level of safety belt enforcement activity by their officers in the normal course of performance evaluation. Incorporating occupant protection training within the department will alleviate officers' questions about en-

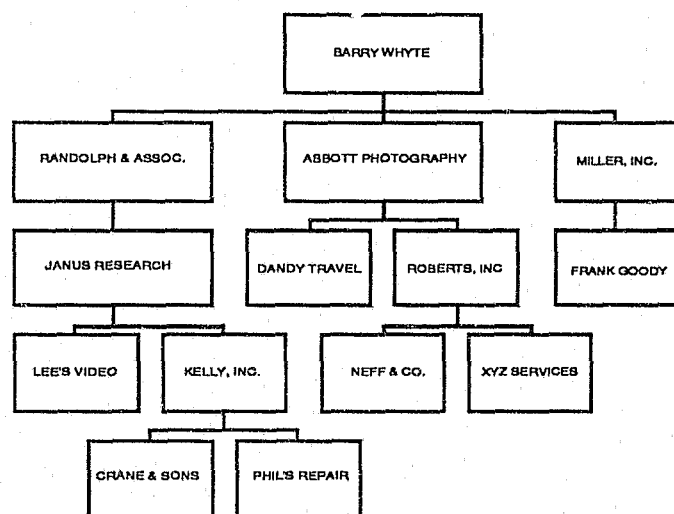
forcement methods and show management support for their efforts.

In a study of two selective occupant protective enforcement programs in New York State, NHTSA demonstrated that safety belt compliance rates were sustained for longer periods when increased enforcement strategy was coupled with a public information and education campaign that focused on the safety benefits of using belts. The best law enforcement efforts to issue warnings or citations for violations of primary or secondary occupant protection laws have limitations if the general public is not aware of any safety belt enforcement or does not understand the benefits of using restraints. This finding underscores the critical importance of education as it relates to occupant protection and, more specifically, the fact that law enforcement must be an active—if not the leading—player in the public information and education campaign.

In addition to their everyday duties, law enforcement administrators serve as the primary voice for public safety in every community. Safety belt promotion needs to be incorporated in every public information function in law enforcement agencies across the country. For a safety belt education program to be effective, it must provide the community with information about safety belts and in-

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crease public awareness of the department's efforts to increase safety belt use. Fortunately, there is a lot of information available pertaining to the establishment of a safety belt public awareness program. Resources can be found through NHTSA, the state highway safety office and local community groups—all of whom can suggest very simple, inexpensive ideas for working with the media, community and civic groups, health care providers, corporations and others to deliver the safety belt message.

Finally, the lack of enforceable safety belt laws in 17 states is an obvious impediment to increased safety belt usage. In each of these states, law enforcement must do all it can to actively promote safety belt use legislation.

Exemplary Programs

A number of communities have shown dramatic increases in safety belt use after implementing comprehensive safety belt enforcement programs. In all cases, determined enforcement and saturated public education efforts have been the keys to success.

Usage rates rose substantially in four New Jersey townships (Livingston, Medford, Pennsauken and Manchester) after a one-week publicity campaign, followed by a week of warnings and a week of citations. In New Mexico, a three-month

publicity campaign followed by one month of heavy enforcement activity proved successful in each of three program sites—Silver City, Farmington and New Mexico State University in Las Cruces. Similar successes have been noted in Montana, Hawaii and California. In the Los Angeles area, a program administered by the Glendale Police Department focused on motivating officers to wear belts, which in turn provided the necessary incentive to improve safety belt citation levels. Safety belt use in Hawaii currently stands at 78 percent, the highest rate in the country. This success is attributed to its strong enforcement program, backed by a public information and education effort. In Maryland, police chiefs throughout the state challenged each other to a state-wide competition to improve safety belt enforcement activity. Maryland's usage rate currently stands at 67 percent.

Resources

Getting other communities to work to raise public awareness of occupant protection issues will be a central focus for the 1990s. A number of programs are already in place to assist law enforcement agencies in their efforts. In the area of training, NHTSA has developed two courses: "Occupant Protection Usage and

Enforcement," a train-the-trainers type of program designed to teach first-line supervisors all components of implementing a departmental safety belt program; and "The Police Fleet Safety Workshop," a one-day seminar conducted by IACP for police administrators, which focuses on management responsibilities relating to occupant protection within the department and community, liability aspects and the development of policy and procedure. NHTSA is also attempting to encourage state police officers standards and training (POST) councils to adopt occupant protection as part of the basic recruit training curriculum.

To assist with the implementation of a public information and education campaign, NHTSA has prepared a safety belt public awareness sampler kit specifically for law enforcement agencies. This kit contains model public service announcements and offers a number of suggestions, including planning a safety belt enforcement emphasis period and asking the print and radio media to report whether safety belts were in use at the time of a crash.

However your individual agency decides to proceed, all agencies must be aware of the vital role they play in shaping the public's consciousness about occupant protection. ★

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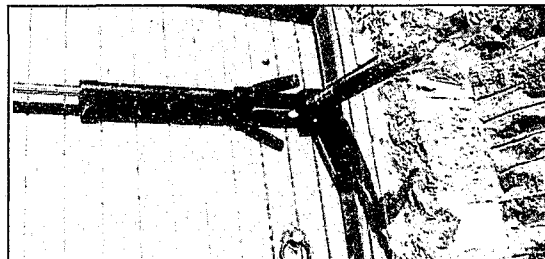


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