

**TOO MUCH OF A GOOD THING  
THE COUNTER-INFLUENCE**

by

**Raymond W. King  
San Bernardino Police Department**

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The Command College Futures Study Project is a FUTURES study of a particular emerging issue of relevance to law enforcement. Its purpose is NOT to predict the future; rather, to project a variety of possible scenarios useful for strategic planning in anticipation of the emerging landscape facing policing organizations.

This journal article was created using the futures forecasting process of Command College and its outcomes. Defining the future differs from analyzing the past, because it has not yet happened. In this article, methodologies have been used to discern useful alternatives to enhance the success of planners and leaders in their response to a range of possible future environments.

Managing the future means influencing it—creating, constraining and adapting to emerging trends and events in a way that optimizes the opportunities and minimizes the threats of relevance to the profession.

The views and conclusions expressed in the Command College Futures Project and journal article are those of the author, and are not necessarily those of the CA Commission on Peace Officer Standards and Training (POST).

## **TOO MUCH OF A GOOD THING THE COUNTER-INFLUENCE**

Multitasking by the patrol officer while driving has fostered distracted driving, which has become a modern day plague. Increasingly, the police are tasked to do more within the confines of their office, the patrol sedan, which is shrinking in size. Competing stimuli of the multitude of high-tech devices in the patrol car is dividing the officer's attention. This inevitably increases the odds of an officer-involved collision, often with all parties sustaining injuries, damage to equipment, and the diverting of funds to defend civil claims. Current law enforcement culture has contributed to this by what could be interpreted as a double standard where they allow themselves to vary from the law while enforcing it against others.

Just what is multitasking in a moving patrol sedan? In its simplest form, it is an attempt to utilize electronic devices simultaneously while driving the vehicle. Electronic devices are added to the sedan to provide efficient implementation of the law. The reality is, though, they often do quite the opposite.

There are three issues that law enforcement leaders should consider when dealing with patrol officer multitasking. First, law enforcement agencies lack comprehensive policies to address the use of electronic devices while driving. Such policies must express the agency's expectation to personnel regarding what is and what is not acceptable relative to the use of electronic devices while driving. Second, patrol officers receive recurring training relative to perishable skills, but do not specifically include training to include performing multiple tasks while operating a moving vehicle. Third,

the interior design and layout of the interior workspace of the patrol sedan must be assessed to ensure it is a professionally comfortable and user-friendly environment, and that it also helps mitigate distractions that could cause harm through its use while the officer is driving. On the pages that follow, we will examine the realities and possibilities of managing distracted driving behaviors. Before we delve into police-specific issues, though, it is important to dispel the myths of multitasking and its impact on many aspects of our lives.

### **Multitasking Myths**

There are many myths the human brain can multitask. These myths include being able to listen to music while doing homework, walking and chewing gum (actually requires low skill level thus does not involve complex tasks), etc. According to PoliceOne.Com, “The result of clinical research shows that because the brain cannot fully focus when multitasking, people take longer to complete tasks and are predisposed to error” (2010, par. 8). What appears to be happening is a person switches from one task to another based upon what is more important (e.g. applying the brakes to avoid a collision would become more important if the person was in the process of changing the radio station). Then, as the task gets interrupted or competes with another task, a delay occurs and errors happen.

Research conducted in 2011 by Basex, a New York City research and consulting firm, identified that a 30-second interruption in one’s original task could result in an average of a five minute recovery time to resume that task at one’s previous level (assuming that the person returned to performing the original task and did not move onto something else) (Burke, par.1). What does this say about hands-free devices? Bluetooth

technology is a prime example. The user is talking on the cell phone (creating thought, listening, communicating, picturing what the other person is saying, etc.) while driving, even though their hands are on the steering wheel and not holding the phone. The user is simultaneously tasked with driving the vehicle, watching for traffic, monitoring his speed, and checking blind spots. This technology still does not address the core issue, which is talking on the cell phone while driving is a distraction. The hands may be free but the mind is not. The problem is especially intense for the police, who must operate emergency equipment, communicate with others and remain aware of their external surroundings, all while also doing everything all other drivers must do; e.g., not crash into something else.

### **Consequences of Distracted Driving**

When law enforcement agencies add more “meat to the stew” (e.g., electronic equipment inside the patrol sedan), an environment of competing stimuli is born that affects the officer’s mental processing ability. While switching from one task to the other, critical steps can be missed and fatal errors can occur. At what price and what acceptable sacrifice is law enforcement willing to bear in providing a level of police service the community is expecting and deserves? Marni Pyke, who is the Transportation/Projects writer for the Daily Herald, stated that, “Studies have shown that drivers absorbed in cellphone conversations only recall 50 percent of the objects they pass on the road” (2011, par. 20). Since interacting with the police radio and MDC is much more complex than a phone call, one can imagine the recall would be considerably less. This level of distraction while driving breeds an environment for increased on-duty

collisions, as can be seen in a short journey into a setting that may be all too common today.

Picture a medium-sized law enforcement agency in today's economic times. The agency does not have an electronic device "use" policy. It does informally allow, though, their patrol officers to talk on cell phones while driving (which is an act of omission contrary to state law that prohibits the public from doing so). The patrol sedan is equipped with a Mobile Data Computer, Automated License Plate Reader, emergency lights and siren, police radio, and an AM/FM radio. A tenured patrol officer has begun his shift and is patrolling one of many neighborhoods within his beat. There are no calls for service, and the officer is enjoying the morning while listening to his favorite radio talk show host.

As the officer passes through a parking lot, his license plate reader alerts him of a possible match to a stolen vehicle. The officer circles back to confirm the license plate, noting the vehicle is now occupied and is in the process of leaving the parking lot. The officer accelerates attempting to close the gap between the officer and the possible wanted vehicle. While doing all this, the license plate is being run and the dispatcher is notified of what is occurring. The driver of the vehicle enters traffic and the officer is still a few hundred feet away. The officer is continually switching from using the radio to typing on the computer that he doesn't realize that he is now traveling at a high rate of speed and is about to enter street traffic.

When the officer looks up, he bottoms out as he exits the parking lot. He panic brakes and is unable to gain control of the patrol sedan. He tries to thread his sedan through traffic coming at him from his left and then his right. His luck runs out when he

is broadsided on the passenger side by a mid-size car. The vehicle he was attempting to gain on is confirmed stolen but that now becomes a moot point. There are injuries as a result of this preventable collision as well as major vehicle damage. The officer and innocent driver incur lost work time due to their injuries but their wounds will eventually heal. All vehicles involved are damaged beyond repair. The city is sued, and the other driver is paid handsomely for the pain and loss. There are no replacement vehicles for the police fleet nor is there replacement funding; so the Department has to make due with one less patrol sedan. Perhaps next year's budget will allow the purchase of a replacement.

This scenario happens every day in cities across America with high-volume calls for service. Fortunately, there are things agencies can do to help prevent similar occurrences in their cities.

### **Policy**

The electronic gadgetry inside today's patrol sedans has become so commonplace the thought of jotting down a note on a steno pad seems archaic. Yet, these electronic tools are being used while officers navigate public streets and highways. States are banning the use of electronic devices such as smartphones and other interactive instruments for the public, but law enforcement is sometimes exempt. California Vehicle Code Section 23123(d) exempts law enforcement from the prohibited use of cell phones while operating authorized emergency vehicles. This is because cell phones, in this case, are the most expedient and confidential means of communication at hand for law enforcement when conducting official business. Some law enforcement agencies do not

have a comprehensive policy that identifies what will and will not be allowed while driving a patrol sedan.

Such a policy is absolutely essential, and a vital link that communicates to the public that the agency is following the same rules it enforces. Knowledge of the inherent dangers of using electronic devices and performing other activities while driving needs to receive the same attention as firearms training. According to Anne Ellison, “The safety and liability risks of not having a policy banning use of electronic devices while driving are becoming great. Employers need to incorporate such a policy into their everyday operations” (2010, par. 5). **For example, an agency’s policies** should identify what distracted driving is, when and how these devices should be used, and the exercise of good judgment...if using the electronic device would cause unsafe operation of the patrol sedan then the officer should not use the device until he has pulled over.

### **Training**

Policies should not be so restrictive that discretion is taken away from the patrol officer, but officers need instruction and reinforcement on how good decisions are to be made when using one or more of the many electronic devices available to them. Distracted driving continues to be a public concern and ad campaigns identify the associated dangers. Merkel Weiss’ *Confronting Driver Distraction* for The Futurist referred to data collected by the National Highway Transportation Safety Administration, noting that the NHTSA study identified that “Driver distraction is responsible for 80% of motor-vehicle accidents“ (2007, par. 3). Weiss opines that drivers are becoming “inattentive” and collisions involving distracted driving are a “huge cost to society” (2007, par. 8).

This is consistent with emerging data regarding police-involved traffic collisions. In 2011 a medium sized agency's on-duty collisions were examined, which revealed that about 10 percent were associated with distracted driving. Public Safety Administration graduate students at St. Mary's University of Minnesota conducted a study on law enforcement collision occurring in Minnesota from 2006 to 2010. The study found that "Distracted driving can be attributed to approximately 14% of all claims, but accounted for 17% of all costs." The students also discovered that "One half of all crashes that involved distraction from technology involved the use of squad car computers..." (Citrowske et al, 2011, p. 4).

Officers need to be made aware of the inherent dangers of distracted driving. Multiple information systems (i.e. Mobile Data Computers, Radar, Automated License Plate Readers, Police Radio, stolen vehicle locators, in-car cameras, etc.) are creating an atmosphere ripe for attention diversion. Add to the mix cell phone calls and texting while driving...all of these negates the officer's objective; to proactively and safely respond to calls for service.

Joel Crawford, who has been an EVOC instructor for the San Bernardino County Sheriff's Department for the past 12 years, said in an interview that during the POST basic academy, update classes, and perishable skills classes, "EVOC staff gives instruction related to distracted driving. We go through a PowerPoint presentation in the classroom about distracted driving that includes what the distractions are inside the vehicle, like the MDC, radio, and even cell phones." Crawford reinforced that the primary objective of the training is the safe operation of the vehicle at all times.

## **Unit layout**

Ergonomic design and functionality is important to risk managers. Instead of outfitting the patrol sedan around the vehicle, the intelligent approach should be designing the patrol sedan around the officer. Joan Lowy reported that the National Highway Traffic Safety Administration was developing guidelines to aide automakers in developing "...electronic devices that provide features consumers want without disruption a driver's attention or sacrificing safety" (2012, par. 5). The planning of how the workspace in the patrol sedan is laid out will mitigate future issues and injuries.

The "Big 3" (Ford, Chevrolet, and Dodge) conducts extensive research into the design of police sedans taking into consideration a wide array of users, police officers. Police fleet managers must do the same and understand how the officer functions in his workspace...the patrol sedan. Getting input from patrol officers is essential when making these decisions. There should be considerable thought into efficient use of space within the sedan, removal of redundancy, and the avoidance of filling every available void with a radio or computer at the expense of occupant safety and ease of use. At law enforcement trade shows, some vendors appear to dictate how agencies are to equip patrol sedans, creating "industry norms" instead of smarter approaches to what is necessary and user friendly. One effort at the University of New Hampshire, though, may hold promise to help mitigate distracted driving through intelligent design.

There is technology being developed and tested for patrol officers that actually operates electronic equipment. This is the University of New Hampshire's Project 54 that was developed with the help of the New Hampshire Department of Public Safety. Erik Sofge, a contributing editor at Popular Mechanics, wrote that, "Researchers at the

University of New Hampshire have developed a system that lets officers use voice command to run a license plate, turn on lights and siren, and even clock a speeding car” (2007, par. 5).

Dale Stockton, a writer for PoliceOne.com wrote that, “Rather than divert attention from the road and remove a hand from the steering wheel to perform a task, officers using Project 54 can control virtually any electronic component by voice” (2005, par. 6). This technology allows the hands to be free to steer the sedan but does not free the mind. The issue of alleviating the effects of “multitasking” has not been resolved but merely deferred or accepted as an inherent risk that goes with the job. The brain is still juggling and prioritizing multiple tasks. The need is not to urge the removal of essential equipment, but is to stimulate dialog and engage law enforcement agencies to think about how patrol officers are expected to multitask in their sedans. Hopefully, this will provide a platform for future dialog relating to design and efficient use of space within the patrol sedan to help mitigate preventable on-duty collisions.

### **Next steps**

Are patrol officers becoming “multi-hindered” when attempting to multitask? Marni Pyke eloquently points out that, “If you’ve ever prided yourself on the ability to switch lanes while engaged in a phone conversation with your teenager, it’s time for a reality check...” (2011, par. 12).

In 2011, 25 California law enforcement agencies were polled regarding the percentage of on-duty collisions by patrol officers that were deemed as preventable due to the driver-officer being at fault. The average percentage per agency was 60% preventable (some estimated the percentage, and do not compile that data). One agency

reported that more than 40% of the preventable collisions occurred during turning maneuvers (i.e. turning at intersections and lane changes).

This agency has seen the “red flags” and is taking corrective action to reduce preventable on-duty collisions. Policy is being drafted that identifies what will be permitted related to use of electronic devices while driving patrol sedans. Officers are being reminded of distracted driving dangers and to make good decisions while driving patrol sedans. The agency’s fleet manager is soliciting input from others and reevaluating what equipment is essential and how best to use available space without compromising safety and comfort. **Their example should be followed by all others. The alternative is to attempt to ban distractions from the patrol vehicle; in tomorrow’s increasingly technological world, that is unlikely to be possible.**

### **Conclusion**

The police are expected to deliver at least the same level of service that is has in previous years. Law enforcement leaders are burdened with balancing the needs of the department and the community while ensuring the officers are adequately equipped and trained to perform their job. Today’s patrol officer is very adept at using multiple electronic devices inside the patrol sedan and taking these “tools” away for the sake of providing a user-friendlier sedan environment would be met with officer opposition. There is no data that reflects a less safe environment due to officer adaptability or the lack of. Conversely, just because the officers are good at utilizing these tools does not mean it is the correct and safest method especially while driving.

Distracted driving is inherently dangerous, whether it is associated with using information systems inside the sedan or talking on the cell phone. Law enforcement

agencies need to look deep into their respective policies to ensure comprehensive rules are in place that identify what will and will not be tolerated by the organization. The policy should contain information on distracted driving dangers; that use of electronic devices causes distractions and should only be used in a safe and prudent manner and some cell phone usage while driving is permitted if it can be justified. The overarching goal is safe operation of the patrol sedan and good decisions made by the officer.

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