



# Risk Management Solutions



Summer 2017

A Quarterly Newsletter of the AMIC/MWCF Loss Control Division

## Are You Prepared for a Disaster?

By Stephanie Southerland • CMC, CPM • Loss Control Representative • AMIC/MWCF

The horrific tornado outbreak of April 2011 is listed in the top 10 devastating natural disasters in the history of Alabama and one of the deadliest tornado outbreaks in United States history. This tornado rampage took place April 25-28, wreaking havoc across the Southern, Midwestern and Northeastern United States. The most active day was April 27, with 211 tornadoes touching down. In Alabama alone, the loss of life totaled 253 with more than 2,200 individuals injured. More than 23,000 homes were destroyed. Estimated property damage was over \$1.1 BILLION dollars. Of Alabama's 67 counties, 43 were affected by 62 tornadoes.



### Is your municipality prepared to recover from a natural catastrophe?

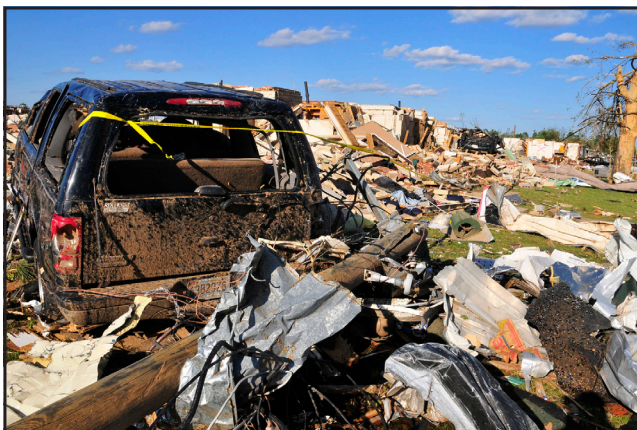
Marion, South Carolina, the Pee-Dee Region, had an epic flooding event in October, 2016 resulting in the loss of businesses and homes and an overall Public Assistance projection totaling just under \$366 million! One of their roadblocks to recovery was the lack of a partnership with the county Emergency Management Agency (EMA).

Be mindful that your County EMA may often have knowledge of specific grants, such as for community storm shelters. Communities that have a good working relationship with EMA will be better prepared to receive early notification. Recovery requires a COMMUNITY effort. The more players involved increases the chances of a full and timely recovery. Six months after the flooding, the Pee-Dee Region was feeling overwhelmed – like things weren't moving quickly enough. Recovery never seems like it is moving as quickly as you would like it to; however, it is a lengthy process. You must keep pushing through, one roadblock at a time. The Pee-Dee Region, with the help of a Recovery Manager, is now moving forward and is expected to be stronger and more resilient than before.

### Long Term Community Recovery Committees

Chances are if your municipality has not been affected by tornadoes, flooding or a hurricane, you do not have a Long Term Community Recovery Committee (LTRC). The purpose of a LTRC is to address the unmet needs of disaster survivors after insurance and governmental benefits have been applied for and utilized in recovery efforts. If you do not have a LTRC, the time to prepare is *now*. Your Economic Development Committee can establish themselves as the local LTRC. A 501 c (3) should be established in order to apply for grant funding and any State or Federal assistance. An LTRC will be key in the rebuilding of your community.

Based on what I have witnessed in other communities, recovery is a frustrating and lengthy process. It is not a sprint; it is a marathon.



There will be multiple challenges, beginning with the loss of local tax revenue. This will escalate into possibly not having funding to pay your employees – when you absolutely need them the most! The demolition of property may have to be dealt with, which may involve historical significance. You may get a lot of push back from the community. It will feel like an uphill battle, but recovery can – and *will* – happen.

In the event that your community is affected by a disaster, it is imperative that you have a plan. Was your town growing economically before the event? If not, what needs to be done to improve the chances of your community thriving in the future? Do you need downtown revitalization? Do you need to improve community recreational options? Do you need economic development? Have your LTRC in a position to lead this plan. Have a strong LTRC leader who is focused and has the energy to lead the recovery over the long-term. Develop a plan and find a way to MAKE IT HAPPEN.

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# Chase/Don't Chase: A Look at Police Vehicle Pursuit Policies

By Terry Sanders • Police Safety Consultant • AMIC/MWCF

According to a June 30, 2015, article by Thomas Frank in *USA Today*, at least 11,506 people, including 6,300 fleeing suspects, were killed in police chases from 1979 through 2013 (per the National Highway Traffic Safety Administration). That's an average of 329 a year – nearly one person a day. Police pursuits are the most deadly in Alabama, where the police chase-related fatality rate of 5.3 deaths per 100,000 people is highest of all states according to “Police Vehicle Pursuits, 2012-2013,” a report released May 9, 2017 by the Bureau of Justice Statistics, a division of the U.S. Department of Justice.

## Restrictive vs. Non-restrictive Pursuit Policies

In view of the number of pursuit crashes that occur annually, there is a need for police agencies to adopt more restrictive chase policies. For this article, I will address pursuit policies as “restrictive” and “non-restrictive”. A “non-restrictive” pursuit policy allows officers to chase for any violation where a motorist refuses to stop. The chase could be for violations ranging from minor equipment infractions up to major felonies. The decision to enter a chase lies solely with the individual officer. These policies normally include considerations such as the condition of the road surface upon which the pursuit is being conducted; the amount of vehicular and pedestrian traffic in the area; weather conditions; and population density.

Officers are susceptible to “tunnel vision” – a phenomenon occurring when an officer focuses on the target (the suspect vehicle) and his or her visual perception eliminates everything else. This occurs in tense police situations, especially in pursuit conditions. When an officer experiences tunnel vision, he or she may not realize conditions have changed necessitating the chase to stop. If a crash occurs causing death or serious injury during a chase for a minor violation, the aftermath as it relates to public relations and liability is devastating for municipalities. This can be avoided by having a more restrictive pursuit policy. In addition to the aforementioned chase considerations in a non-restrictive policy, the “restrictive” policy will include that the suspect exhibits the intention to avoid arrest by using a vehicle to flee apprehension **for an alleged felony or misdemeanor that would normally require a full custody arrest**. This restricts all minor traffic violations.

Agencies may elect to be more restrictive and only authorize serious felony pursuits. In any event, allowing officers to engage in police chases for minor traffic violations should not be allowed. It should also be noted that both restrictive and non-restrictive policies include a provision allowing supervisors to call off any chase they deem unsafe. Even so, that call may come too late on a crash resulting for an expired tag! That chase under a well written pursuit policy **would not** have been allowed in the first place.

## AMIC/MWCF Recommendations

AMIC and MWCF insure more than 300 police agencies across the state and we are seeing the clear majority adopting restrictive pursuit policies. We highly recommend all agencies adopt this type pursuit policy. Even though we do strongly recommend you adopt a restrictive pursuit policy we do not recommend you adopt a “no pursuit” policy. A strict no pursuit policy is too restrictive and may force officers to violate written policy. For example, if you have a fleeing suspect that just murdered several middle school students your officers **will chase** and violate written policy. This policy does not pass the “reasonableness” standard.

In addition to having a well written pursuit policy, agencies must train their officers on these policies. This training must be done when the policy is implemented and annually thereafter. Agencies must also require officers to complete follow-up vehicle pursuit reports just as they do use of force reports. These pursuits should have full after action command review to insure the written policy was fully adhered to – and any violations of policy must be handled accordingly. This command review can also identify training issues as well as needed policy amendments. Additionally, I recommend that following the adoption of a restrictive pursuit policy, agencies should then notify surrounding departments of the restrictions. Make sure they are aware that your officers **will not** engage in their pursuits if they are for minor violations.

In this area of public safety “training and policy” can and does save lives. Doctors take the Hippocratic Oath with the promise to “first, do no harm” (or “*primum non nocere*,” the Latin translation). We might be well served in public safety to apply this part of the Hippocratic Oath to our pursuit policies. ■



# Disaster Preparedness

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Utilize social media to communicate community needs. There may be a neighboring community that can meet a need or knows someone who can. Contact your local Alabama Regional Council for grant opportunities and grant writing assistance. Establish a listing of rental properties in the area that could potentially keep displaced citizens in the community. Provide loan and mortgage education to the community.

When you are going through something this overwhelming, naturally you think everyone knows about it. Unfortunately, if people aren't living it, they're oblivious to it. Make sure the community is aware of the recovery progress. Regardless of how minimal it may seem, it is still progress and should be celebrated. Have ribbon cuttings, hold public involvement meetings and roundtable discussions. Include a diverse population in the rebuilding process. Recruit local community colleges and universities to aid in architectural planning and community design. Encourage beautification efforts to include green spaces. Do not let any piece of progress go unnoticed.

## Conclusion

Ideally, there would be no more tornadoes, no more flooding and no more hurricanes in Alabama. Unfortunately, we all know catastrophic events *will* happen – it's just a matter of when and where. Will it be your hometown? Will you be prepared? My hope is that, in the event your community must face any type of disaster, you are positioned to deal with it head on – and that you not only deal with it, you come out on the other side a better and stronger society. ■



# Defining Moment

## Safety Committees

A strong safety committee can help organizations be proactive in the protection of their employees and the public, as well as aiding in the avoidance of costly liabilities and claims. Safety committee memberships should be diverse and represent all areas within the organization. The committee should have regular meetings, preferably at least monthly, to discuss and complete their roles. The role of a safety committee includes but is not strictly limited to the following:

- Review and investigate all property, liability, and worker's compensation claims
- Review near miss incidents
- Consider employee safety and health suggestions/issues
- Conduct or review facility safety and health inspections
- Keep minutes of safety committee meetings
- Resolve committee recommendations
- Transmit information from the committee to management and all employees

## 2017 Summer Seminars August 16, 17, 22 and 23

August 16 - Bessemer Civic Center

August 17 - Priceville City Hall

August 22 - Riviera Utilities, Foley

August 23 - Alabama League of Municipalities, Montgomery

All AMIC and MWCF members are encouraged to increase their understanding of the scope of risk management practices for public entities by attending one of our Loss Control Seminars this summer. **To register for the Summer Seminars, visit [www.losscontrol.org](http://www.losscontrol.org).** Check the link of your preferred location to register online. Deadline to register is one week prior to each event. **The cost for the seminar is \$20 per person. Lunch will be provided.**

*The seminars have been approved by the Alabama League of Municipalities for up to 4 credit hours for the Basic, Advanced or Continuing Certified Municipal Officials (CMO) programs. (For elected officials only.)*

### Topics:

**Millennials in the Safe Workplace**

*Aaron Reeves, Loss Control Representative*

**Utility Vehicle (UTV) Safety for Municipalities**

*Todd McCarley, Loss Control Representative*

**Round Table Discussions – includes Safety Incentive Programs**

*Stephanie Southerland, Loss Control Representative*

**Responding to Workplace Violence – everyone's responsibility**

*Terry Sanders, Police Safety Consultant*

**Search for Excellence**

*Will Strength, Loss Control Representative*

# 2017 SkidCar Schedule

Through an advanced, computer-controlled driver training vehicle known as the SkidCar System, trainees learn how to react quickly and safely to a range of hazardous driving conditions. Training is conducted throughout the state at a minimal cost. Visit [www.losscontrol.org](http://www.losscontrol.org) for more information.



- |                |             |                 |              |
|----------------|-------------|-----------------|--------------|
| • July 10 - 14 | Thomasville | • Sept. 12 - 15 | Tallassee    |
| • July 17 - 21 | Demopolis   | • Sept. 19 - 22 | Ft. Payne    |
| • Aug. 1 - 4   | Hartselle   | • Sept. 26 - 29 | Scottsboro   |
| • Aug. 15 - 18 | Decatur     | • Nov. 14 - 22  | Orange Beach |

**Register and pay online  
[www.losscontrol.org](http://www.losscontrol.org)!**



## Loss Control Division

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## Summer Safety DVDs

- 5.032 Right-Of-Way Mowing Safety
- 5.053 Landscaping Equipment: Safety and Maintenance
- 5.077 Distracted Driving: Real Accidents, Real Stories
- 5.078 Distracted Driving: Real Accidents, Real Stories 2
- 7.089 Working Safely in Hot Environments
- 7.097 Heat Stress: Staying Healthy, Working Safely
- 7.105 Groundskeeping Safety: Dealing with Bugs & Critters
- 7.106 Groundskeeping Safety: Be A Pro!
- 7.107 Heat Stress for Public Employees: Seeing Red
- 7.108 Protecting Your Feet: Learning Your ABC's
- 7.110 A Practical Approach to Ladder Safety
- 7.118 Safety Procedures for Lawn Mower Operators
- 7.119 Landscape Power Tool Safety
- 7.120 Hedge Trimmer Safety
- 7.121 Video Guide to Chainsaw Safety

Video/DVD requests to: Rachel Wagner at: 334-262-2566;  
[rachelw@alalm.org](mailto:rachelw@alalm.org); or FAX at 334-263-0200.

## Need Help Filing Work Comp Claims?

For step-by-step instructions, visit:

[www.almwcf.org](http://www.almwcf.org)

## Employment Practices Law Hotline

# 1-800-864-5324

Through a toll-free Employment Practices Law Hotline, members can be in direct contact with an attorney specializing in employment-related issues. When faced with a potential employment situation, the hotline provides a no-cost, 30-minute consultation.

[www.losscontrol.org](http://www.losscontrol.org)