

# **An Analysis of the Need for Annual Physical Fitness Testing In Law Enforcement**

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## *Abstract*

*This study focused on the need for annual physical fitness testing in law enforcement agencies. Three agencies served as subjects for the study. Two agencies currently mandating an annual physical fitness assessment were compared to one that did not. Comparisons were made by measuring the number of workers' compensation claims, as compared to the total number of employees, and the average cost per claim. Results revealed there is a significant decrease in the average cost per claim for agencies that mandate an annual physical fitness program versus those that do not. There was no significant difference in the number of claims for agencies mandating an annual physical fitness program versus those that do not when compared to the total number of employees. These results support the need for agencies to take responsibility for ensuring fitness by mandating minimum standards of fitness through an annual physical fitness test or standardized testing.*

## Introduction

Many large organizations and governmental entities have experienced double digit increases in healthcare costs within the last decade. Moreover, in the area of law enforcement, these increases are combined with an increase in expected services utilizing existing personnel and funding. These increased services and unexpected costs are becoming evident in the annual budget requests made by law enforcement agencies throughout the United States. One area of particular importance is in workers' compensation claims. Law enforcement agencies in the State of Florida are required, by law, to provide payment for medical bills and time off paid at 662/3% to any person injured on the job. These costs as well as other associated injury related costs can amount to millions of dollars each year. Typical law enforcement, sworn personnel, and detention officers, certified personnel, duties require them to be involved in physical confrontations or self-defense in order to affect an arrest and ensure compliance to lawful commands. Therefore, it is imperative that law enforcement officers and detention officers be physically capable of performing job related tasks while providing services for the jurisdiction in which they serve.

Historically, Florida law enforcement agencies have required all applicants desiring to be a certified or sworn officer to successfully pass a physical agility test which often mirrors the Florida Department of Law Enforcement (FDLE) model. This test is intended to assess whether candidates possess the minimal level of basic physical ability necessary to succeed in training and to perform the job of a law enforcement officer or detention officer. The physical agility test (PAT) of the FDLE was designed using a content-validity approach to simulate realistic physical tasks that an officer may encounter in the line of duty. The test components measure five primary

fitness dimensions which are dexterity, flexibility, stamina, strength, and cardiovascular condition. It was designed to assess physical attributes which reflect knowledge, skills, abilities, and essential tasks common for officers (FDLE, 1997).

Although many agencies require applicants to pass minimum standards during the PAT, there often is no requirement for current officers to maintain that level of fitness and/or pass any additional tests. The need for officers to maintain an above average level of health and fitness is imperative. An officer's health and well being is of prime importance to the officer, the officer's family, colleagues, county government, and citizens of the community. If officers cannot maintain an adequate fitness level, then the community may incur the debt. The shape of things to come may be in dollar signs for taxpayers. It has been estimated that a municipality may have to pay thousands of dollars more for an in-the-line-of-duty disability retirement than a normal retirement. (Samolinski, 2005).

There are many benefits derived from being in good physical condition and participating in an annual physical fitness program. First, regular vigorous physical activity helps reduce emotional and nervous tension. Second, a physically fit officer is less susceptible to common injuries and if injured, recovers more rapidly, resulting in less time off. A trend toward reduced sick and disability time has been shown when police officers are physically fit (Klinzing, 1980). Third, associated health hazards such as degenerative heart disorders are less likely to occur in physically fit individuals, resulting in reduced health care costs. Finally, improved health would allow officers to perform their duties and responsibilities more efficiently and effectively, thus providing better service for the citizens in their jurisdiction.

Most agencies in the State of Florida require applicants to pass minimum standards during the initial hiring process. There are only a few agencies that require current officers to maintain that level of fitness post academy. A 2003 survey by the Florida Department of Law Enforcement showed that 27 of Florida's 67 sheriff's offices had a fitness test in place (Samolinski, 2005). Once a certified or sworn officer has successfully passed academy training and the respective training and evaluation program, they are basically on their own when it comes to physical fitness. Officers need only to successfully perform their duties and pass an annual written evaluation to maintain employment. Indications are that at the end of academy training, individual officers may show little initiative to maintain high health standards. It is the responsibility of each officer and professional management to ensure that sworn and certified officers remain physically fit (Healy, 1981). Agencies committed to health and fitness should assist officers by taking a pro-active stance toward health and fitness. Agencies should hold an annual physical fitness test to determine an officer's fitness level and assist officers by making exercise resources available to them.

### *Benefits*

The benefits of implementing an annual physical fitness assessment and the requirement to successfully pass this assessment far outweigh the disadvantages of implementing a policy. First and foremost, the safety and security of the officer is greatly enhanced by maintaining good physical conditioning. Their susceptibility to injury and subsequent time off for injuries should decrease. Moreover, officers should

be able to perform their duties and responsibilities with greater ease and less strain, both physically and mentally. A study from the University of South Florida researched the psychological benefits of circuit training for law enforcement officers. This study indicated a positive correlation between circuit weight training and its effect on cardiovascular and strength indexes as well as self reported measures of stress, depression, anxiety, physical symptoms, and job satisfaction (Norvell & Belles, 1993).

Secondly, the agency as a whole should benefit from a physically fit workforce. There should be a decrease in sick time and the need for officers to be absent because of injury. One study concluded that physical fitness programs tend to have a positive affect on reducing the number of sick days and hours lost as a result of on-duty injuries among the five hundred twenty agencies surveyed. (Winfield, 1983). Similarly, Baun, Bernacki, and Tsai (1986) concluded that exercisers in a fitness program had over \$500.00 lower injury costs per person as compared to non-exercisers.

Finally, the community as a whole will benefit by having physically fit officers patrolling the streets and maintaining control in the jail. The unfit appearance of some officers may encourage others to challenge them. Interviews were conducted with strong-arm robbers after they were apprehended. These interviews revealed that robbers chose victims who probably would not offer resistance based upon their overall appearance, stance, alertness, and demeanor. It is possible that some officers look so physically vulnerable that they actually invite a challenge or at the least do not deter crime by their presence (Lester, Leitner & Posner, 1984). Furthermore, a similar study concluded that a reduction in the use of excessive force is likely to occur as a result of physical fitness. A physically fit officer may be able to meet a physical challenge without resorting to the next level of force (Hoffman & Collingwood, 1995).

Although the benefits of implementing this policy are many there are some officers that may not benefit. The certified and sworn officers that cannot or will not pass the physical agility test will be negatively affected by this policy.

### *Liability Issues*

There are major legal issues that must be considered in developing fitness requirements and programs such as discrimination, negligence, and past patterns of practice. However, it must be noted that agencies could be found negligent for not having fitness standards and programs in place that ensure the physical readiness of officers. Liability based upon negligence in failing to train and supervise officers for use of force is now being applied to physical fitness. In *Parker v. Washington D.C.* (1998), the city was found negligent for not having an annual assessment and ongoing fitness program for officers. The agency was found to be deliberately indifferent to the needs of officers to remain physically fit. The implication for such a finding is that the lack of assessment could be a potential area of negligence. Physical fitness is job-related (Hoffman & Collingwood, 1995). In situations where police officers have inappropriately used firearms a common factor seems to be present. The factor is the officer(s) did not believe they were capable of doing anything but shoot. Fitness could provide confidence to try other alternatives (Ness & Light, 1992). Juries have started making agencies pay for what is called a failure to train. That's when an officer uses lethal force

against an unarmed person in a struggle, simply because the officer couldn't handle it any more because they were out of shape (Samolinski, 2005).

### *Fairness and Impartiality*

Understanding that the agency could be held liable for failing to train and failing to assess the physical abilities of their officers, the question then becomes how to implement an annual fitness assessment that is fair and impartial to all certified and sworn officers. Of particular importance are older members and those with disabilities. In 1986, the Age Discrimination in Employment Act (AEDA) was amended. The decision to include law enforcement officers was placed on hold until a review by Congress in 1993. Prior to the review, the Equal Employment Opportunities Commission (EEOC) contracted with the Center for Applied Behavior Sciences, at Pennsylvania State University, to decide if public safety would be compromised by excluding mandatory retirement based on age, for public safety jobs. The inquiry revealed that age is not a good predictor of job performance among public safety officers. Physical fitness and mental abilities had the closest relationship to performance and that it varied greatly, regardless of age. It was recommended that a mandatory retirement be eliminated and that public agencies adopt physical and psychological tests for retirement evaluations (Pynes, 1996).

The Americans with Disabilities Act does not require agencies to hire unqualified or unfit applicants, nor does it require law enforcement agencies to lower or eliminate standards. It does, however, demand fair and equal employment opportunities for all applicants and employees and the elimination of any bias or prejudice on the part of the employer.

An annual fitness assessment should follow the same standards that are required during the time of hire. An assessment, such as the FDLE physical agility test, could be used to provide an annual assessment of physical abilities. This test only contains observable job tasks; those that the officer is expected to do to gain employment and expected to carry out during the course of their daily activities. It stands to reason that if the physical agility test is a fair and impartial test to gain employment, then it is a fair and impartial test of their physical abilities to maintain employment.

In this study, an attempt was made to advocate implementing an annual physical fitness assessment for law enforcement agencies. Specifically, this research will attempt to show that by implementing such an assessment, agencies will realize benefits such as reduced workers' compensation claims and a reduction in cost per claim for on-the-job injuries. Additionally, as mentioned previously, benefits for the community and individual officer will be realized.

## Methods

### *Subjects*

Law enforcement agencies in Florida and Virginia were analyzed according to their policies regarding annual physical fitness assessment. Specifically, those agencies that mandated some sort of annual physical assessment comprised the experimental groups. They were the Altamonte Springs Police Department in Florida and the Hanover Sheriff's Office in Virginia. The Polk County Sheriff's Office was utilized as the control group as they do not currently have an annual fitness assessment policy.

### *Data*

The respective agencies' total workers' compensation claims and average cost for each claim from the agencies mentioned above served as the data and was derived from archival data provided by their risk management carriers. Total claims and average cost for each claim served as the dependent variable with utilization of an annual physical fitness program as the independent variable.

### *Procedure*

The data was not initially in a format that specifically measured the average cost for each claim; therefore, individual claim costs for each agency were summated and divided by the number of claims to determine an average for each claim. The raw number of claims was also divided by the number of potential claims to give an average for each agency. Data was derived from self reports of the agencies polled.

## Results

The general research question that formed the basis for the statistical analysis of the study as previously stated was:

Is there a significant difference among the number of worker's compensation claims and average cost per claim for agencies that mandate an annual physical fitness assessment versus those that do not mandate an annual physical fitness assessment?

The total number of claims for calendar year 2004 for the Polk County Sheriff's Office was 444. This accounted for about 34% of the total workforce that submitted a claim. The average cost per claim was \$2795.00.

The Altamonte Springs Police Department had a total of 19 claims for calendar year 2004. This accounted for about 12.5% of the total workforce that submitted a claim. The average cost per claim was \$1841.50.

The Hanover County Sheriff's Office had a total of 63 claims for a two year period. This accounted for about 32% of the total workforce that submitted a claim. The average cost per claim was \$326.50. (See Appendix)

## Discussion

The present data does support the hypothesis that the average cost per claim for agencies mandating an annual physical assessment is less than the agency that did not mandate a physical assessment. There was a significant difference between the Polk County Sheriff's Office and the Altamonte Springs Police Department whereby the cost per claim for the Polk County Sheriff's Office was 65.8% higher than the Altamonte Springs Police Department. Furthermore, there was a significant difference between the Hanover County Sheriff's Office and the Polk County Sheriff's Office whereby the cost per claim for the Polk County Sheriff's Office was 88.3% higher than the Hanover County Sheriff's Office (see figure 2). The large disparity between the Polk County Sheriff's Office and the Hanover County Sheriff's Office could, in part, be explained by different worker's compensation laws in Florida and Virginia. However, the significance between the Altamonte Springs Police Department and the Polk County Sheriff's Office cannot be attributed to differences in worker's compensation laws considering these agencies are in the same state.

The data is not as conclusive when considering the second hypothesis that the number of worker compensation claims would be significantly reduced when comparing the agencies that mandate an annual fitness assessment to those that do not. The total number of claims for the Polk County Sheriff's Office was 444, for the Hanover County Sheriff's Office 63, and for the Altamonte Springs Police Department 19 (see figure 1). Raw data may seem to support this hypothesis; however, the total number of claims must be averaged against the total number of employees that could potentially have a claim. Taking this into consideration, the Polk County Sheriff's Office had a 34% claim rate, the Hanover County Sheriff's Office 32%, and the Altamonte Springs Police Department 12.5% (see figure 3). The difference in the number of claims is not as significant when comparing the agencies in this manner. There is one possible explanation as one of the agencies that implemented this program found when the agency mandated that their personnel perform an assessment on an annual basis. The agencies gave officers the means in which to condition for the assessment in the form of a workout facility within the agency or one that was contracted out and time on duty to work out. The personnel then began to condition themselves for the assessment and injuries occurred. These injuries usually consisted of pulled or strained muscles requiring minimal treatment. Therefore, it is possible that the number of claims for the agencies mandating a fitness assessment rose while the cost per claim declined. Personnel were getting in better shape and experiencing only minor injuries. Subsequent years of claim records support this idea when compared to before the agencies mandated the annual fitness policy. The important factor is not just the number of claims but the severity of the claimant's injury and the associated cost to the agency. The agencies polled noticed a significant decrease in the amount paid for claims and less serious injuries experienced by their personnel.

These findings provide validity to the notion that implementing an annual fitness program can reduce worker compensation costs. As with any study of this nature, more information should be obtained and further research should be conducted in this area to truly measure the effectiveness of a fitness program.

## Conclusion

As predicted by the hypotheses having an annual fitness for duty assessment can be, and is, a benefit to agencies that mandate one. There are benefits for the public, agency, and individual when implemented in a fair and equitable manner. The future cost of providing health care for agency personnel does not appear to be decreasing any time soon. Agencies must be proactive in combating these rising costs and develop preventative measures to stop injuries rather than just treat them.

An area of concern that developed as a result of this study was that information regarding worker's compensation claims, associated time off per claim, and cost per claim was extremely difficult to obtain. The risk management companies were forthright with the information; however, it was not in a format that could be readily applied to the agencies. Risk management companies do not typically categorize the information according to actual time off as a result of a claim. Therefore, it is difficult to measure whether a fitness program is effective when the goal is to reduce time off due to injuries. Agencies should be cognizant of the manner in which information is being gathered and use it in a way that will help them make informed decisions in regards to reducing workers' compensation costs.

Lieutenant Michael Allen is currently the Deputy Commander at the Polk County Juvenile Boot Camp. During his tenure with the Sheriff's Office he has worked as an inspector in the professional standards unit, administrative supervisor, book-in supervisor, and platoon commander. Michael received his Bachelor of Arts degree in Psychology at the University of South Florida, and his Masters in Public Administration at Troy State University.

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## Appendix A

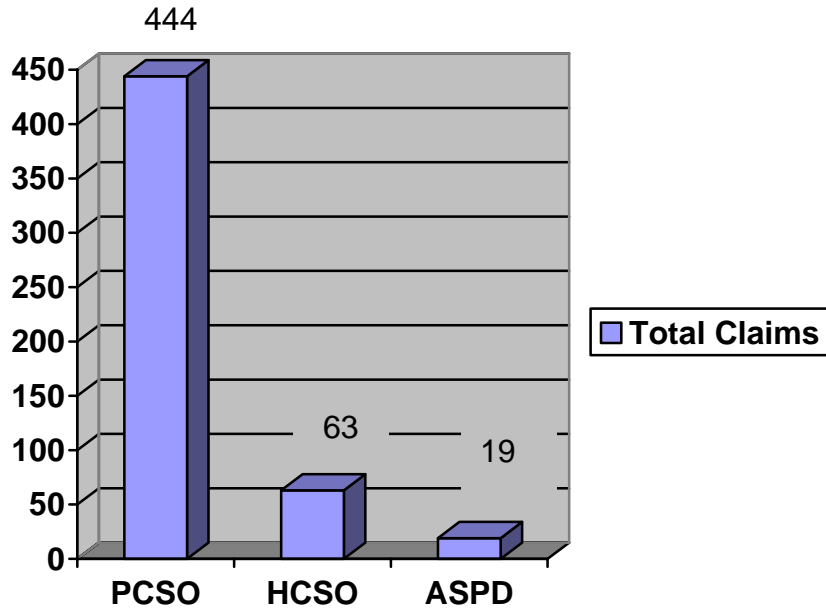
### Synopsis of Agencies and Findings

	Polk County Sheriff's Office	Altamonte Springs Police Department	Hanover County Sheriff's Office
Data Year:	2003-2004	2003-2004	1999-2001
Total number of employees	1309	152	191
Total claims	444	19	63
Claim rate as a % of workforce	34%	12.5%	32%
Averaged cost per claim	\$2795.00	\$1841.50	\$326.50
Status of fitness Policy	No policy	Annual assessment	Annual Assessment

Appendix B

Figure 1: Total number of claims

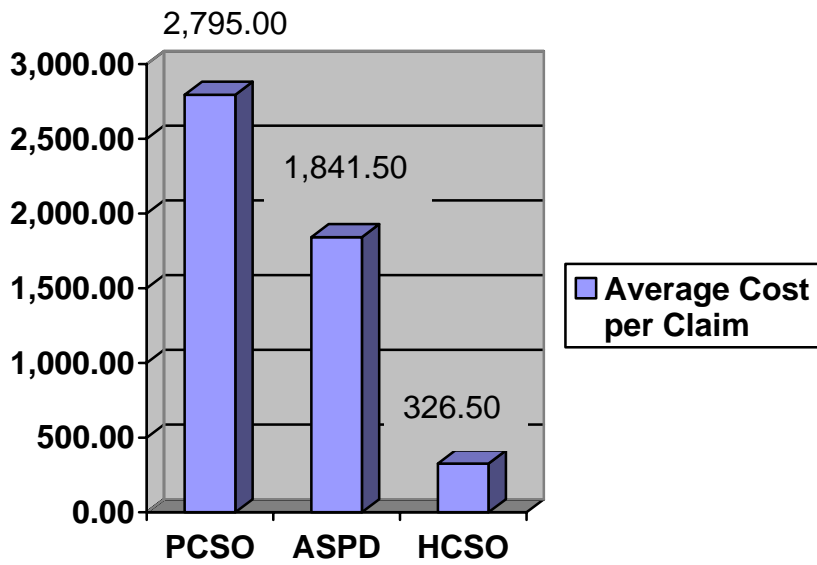
Results



Appendix C

Figure 2: Average cost per claim

Results



Appendix D

Figure 3: Claim rate as a percentage of total workforce

