

Agency Liability Factors Related to the 12-Hour Shift

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Abstract

How has the 12-hour shift affected the agency in high liability areas? These areas include officer involved crashes, worker's compensation claims, response to resistance, officer complaints, reported crimes and overtime usage. I compared these areas over the past three years working an 8-hour shift, to the past year working a 12-hour schedule. Although this shift has benefits, there is a potential for adverse affects to the agency and community from these areas. I reviewed the data for changes and if the 12-hour shift attributed to them. Most of the categories remained consistent with previous years with a decline in overtime expenditures. While I realize a one-year comparison is not an accurate depiction; it gave an indication this shift could prove advantageous to the agency.

Introduction

In November 2003, the Altamonte Springs Police Department changed from 8-hour shift to a 12-hour shift for the Patrol Division. Law enforcement has utilized this shift for a number of years, but we wanted to be confident, it was the correct shift for the agency due to the additional hours per shift. I want to determine if there have been any significant changes in potential high liability areas, and could they be because of the shift change. There are times when law enforcement uses programs that are less than productive, and unfortunately, we do not conduct a proper assessment to assist in making this determination. In my original proposal to make this change, I predicted there would be no additional cost to the agency, as well as increased personnel per shift. I indicated there would be more spent in yearly salaries while a significant reduction in overtime. The increase in salaries was because officers only worked 32 hours two weeks out of every six. On this shift, officers attended 30 minute briefing every day for 2.5 hours of overtime per week except in the short weeks where it made up some hours up to 34. Using this shift had several drawbacks to the agency. There was training, done once a month on overtime. Due to shift assignment, it was commonplace to call in additional personnel to meet minimum staffing. These issues caused the department to be consistently at or over the overtime budget. There were also leadership issues due to the rotation of days off, as each squad was divided into three units to cover the shift. This meant the supervisor's were not consistently working with two of the other units creating a lack of direct contact and leadership.

Before a shift change was proposed each employee was addressed face to face. They were asked if they would be interested in working a 12-hour shift for a trial period of one year. The results of this informal survey were 80% were

interested in the trial period. The reason for this informal survey was that in the past several years there have been formal surveys conducted. In this arena, senior officers opposed to change influenced younger officer's decision about staying on the 8-hour shift. This is why an informal survey was used to avoid the potential of outside influences. It was proposed using the basic 12-hour model, 2 on and 2 off and every other weekend off. We used the shift times of 6:00 A.M. to 6:00 P.M. and 6:00 P.M. to 6:00 A.M. To offset some of the calls at shift change two units from each shift go in service 45 minutes early. We made some adjustments that we believed would best suit us to adjust for overtime expenditures. It was proposed to make the pay cycle 84 hours per two weeks and anything exceeding it would be at an overtime rate. The implementation of the 12-hour shift would increase personnel by three to four officers per shift. This would eliminate overtime to meet minimum staffing requirements. As for training, it was decided to have bi-annual training blocks in April and October to coincide with the wellness assessment. The training blocks would be conducted in officer's short weeks for three days at 8 hours a day to equal the 24 hours in the week. Using this format would eliminate training overtime. I initially predicated in the proposal reported crimes would decrease, because there would be more officers per shift creating the perception of a stronger police force. Officers would also have the ability to deter crimes or apprehend suspects with more officers instead of going from call to call for service. With the implementation of the 12-hour shift, this created shifts that consistently worked together, with the same supervisors, which established consistent leadership.

We did not just want to use a cookie cutter shift that had proven to be successful at other agencies, realizing the demands and needs are different per agency. According to a research conducted in 2002 it concluded, "that establishing shift schedules that work is a department-by-department process."(Sharpe, 2002). The research determined there was a multitude of variables used to determine the shift utilized by each department. We did not want to change shifts just because everybody else was using it; we wanted see if it could be a benefit to the agency, community and the administration. In the same research Deputy Chief Legge said "The 12-hour shift also benefits the city; it's a win-win situation."(Sharpe, 2002).

The intent is to research six high liability issues that have a potential to have an adverse affect on the agency, either financially or administratively. These areas included officer-involved crashes, worker's compensation claims, response to resistance, internal investigations, reported criminal activity, overtime expenditures. These areas can be measured against previous years to assist in assessing the shift change. Officer surveys, although not necessarily a liability issue will also be addressed, because it was important to establish if officers were satisfied with the shift. The thought was a content employee is a productive employee, so we wanted to ensure the people it was affecting were able to provide feedback and their feedback influenced the ultimate decision. While conducting this analysis it is understood the human error factor cannot be measured and can affected some of the numbers in these areas.

I suspect the areas of internal investigations, crashes, and response to resistance will increase. Internal investigations and crashes will increase because of the extended hours worked. Officers being in the cars longer and dealing with more people per shift will likely influence these areas. I believe response to resistance will increase but not because of the shift but because of the full implementation of the taser. There are instances like foot pursuits that would not have been reported before but now officers have the capability to use the taser to prohibit or prevent this pursuit. I believe as initially stated the overtime will decrease as well worker's compensation claims. I believe the claims will decrease because training is only being conducted two times a year. I believe criminal activity remain consistent with the previous years activity.

If any of these areas changed dramatically during the course of the year, it is to be reviewed in depth and determined what attributed to the change. If multiple areas changed and it is proven to be a result of the shift change, then alternative shifts will to be researched to choose the next course of action.

Methods

As stated in the introduction I initially used an informal survey of all patrol officers and civilian community service officers to determine if a trial period would be accepted. I conducted a formal survey of the same subjects to determine if they would prefer to remain on the 12-hour shift or return to the 8-hour shift. This was a simple survey and inquired which shift was preferred and asked for any comments either positive or negative for either shift.

I will then compare the liability areas of the year on the 12-hour shift and three previous years on the 8-hour shift, but only for those officers assigned to the patrol division. The areas compared are internal investigations, crashes, response to resistance, worker's comp claims, crimes reported, and overtime expenditures. I will review all files pertaining to these areas, to include information from the Risk Manager, Professional Standards, and the Budget Manager.

I also sent out surveys to police department nation wide. There was no system to the department contacted as I used two previous FBINA rosters from administrators who recently graduated. I asked questions if they were currently using the 12-hour shift and if so how long, or had ever used it and why they abandoned it. If they were currently using the shift I inquired if they had evaluated the same areas I will be investigating.

Results

Internal Investigations

I reviewed the total number of violations investigated for the year. I looked at how many violations were contained within each complaint and noted how many violations resulted in no action taken. I also documented here as well as in the officer-involved crashes section how many of those were included. I then rated the number of specific violations occurring more than two times. I also reviewed how many of the complaints were initiated by citizens who believed an officer had acted inappropriately. The reason all these subcategories were reviewed was the pure number of investigations is not accurate depiction of this category. I believe by using this method it will give a fair and accurate assessment of the category.

In 2004, there were a total of 54 violations investigated involving patrol officers, 11 of which were for safe vehicle operations, crashes. Of the 54 violations, 16 were contained within seven internal investigations. There were 10 violations, which resulted in no action taken. Of the violations sustained Standards of Conduct was the most frequent with eight (8) violations, Response to Resistance and Police Vehicle Operation each had five (5) violations, Court Appearances, Duty Responsibilities, Department Property, and Substandard Performance each had 3 violations. There were other violations with none of them occurring more than two (2) times. Of these complaints, seven (7) were initiated by citizen's complaints.

In 2003 there were 37 violations investigated involving patrol officers, nine (9) of which were for safe vehicle operation. Of these violations, four were contained within one investigation and three (3) violations resulted in no action taken. The most frequent violations were court appearance with seven (7) violations; standards of conduct with four (4), and Department Property had three (3) violations. There other violations but they occurred no more than two times. Three of the investigations were initiated by citizen's complaints.

In 2002 there were 49 violations investigated involving patrol officers, nine (9) of which were for safe vehicle operation. Of the violations, 11 were contained with five (5) investigations and with only two (2) violations resulted in no action taken. The most frequent violations were court appearance with seven (7), Department Property with five (5), Police Vehicle Operations with five (5), and Standards of Conduct with three (3). There were other violations such as truthfulness, and false reports, conduct towards the public but none of these violations occurred more than two times. Three of these investigations were initiated by citizen's complaints.

In 2001 there were a total 64 violations investigated involving patrol officers, five (5) of which were for safe vehicle operations. Of these violations, 19 were contained in eight (8) investigations, and 23 of the violations resulted in no action taken. The most frequent violation was Conduct towards the public with 11, Standards of Conduct with eight (8), Use of Force and Court Appearances each had five (5), and Duty Responsibilities and Substandard performance each

had three (3). There were again other violations with no more than two (2) violations. Of the violations, 13 of them were initiated by citizen complaints.

In this category, there is no apparent change in the type or number of violations. The average number for the three previous years is 50. Although 2004 is slightly higher there were more investigations involving multiple violations. Initially the number of violations involving response to resistance appears to have increased. Although this is true, accidental discharge of the Taser falls within this category which was several of the violations. Although Standards of Conduct has increased slightly this is consistently one of the leading violations every year. None of the violations can be attributed to working the 12-hour shift they just appear to be an error in judgment for the officers involved. Although the category of Substandard Performance is slightly higher, two of the three incidents involve the same officer. The number of times officers missed court has decreased, and there were more cases resulting in no action taken then in previous years during the past year.

Response to Resistance

In this category, I documented how many reported incidents there were through the years. I attempted to assess if there could be any indication if there could any way to determine if they could be related to the extended shift. I also looked at how many of the cases involved injuries to officers attempting to determine if fatigue could have played a factor in the injury.

In 2004 there were 41-reported responses to resistance, with 29 of them being Taser related. This is the first full year the taser was issued to the entire patrol division. Of the reported incidents, there were two (2) cases where the officer suffered some type of injury.

In 2003 there were 25 reported incidents with 12 of them being Taser related. Of these cases, there were 5 cases with reported injuries to officers. This was the year the Taser was issued to a portion of officers.

In 2002 there were 17 reported incidents 3 of which resulted in officer injury.

In 2001, there were 22 reported incidents with two resulting in officer injury.

Although response to resistance has increased since the implementation of the 12-hour shift, it is suspected the Taser has attributed to this increase. This area will continue to be monitored to determine if this shift or the Taser has affected these numbers. In previous years in cases of instances like foot pursuits, or a simple escort position, a response of resistance would not have been completed. Now with the Taser officers deploying the taser in these situations have to complete the appropriate paperwork. I do not believe our agency has become any more forceful it is just an effective tool has been provided that requires proper documentation.

Officer Involved Crashes

The reason for this category is that fatigue could play a factor in officers operating vehicles after so many hours of work. I took the pure number of reported crashes and determined how many were of no fault of the officer. I then reviewed at least for the 2004 year on which day of the work schedule the incident occurred.

In 2004 there were 15 reported crashes. For six (6) of these, it was determined there was no improper driving on the part of the officer. There was no consistent pattern to the crashes as four (4) occurred on the first workday, six (6) on the second day worked and five (5) on the third day.

In 2003 there were sixteen (16) reported, with six (6) determined there was no improper driving.

In 2002 there were twenty (20) reported, with 14 there was no improper driving.

In 2001 there were twelve (12) reported. I was not able to determine how many of these were determined to be no improper driving.

For the previous three years, there was an average of sixteen (16) crashes per year. In 2004 comparing to the average, the 15 crashes would be consistent with those years. This would indicate the additional hours have not affected the officer-involved crashes.

For the three previous years there was no way to determine which day of the shift the crashes occurred on, as there is no documentation and no way to track shift assignment.

Overtime Usage

Overtime was addressed because of the potential liability it has to the department. In past years we have expended what has been allotted to the department. If a saving could be shown in this area it would be beneficial to the department as well as a cost saving mechanism to the administrators.

In the 2003 – 2004 fiscal year the operations division spent \$304,666 in overtime expenses. *This includes a pay period during the hurricanes that was in excess of \$60,000.* The 2003 – 2004 fiscal year was the first with a combined Operations Bureau budget to include Special Operations and Investigations.

In the 2002 – 2003 year, Operations, which included Special Operations, spent \$323,964 in overtime and Investigations spent \$50,939. The total for this year was \$374,903 in overtime expenditures.

In 2001 – 2002 year, Operations Bureau, which included Special Operations, spent \$299,344 in overtime and an additional \$44,193 spent in investigations. The total overtime expenditure was \$343,537.

In 2000 – 2001 the Operations Bureau spent \$221,254, Special Operations spent \$78,132, and Investigations spent \$54,884. The total overtime expenditure was \$354,270.

It is clear to see the first full year on the 12-hour shift has dramatically reduced the overtime expenditure. The average overtime costs to Operations

Bureau over the previous three years are \$357,570, utilizing this average there is a reduction of approximately \$53,000 in 2004. This amount could have been substantially more, but the three hurricanes caused additional expenses that have not been experienced in any of the other control years. This year on the 12-hour has produced the lowest overtime costs in the 4 years with a substantial saving to the Police Department. One of the effective ways of reducing overtime is utilizing the block training. This has proven to be an effective way to conduct training as well as control overtime expenditures. There has were no incidents were officers were called in to meet minimum staffing as each squad had adequate personnel.

Worker's Compensation Claims

This is a huge liability to the department, because of potential costs. This is another area in which fatigue could ultimately affect. When the department is responsible for making up lost wages and workers comp costs the fewer claims could reduce the ultimate costs.

For the 2004-year there were eight (8) reported incidents for the patrol division, three (3) of which resulted from defensive tactics. Of the five remaining incidents, none appeared to relate to the additional hours. Two resulted from foot pursuits, one from smoke inhalation, one during an arrest and the last fume inhalation.

In 2003, there were 12 reported incidents with two (2) being from defensive tactics and two (2) from Wellness.

In 2002, there were 17 reported, with two (2) resulting from defensive tactics. Of the claims made eight (8) them were a result of a foot pursuit or while making an arrest.

In 2001, there were 23 reported incidents, two (2) were defensive tactics related and two (2) were wellness related.

There was an average of 17 reported incidents over the past three years, and only eight (8) reported in 2004. It is suspected the implementation of the Taser has is truly the source that reduced the number of claims, but it is apparent the 12-hour shift has not had an adverse effect in the number of claims. In the year during the 12-hour shift, we have reduced the worker's compensation claims. This reduction is additional savings for the department in worker's compensation costs and less time officers missing duty due to injuries.

Crime Statistics

In this evaluation, I looked at the crimes of burglaries both residential and commercial, larcenies to motor vehicles, auto thefts and robberies. In these categories, the Patrol Division can be effective tool in reducing and/or deterring these types of criminal activity. As a benefit to the 12-hour shift we have been able to increase personnel on each squad by approximately 40%, adding 2- 4 officers per shift depending on the current staffing numbers. This increase surely

had some impact on the number of crimes committed. Below the number of crimes reported by type and year are listed.

Crime	2001	2002	2003	2004
Burglary - Commercial	110	84	77	68
Burglary – Residential	156	205	196	156
Larceny Motor Vehicle	476	373	408	382
Auto Theft	183	253	210	150
Robbery	46	58	48	35

Although the shift that is worked is not the only factor in reducing crime, it is obvious the 12-hour shift has not negatively affected reported crimes. The above numbers indicate there was a decrease in every category that the Patrol Division could affect. With the implementation of the 12-hour shift, each shift is working with more personnel, which increases our visibility, to assist in deterring crime. This additional personnel also gives the community the perception with the change in shift we have effectively minimized crime.

Officer Survey Results

Of the 40 officers and CSO's surveyed 34 or approximately 83% of them indicated they would prefer to stay on the 12-hour shift. Some of the frequent comments made in response to the survey was the 12-hour shift provides more time off, better family life, working with the same people and working a set schedule. Some of the negative comments included fatigue, court appearances after shift or additional overtime, and high call volume at current shift change 1800 hours. Of the negative issues comments made I looked at the September 2004 through January 2005 for calls for service. The 0600 period is one of the lowest times for calls with only 0500 hours being lower. The 1800-hour period is the highest time for calls for service in this period at 520. In reviewing other possible hours for shift change, I looked at the two-hour blocks before and after the 1800 hours. There is no significant change in the calls for service in the periods, the 2000-hour decreases slightly to 450, but still a high volume of calls.

I do not believe changing the shift times will make a difference as the evening hours are the busiest during a day. In looking at total calls for service in this time, the day shift took approximately 4800 calls and evenings handled 4100 calls. Although a substantial difference the 0300 – 0600 is the lowest period for call for service. There were several suggestions to develop a overlap shift that would handle calls during the busy period. If there were done it would take away from current personnel and deprive the shifts of the additional officers. It is obvious this is a busy time for shift change and we put at least tow officers in service 45 minutes early to attempt to offset some of the calls that would overlap shifts. Although there were some negative comments made about the shift it is obvious that officers still prefer top remain on the 12-hour shift.

Discussion

In reviewing all of the data, it is apparent the 12-hour shift has not had any adverse effects on the department. All of the areas reviewed either remained consistent with the 8-hour shift or improved since going to the 12-hour shift. Along with not posing any potential negative affects, it has saved the department monetarily in both overtime and worker’s comp claims. In reviewing this information after utilizing this shift for one year, I see no reason to change our current shift schedule or even to examine other possible shifts. It is understood there is no perfect shift and each would need to be evaluated for each department to determine its effectiveness, but I believe we have established one for this department because it works for both the Department and employees. If “Finding the ideal shift schedule for law enforcement agencies is about as easy as teaching a K9 to fly a police helicopter” (Sharpe, 2003), I believe we have put a dog in the air. We were able to adjust the shift to meet the department needs and benefit the employees as well. It is not often that both parties involved are pleased with an outcome, but here it is evident. There are some issues that I will continue to monitor such as response to resistance and calls for service. These are the only areas that were a little out of the norm, but unable to attribute it to the shift at this time.

Lieutenant Matthew Tegge has been with the Altamonte Springs Police Department since 1988. He has worked in the areas of Special Investigations, Criminal Investigations and Patrol. Matt is currently a Patrol Watch Commander. He has an Associates degree in Criminal Justice and is pursuing his Bachelor’s degree.

References

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