

# Impact of Excessive Overtime and Off-Duty Work on Police Officers and Police Departments

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## **Abstract**

*There are many unintended consequences of police officer fatigue on the officer, the agency they work for, and the community they serve. Officers are continually asked or mandated to work more off-duty (non-job related) details which, along with other factors, has caused officers to report to work more fatigued now than ever before. Most agencies don't even admit there are problems with officer fatigue much less do anything to try and correct the problem. In order to alleviate this issue it will take a combined effort by the officers, their agencies, the city staff, and outside agencies. Selected police agencies in Florida were surveyed to determine potential issues involving fatigued officers due to excessive work hours.*

## **Introduction**

Policing in today's society has become more complex and demanding than ever before. The public and politicians are putting greater and greater pressure on police resources, which continue to dwindle in the face of this economic climate. Police departments are told to do more with less as they attempt to maintain balance between protecting the public and serving them. Less and less time is being spent on 'criminal activity' (only about 20%) with the remainder of time being devoted to maintaining order, social services, and administrative functions (Dempsey & Forst, 2013).

Overtime and off-duty work have become a necessary part of police work but it has taken a tremendous toll on the officers. The price paid is fatigued officers who often work many consecutive days without the appropriate time off to recuperate. Officers become tired and overworked which, in turn, directly affects their performance as well as public safety. Police departments have a vested interest in ensuring that their officers are not overly fatigued and are able to properly perform their jobs (Senjo & Dhungana, 2009; Vila, Morrison & Kenney, 2002).

So, the question becomes how do police departments control overtime and off-duty work which at times becomes excessive and interferes with the primary function? Overtime policies and the quantity of overtime worked vary greatly from department to department and officer to officer. Many departments have no system in place to regulate or manage this work. They rely on informal controls to address and reduce officer fatigue. Other agencies have formal rules but the policies are vague at best. Few agencies have a well-organized structure that addresses overtime and off-duty work for the betterment of the agency and the citizens they protect and serve (Bayley & Worden, 1998; Senjo & Dhungana, 2009).

For the past several years the City of St. Augustine has become home to more and more special events, i.e. parades, festivals and charity runs. This has had a huge effect on the police department with regards to overtime, off-duty work (i.e. special events), and the fatigue these have contributed to. This paper will attempt to ascertain if other agencies are having the same issue and what, if anything, they are doing about it.

## **Literature Review**

There have been many studies on the effects fatigue has in regard to decision making and other cognitive tasks. Fatigue affects police officers, their communities, and the economy. It has been tied to people making poor decisions, crashing vehicles and even causing deaths. Fatigue is caused by several different factors including excessive work hours, inadequate sleep, and shift work; all of which are part of police work (Vila, 2006).

Nationwide police officers earn a relatively low salary which leads many officers to rely on overtime, off-duty, and secondary jobs to supplement their income (Patterson, 1989 (as cited in Senjo & Dhungana, 2009)). There has been a push recently for officers to further their education. Officers working additional time and attempting to get a college degree coupled with the fact that many officers have great familial requirements add up to officers 'doing whatever it takes' to get the job done. This comes at the expense of the officers' personal health and job performance. Researchers have concluded that excessive work hours were significantly associated with physical and psychological disorders among police officers. (Senjo & Dhungana, 2009; Vila, 2006)

According to Vila & Kenney (2002), overtime and off-duty work greatly contribute to police fatigue. Some officers would work as much as they could and unlike other professions (for example; medical interns, truck drivers and airline pilots), there are no set standards or regulations on police officers in regard to how many hours they can work. There are extreme cases of officers working as many as 3,000 hours per year of overtime, off-duty, and secondary jobs. Most agencies have several officers who work a substantial amount of overtime and more than half of officers work secondary jobs. On average, officers work between 15 and 40 hours of overtime a month. Per officer that overtime breaks down to 35% being attributed to off-duty court appearances; 20% to late arrests or report writing; 11% to extra shift assignments to fill in for someone who was sick, on vacation, workers compensation, and so on; and 9% to special events such as crowd control, parades, etc. Eighty-eight percent of officers feel that overtime is financially helpful but few think that it affects their job performance. This is in contrast to the nearly 50% of officers who report that overtime was at least sometimes responsible for them feeling tired at the beginning of their shift (Vila & Kenney, 2002; Vila, Kenney, Morrison & Reuland, 2000; Vila et al., 2002).

Health experts and sleep researchers unanimously agree that most people need at least 7, and preferably 8, hours of sleep each day. Only 17% of officers report getting 8 or more hours of sleep daily and 53% of them reported averaging 6.5 or fewer hours of sleep per day. Thirty eight percent of the general public reported getting 8 or more hours daily and 31% reported receiving less than 7 hours of sleep per day. Compared to

the general public most police officers are sleep deprived (Vila et al., 2002). Sleep deprivation can affect the body and mind in a manner similar to legal intoxication. In a study Kuo (2001) conducted comparing the effects of sleep deprivation with those of alcohol consumption; he found that after 17 to 19 hours of wakefulness, human fatigue resulted in impairment equivalent to or, in some cases, more severe than 0.05% blood alcohol content (BAC). Studies showed that police officers are six times more likely to work impaired than other shift workers in industrial settings. Sleep deprivation and the fatigue it causes hinders officers' ability to analyze situations and make proper decisions. Fatigue-impaired officers also present threats to public safety and expose the communities they serve to substantial liability. (Senjo & Dhungana, 2009; Vila, 2006)

Police fatigue is a widespread problem that can seriously degrade officers' performance, health, and safety. Police officers routinely work more hours and are more fatigued than any other occupational group, yet officers continue to work large amounts of overtime. It is a matter of public safety for fatigue-impaired officers to conduct their job; particularly because at times they may be as impaired as the drunk drivers they arrest (Vila, 2006; Vila et al., 2000; Vila et al., 2002). As pioneering Stanford University sleep researcher William C. Dement summarized,

[P]olice work is the one profession in which we would want all practitioners to have adequate and healthful sleep to perform their duties at peak alertness levels. Not only is fatigue associated with individual misery, but it can also lead to counterproductive behavior. It is well known that impulsiveness, aggression, irritability, and angry outbursts are associated with sleep deprivation [quoted in Vila, 2000].

Bryan Vila, a former police chief has conducted some of the most extensive research on the effects of fatigue on police officers (Vila, 2006; Vila & Kenney, 2002; Vila et al., 2000; Vila et al., 2002). According to Vila police fatigue can be significantly affected by the policies of the officer's agency. He emphasizes "biologically insensitive shift rotation schemes, excessive mandatory or elective overtime assignments, frequent off-duty court appearances, and the use of extra and double shifts to cope with personnel shortages" are areas which can be controlled by police departments (Senjo & Dhungana, 2009; Vila & Kenney, 2002).

Police executives and managers can minimize officer fatigue by developing appropriate shift schedule and work-hour policies. Managing work hours is critical for fatigue control because the number of hours an officer works in a day, week, month, or year can contribute a great deal to how fatigued or alert he or she is. Management of overtime is viewed as a recurring problem by both private and public sector managers. So, how does one control overtime in policing? By recording, analyzing, managing, and supervising. Management of overtime can be broken down into two sections; one being to create an infrastructure for recording and analyzing the use of overtime and; two making policies about overtime (Bayley & Worden, 1998; Vila et al., 2002).

Police Departments should create a culture that recognizes that sleep deprivation, disruption, and fatigue are greatly associated with accidents, errors in

judgment, and employee health problems. They need to educate their officers about good sleep habits and the importance of coming to work alert and well rested. Management should do all it can to ensure that officers are fit for duty at all times while they are working because overly fatigued officers are more likely to put themselves, their fellow officers, and their communities at risk. Shift-work and fatigue education enables departments to address sources of fatigue that arise from the job as well as those from outside. Officers should be educated about the hazards of failing to cope with fatigue and encouraged to think about alertness as an important aspect of being fit for duty. Officers need to be taught how to minimize fatigue's impact on their professional performance and personal lives, just as they are taught firearms safety, arrest techniques, and field tactics. At a minimum, they need to learn to regard fatigue as a critical officer safety issue (Vila & Kenney, 2002; Vila et al., 2002).

Research has established that many officers work foolishly long hours. A substantial proportion of police officers are seriously impaired by fatigue and roughly half of them are likely to have sleep disorders. This necessitates management to acknowledge the obligation to address fatigue issues to the best of their ability. An agency that fails to take reasonable precautions to manage the risks associated with fatigue may incur substantial civil liability for avoidable accidents, injuries, or misconduct. It is important for police departments to develop and implement fatigue plans to help inoculate the agency against legal liability. An employer also has a duty to intervene if an employee has worked so many hours without rest that their impairment constitutes an unreasonable and foreseeable risk to others (Vila et al., 2002).

## **Methods**

The purpose of this research was to ascertain how much overtime, off-duty and secondary jobs the officers of the St. Augustine Police Department worked during a specific time period. After that information was gathered, I researched how much overtime and off-duty other officers from similar agencies worked during the same time period. This research did not attempt to gather information on how much time officers spent at secondary jobs due to the fact that most agencies do not keep track of those types of hours. I wanted to establish if other agencies were having an issue with their officers being fatigued to the point that they no longer want to work anything other than their regularly schedule job. I also wanted to determine if they were experiencing these issues and what, if anything, they are doing to help correct the problem.

Information was gathered from the St. Augustine Police Department employee payroll records; including timesheets, overtime slips, special events calendar, off-duty sign-up sheets and invoices to contracted individuals. This was for the entire 2012 calendar year and included overtime and off-duty work. The city of St. Augustine has a population of 12,975 people (Bureau of Economic and Business Research, University of Florida, 2011, p. 19) and is 10.7 square miles in size (List of municipalities in Florida, 2013). The St. Augustine Police Department has 50 sworn members.

Additional information was gathered through a survey of 70 police departments in the state of Florida which were similar in make-up to the St. Augustine Police

Department. This was determined by population of city, geographical size of city, size of police department and location of city (coastal city with large transient (tourist) population). Data on each city's population was gathered from the Bureau of Economic and Business Research, University of Florida, 2011, p. 8-21. The area size was found in the List of municipalities in Florida, 2013. The number of sworn personnel of each department was gathered from the Florida Department of Law Enforcement, and then was updated by the information gathered from the survey (FDLE, 2011). The departments surveyed served populations varying from 7,037 people to 27,852 people, for an average of 16,337 people. The area they policed varied from 1.4 square miles to 52.3 square miles for an average of 10 square miles. At the time of this survey, the number of sworn personnel in each agency ranged from 18 officers to 98 officers for an average of 40 officers.

The survey was issued through Survey Monkey (see Appendix A for survey questions). This survey gathered information on whether other agencies collected information on overtime and off-duty work and if they did, how many hours of overtime and off-duty did their officers work during 2012. Information was also collected on if other agencies have had issues with their officers being fatigued and how they have dealt with this issue. Data was also collected on whether other agencies were having issues with getting officers to work overtime or off-duty work.

There should be no reason why agencies would not be truthful with their answers to the survey questions. A significant weakness was that some agencies did not complete the survey and/or do not keep records to answer the survey questions.

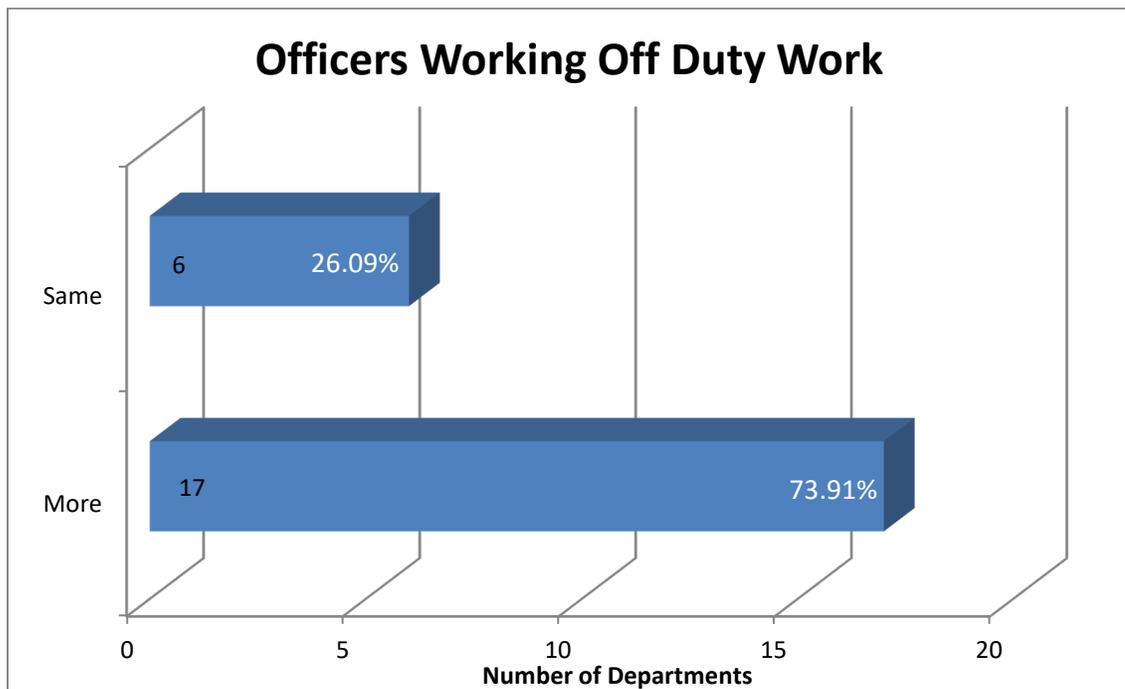
## Results

Seventy different police departments were sent the survey and 42 responded for a return rate of 60 percent. Of the agencies that responded to the survey 15 did not complete the survey. Below is a list of the questions and their responses.

*How many off-duty (special events, parades, city functions) details did your department participate in last year?* There was 100% participation in this question. The answers varied greatly from 5 to 133 details with an average of 20.71 details. The St. Augustine Police Department worked 67 different off-duty details in 2012 which is more than 3 times the average of the other departments surveyed.

*Does your agency collect data on overtime (job-related) and off-duty (non-job related – parades, city functions, festivals, runs, weddings, etc.) work done by your officers?* There was 100% participation in this question. Thirty-three (78.60%) responded that they did keep data with nine (21.40%) responding that they did not keep data reference off-duty and overtime worked by their officers.

Are your officers working more, the same or less off-duty (non-job related – parades, city functions, festivals, runs, weddings, etc.) than they were two years ago? Nineteen (45.24%) respondents skipped this question which leaves 23 (54.76%) who answered the question. Out of the 23 respondents that did answer the question, 17 (73.91%) stated that their officers are working more and 6 (26.09%) stated they were working the same. None of the agencies surveyed advised that their officers were working less. (See chart below) The St. Augustine Police Department is also working more off-duty. In 2008 the department worked 47 different off-duty details compared to what we worked in 2012; this is a 44.55% increase.

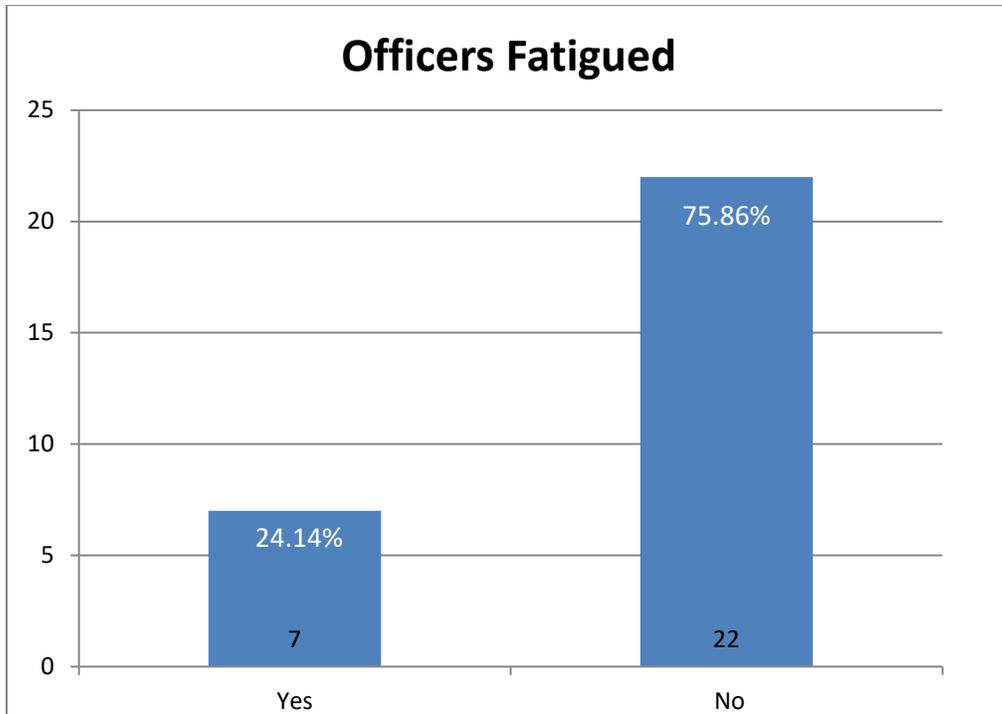


How much overtime (job related – Court, extra shift, completion of paperwork, etc.) did your officers work in 2012? Twenty-six (61.9%) agencies did not respond to this question which leaves 16 (38.1%) departments who did respond. Out of the 16 departments who did respond, overtime varied from the least amount of 992.5 hours to 13,180 hours with an average of 5083.33 hours for 2012. The St. Augustine Police Department worked 2,993 hours of overtime in 2012 which is nearly 70% less than the average of the other agencies surveyed. I took each department's overtime hours and divided those hours by the amount of officers they have and came up with the average hours per officer per year for overtime which was 115.93 hours. The average number of hours per St. Augustine officer in 2012 was 59.86 hours. This number is nearly half of the average for officers surveyed.

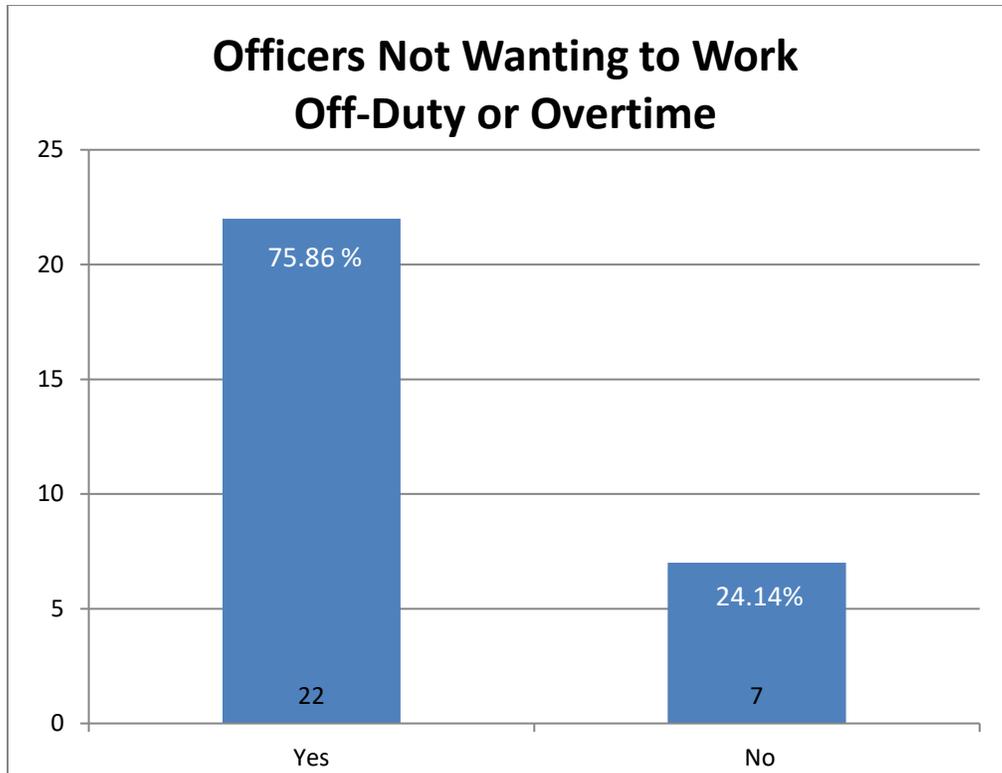
*How much off-duty (non-job related – parades, city functions, festivals, runs, weddings, etc.) did your officers work in 2012?* Twenty-seven (64.3%) agencies did not respond to this question which leaves 15 (35.7%) departments who did respond. Out of the 15 departments who did respond, off-duty varied from the least amount of 57 hours to 10,256 hours with an average of 2978.35 hours for 2012. The St. Augustine Police Department worked 4,901.5 hours of off-duty in 2012, which is 64.57% above the average of the other departments surveyed. I took each department's off-duty hours and divided those hours by the amount of officers they have and came up with the average hours per officer per year for off-duty which was 52.20 hours. St. Augustine Police Department averages 98.03 hours per officer, which is almost double that of the other agencies surveyed.

*Does your agency have a policy that regulates how many hours an officer can work during a certain period of time? And if so, what is your policy?* Eleven (26.19%) agencies did not respond to this question which leaves 31 (73.91%) departments who did respond. Out of the 31 departments who did respond 25 (80.65%) stated that they did have a policy and 6 (19.35%) stated that they did not. The St. Augustine Police Department has a policy that regulates hours of work which is very similar if not identical to the majority of other agencies. The majority of the agencies that have a policy on officer work hours provided me a copy. Nine departments have a policy that states an officer cannot work more than 16 hours in a 24 hour period, which is consistent with the policy the St. Augustine Police Department. One department limits their officers to no more than 14 hours in a 24 hour period and two agencies have a policy that limits their officers to no more than 18 hours in a 24 hour period. Seven departments have a policy which states that an officer must have a minimum of 8 hours non-working rest period in 24 hours, which is consistent with the St. Augustine Police Department. One agency has a policy that an officer must have 6 hours of rest between shifts. Five departments have a maximum number of hours of overtime/off-duty work an officer can work. They are as follows: 30 hours a week, 32 hours a week, 40 hours a week, 40 hours in two weeks and not more than (4) 12 hour shifts in a row.

*Does your agency have an issue with officers being fatigued? And if so, how does your agency deal with fatigued officers?* Thirteen (30.95%) agencies skipped this question which left 29 (29.05%) agencies that did respond. Out of the 29 agencies which did respond 22 (75.86%) stated they did not have issues with officers being fatigued and 7 (24.14%) departments stated that they did have an issue with fatigued officers. All 7 agencies who admitted to having problems with fatigued officers dealt with that issue in an informal manner. The St. Augustine Police Department acknowledges that we have a fatigue issue among our officers. We also deal with this fatigue in an informal manner.



*Does your agency have an issue with officers not wanting to work overtime/off-duty work? And if so, how does your agency deal with this issue?* Thirteen (30.95%) agencies skipped this question which left 29 (29.05%) agencies that did respond. Out of the 29 agencies which did respond 7 (24.14%) departments stated that they did not have an issue with officers wanting to work overtime/off-duty and 22 (75.86%) stated they did have issues with getting officers to work off-duty/overtime. Most agencies who answered in the affirmative advised how they dealt with this issue. All of those agencies in one way or another make, mandate, require, or force their officers to work overtime/off-duty even if they don't want to. The St. Augustine Police Department also has issues with officers not wanting to work overtime/off-duty and we force our officers to work when vacancies are not filled by volunteers.



### Discussion

The literature on police officer fatigue has clearly established that officers routinely work long hours and are more fatigued than most other occupational groups. Not only is this very prevalent but police agencies and their executive staff as a whole do not take this issue seriously enough. In this paper, the data unequivocally indicated that police officers continue to work more overtime than they have in the past. Most police departments are now collecting data on the amount of overtime/off-duty their officers are working. This is a change from previous studies that state most agencies did not have a system in place to manage this type of work. Most agencies also have in place a well-organized structure that addresses overtime/off-duty work which is also a change from previous studies. What we as agencies are lacking in is regulating how many hours an officer can work in a pay period.

What is very interesting is that the majority of agencies do not believe they have an issue with their officers being fatigued yet they state that they have difficulties filling overtime/off-duty details. This lack of willingness on the officer's part to work extra jobs is most likely a direct result of fatigue whether anyone wants to admit it or not. Police agencies have a responsibility to their officers and the communities they serve to accept this fact and work towards minimizing the effects it has. I believe that agencies and officers are going to continue to ignore the signs of fatigue until someone in those agencies becomes educated about the dangers of officer fatigue. Police agencies are also going to continue to force their officers to work overtime/off-duty instead of trying to develop another way to fill the assignments, such as, giving assignments to another

agency, saying no to the off-duty jobs, or pushing for more officers so they can fill the overtime/off-duty jobs. If officers are unwilling or oblivious to the fact that they are fatigued it is incumbent upon the police department to bring to the surface this prevailing trend and educate them on how fatigue affects them and how to overcome it. In most agencies this will include educating the city staff regarding the effects of fatigue not only on the officers but on the city in terms of lawsuits and on the residents and visitors.

Approximately 3-6 million people visit the City of St. Augustine each year. This increases our average population to about 25,000 a day. Because we are so tourist orientated we have more events than most other cities. With this comes more off-duty work for officers. We average 3 times more off-duty work than other agencies our size. Additionally, we have had a 44.55% increase in off-duty details in the last 4 years.

What the St. Augustine Police Department has under control is the overtime (job-related) that our officers work. We work about 70% less overtime than other agencies our size. The department keeps its overtime at a minimum by adjusting officer's hours and days off for training so there is little overtime for in-service and law enforcement training. We pull specialty units off their squads to work patrol when we are shorthanded due to vacation, sickness or training. Our officers do not go to court very often and therefore we do not have a lot of court overtime. Last year we only had 344.5 hours of overtime for court which is only 11.5% of the entire overtime used. This is extremely low compared to the research I conducted which states that 35% of all overtime an officer works is due to court appearances. We have become very good at minimizing our overtime because this is something that we have control over.

Our Issue is the amount of off-duty (non-job related) details that we have. Since 2008 the St. Augustine Police Department's off-duty work load has increased by 55.95%. For the first 6 months of 2013 the St. Augustine Police Department worked 2,978.5 hours of off-duty. If this trend continues for the second half of the year, we are looking at working approximately 5,957 hours of off-duty, which would be an increase of 21.53% over last year. This is going to be compounded by the fact that the City of St. Augustine is having its 450<sup>th</sup> birthday celebration in 2015. If our off-duty work load increases every year we are going to continue to have issues getting officers to work those details. But since they are not a primary job task of the police department we can give the jobs away to other local agencies that can handle the work details. But in doing this we are only transferring the problem of fatigue to another department.

## **Recommendations**

The St. Augustine Police Department is in the minority when it comes to admitting we have a problem with fatigued officers. While we admit there is an issue with officers being fatigued we have yet to make any strides to correct the problem. I believe we should start by educating our officers and city staff on the effects of fatigue. We need to attempt to control off-duty work by implementing work hour policies and analyzing the use of off-duty details. Currently, we do not have a policy that limits how many hours an officer can work within a week or pay period. This is becoming more of a trend in law enforcement and something we should consider implementing.

Police fatigue will continue to be a problem until all of the people involved are educated about it and place a priority on changing the culture which causes fatigue. Individual police agencies will need to work with city staff and other outside agencies in order to effect change.

Commander Michele Perry began her law enforcement career in 1991 with the St. Augustine Police Department as a uniform patrol officer. In 1997, she was promoted to sergeant where she served as the supervisor in numerous assignments to include, patrol, records, directed patrol, training, internal affairs, and investigations. In 2008, she was promoted to the rank of Commander and served in Operations, Community Resources and is currently assigned to Administrative Services. She was a founding member of the SWAT team where she became a team leader. She is also a long standing member of the honor guard. Michele earned a Bachelor of Science in Public Administration from Southeastern University.

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## Appendix A

1. How many off-duty (Special Events, Parades, City Functions) details did your department participate in last year? Please only include special events, parades, and city functions.
2. Does your agency collect data on how much overtime (job related) and off-duty (non-job related - parades, city functions, festivals, runs, weddings, etc.) work is done by our officers?
3. Are your officers working more, the same or less off-duty (non-job related - parades, city functions, festivals, runs, weddings, etc.) than they were 2 years ago?
4. How much overtime (job related - court, extra shift, completion of paperwork, etc.) did your officers work in 2012? Please state the total number of hours.
5. How much off-duty (non-job related - parades, city functions, festivals, runs, weddings, etc.) did your officers work in 2012? Please state the total number of hours.
6. Does your agency have a policy that regulates how many hours an officer can work during a certain period of time?
7. What is your agency's policy? If you do not have enough room you may e-mail your policy to [mperry@sapd.ci.st-augustine.fl.us](mailto:mperry@sapd.ci.st-augustine.fl.us).
8. Does your agency have issues with officers being fatigued?
9. How does your agency deal with fatigued officers? (i.e. policy, informal, etc.)
10. Does your agency have issues with officers not wanting to work overtime/off-duty?
11. How does your agency deal with the issue of officers not wanting to work overtime/off-duty?
12. How many full-time sworn officers does your agency currently employ?
13. Name of agency - optional.
14. Your name and contact information - optional.
15. Please provide any other comments that you think may be helpful below.