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*The Risk Connection* is a publication of Local Government Risk Management Services, Inc., a service organization of the Association County Commissioners of Georgia and the Georgia Municipal Association, whose purpose is to educate and inform cities and counties about loss control methods and risk management.

The opinions expressed in this publication are those of the authors and are not necessarily those of the ACCG or GMA, and further, are not intended to provide specific legal advice. Readers should seek legal advice on specific concerns from their own legal advisors. Any questions or comments should be directed to: *Dennis Watts, Editor, 3500 Parkway Lane, Suite 110, Norcross, Georgia 30092, 678.686.6284, dwatts@gmanet.com.*

## Safety Grants and Incentives

The Georgia Municipal Association (GMA) and the Association County Commissioners of Georgia (ACCG) offer incentives to members who demonstrate and fulfill their commitment to safety in the workplace and programs to help in the reduction of injuries and destruction of property. ACCG offers a 7.5% workers compensation premium discount and a 5% (up to \$5,000) property and liability premium discount for meeting certain qualifications designed to promote a safer work environment.

GMA offers a \$6,000 dollar grant for the workers compensation program, and a \$6,000 grant for the property and liability program. Again GMA members must meet certain qualifications designed to promote a safer work environment.

For more information, contact Dan Beck, Director of LGRMS (dbeck@gmanet.com) or your local LGRMS Field Rep.

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One example of a successful GMA grant recipient is City of Washington, Wilkes County.

### City Water, Fire Departments Get New Safety Gear

*(From City of Washington News Reporter)*

City workers and Washington Fire Department firefighters, along with Washington Mayor Ames Barnett, look over some \$6,000 in new safety equipment made available through the Georgia Municipal Association’s Safety and Liability Management grant. The equipment included wearable head lights, gas detectors, reflective rain gear, and a “halfback” small backboard for rescues in small spaces. To get the grant, the city had to show that it had written safety policies, and city safety coordinator Mike Hardy (at right), Fire Chief C.J. Gilland, and Capt. Greg Scott attended three classes on how to inspect workers and work places for safety hazards. “This will help us all be safer on the job,” Chief Gilland said. “And it didn’t cost us anything.”



# Objective Investigation for Law Enforcement Vehicle Incidents

By Dennis Watts, LGRMS Training and Communication

Law enforcement agencies for local governments in Georgia have great responsibility and perform high risk tasks on a daily basis. Interaction with the public on the service side and the enforcement side, coupled with vehicle operations, is one area that puts us at risk for litigation. The definition of liability is “the quality of being held legally obligated or responsible for the outcome of an occurrence.” No matter how careful we are, accidents can and do happen. It is important to not only be aware of the liability associated with them, but also find ways to mitigate lawsuits and their potential outcomes should they occur.

Anyone can sue anyone at any time, simply by filing the suit with the courts. To file a lawsuit requires only four things: A Complaint, a Summons, a Return of Service, and a filing fee. The person or entity filing the suit is called the plaintiff. The Clerk of the Court is required to furnish the Summons and Return of Service forms. These are the two forms that list the name and address of the agency or people being sued (defendants). The Summons tells the defendant(s) they must respond, and the Return of Service is filed to show when and where the defendants were given the paperwork.

The above summary is provided as a review to highlight just how easy it is for someone to sue and to set in motion a potential lengthy, expensive, and damaging process. Local governments in Georgia are sued all the time. Local government law enforcement agencies make up a large component of these suits. We have policies and procedures, mandatory training, and processes in place not only to help us do our jobs better, but also to provide a better defensible position when we do get sued.

Our police officers and sheriff’s deputies are at risk each time they start their cruiser and drive on the public roads. Inevitably, whether engaged in routine patrol activities (like traffic stops or patrols) or responding under lights and sirens, there is always the possibility of a vehicle accident occurring. The accident could directly involve the patrol vehicle or someone overreacting to the presence of the lights and sirens and doing the wrong thing. If there is damage to property, injury, or loss of life, it is likely that a lawsuit will be filed against the local government and/or the agency. Once this happens, at some point, depositions will be taken to gain information and establish the witness testimony in a “concrete form.”



There are some simple, but important choices regarding the accident investigation that we can make to help ourselves and to put our local government and our agency (not to mention the officers involved) in the best defensible position for our attorneys to work with.

One is to investigate the accident internally; the other is to have an outside agency investigate it. We should always do our own internal investigation to identify the root cause of what happened. This helps us improve our operations and may give us the information necessary to prevent it from happening again. We should also consider having an outside agency investigate the accident, particularly when there is significant property damage, injury, or loss of life. We want to practice good risk mitigation, and part of this is sensitivity to the importance of public perception.

If damage, injury, or loss of life is part of the accident, it will show up in the media. This can complicate the process, especially depending on circumstances or the notoriety of the accident. To a large extent, public perception will be driven by this, either positively or negatively. If the lawsuit goes to jury trial, that public perception can be a significant factor. If the public perception is negative, and the only investigation we did was internal, then there might be a suspicion of cover up or protecting our own; the plaintiff’s attorney will certainly play this up. Having an outside agency conduct an investigation gives the objectivity which can negate a negative public perception. They may also find some additional factors that could help our own understanding of what happened and assist us in doing the things necessary to prevent reoccurrence.

If it goes to trial, the plaintiff’s side may hire expert witnesses (such as an engineer who specializes in vehicle

accidents). Unlike all other witnesses, expert witnesses are allowed to give their opinion on what happened, even though they were not an eyewitness and have no firsthand knowledge about what happened. Our side can also hire expert witnesses, but having that objective outside agency conduct the investigation can have a major impact on the outcome of the case.

None of us likes to have an outsider – person or agency – investigate our agency’s operations. We often feel that we are competent and objective enough to do a thorough investigation ourselves. This is probably true. However, when dealing with perception, or negative press, it is often very beneficial to have an objective investigation from another agency. This keeps it clean and helps put us in the best defensible position. Even if we find we did something wrong, often we will find we did more things right, and that can make the difference.

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## Safety Meeting Tips: Add a Touch of Creativity to Your Safety Meetings

Do your employees complain, “Safety meetings are a waste of time?” Or “here we go again”? Safety meetings don’t have to be boring. When they’re conducted properly, even inattentive groups perk up and listen. What’s more, their safety record improves.

Preparation is the key to a good presentation. If you want to give a powerful safety presentation, put some time into planning it. Decide what you wish to get across. It’s better to give employees three things they will remember than thirteen things they will forget.

Write down your goals for work safety. Select a practical topic, then focus your talk on these areas or on a recent accident. Get creative. Whenever possible, use visual aids or handouts. Try to involve all your workers’ senses.

Bring in a prop they can feel, such as a damaged tool that is unsafe, or a hazardous chemical bottle that is missing a label. Demonstrate the effectiveness of a steel-toed shoe by dropping a weight on it. Have people pair off and do an activity, such as a joint lift of a heavy object.

At Mobil Oil, for instance, an entire safety training program revolves around pictures that are taken of different areas in the worksite. Employees are encouraged

to shout out any hazards they see as the pictures are presented. Called “safety scanning,” this technique encourages and trains employees to continuously look out for hazards at their job.

While conducting your presentation, sell the benefits of safety. For example, some safety techniques can help people protect their families and homes. Good safety practices can also save money. Avoid gory stories – they turn people off.

When employees participate in a meeting, they’re more likely to remember what you say. So think of every angle to get them involved. For example, you could take a poll, asking, “How many of you have ever been in an accident?”

Increase interest by providing some kind of competition. For instance, you could try a scavenger hunt, where everyone goes out onto the shop floor and looks for as many hazards as they can find. Give a small prize to the individual or group that does the best.

Encourage your workers to describe any safety problems they may have and brainstorm with the group for solutions. Make sure your employees are comfortable in discussing safety issues with you.

When you wrap up the meeting, review all your main points. Plan an upbeat ending that leaves your audience with a joke or story they will remember. Then give them a quiz and see how much information they retained. This feedback will help you plan your next meeting. You can also use the tests as documentation that training has occurred.

Thank your employees for attending, and let them know you expect them to consistently carry out the ideas you just presented.





# Health & Wellness Corner

## About Health Promotions

By Sherea Robinson, LGRMS Health Promotions Manager

Is getting yourself and your employees healthier at the top of your to do list? If so, what better way to accomplish that goal than through LGRMS Health Promotion Services!

LGRMS is a service organization of ACCG and GMA. Health Promotion Services provides workplace employee wellness programs at no extra cost to ACCG and GMA Life and Health Insurance Program members. Some of the services offered are: awareness resources, health communication campaigns, prevention and health education trainings, behavior change/disease management programs, health policy guidelines assistance, and healthy workplace consultations.

Access to appropriate services such as health education, screenings, and immunizations can extend the span of a healthy life and lower unnecessary losses in worker productivity as well as help control health care costs.

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## Seven Key Tips for Creating Cohesive Wellness and Safety Programs

By Sherea Robinson, LGRMS Health Promotions Manager

### Benchmark # 1: Capturing Senior Level Support

Senior level support is essential to the process of creating a culture of wellness and safety. The support from this level will ensure that the vision of the organization is in line with the goal of your programs.

### Benchmark # 2: Creating Teams

Once you have senior level support, the next task is to create a wellness and safety team. Teams are essential to building great wellness and safety programs because they help to share the responsibility of implementing the programs.

### Benchmark # 3: Collecting Data to Drive Your Wellness and Safety Efforts

The team's first and primary responsibility is not to start offering programs, but rather to gather important data. The data will be collected using workplace wellness audits, safety



audits, health risk appraisals, claims experience and interest surveys. This data is extremely important because it will reveal the specific areas of needs and interests within the organization.

### Benchmark # 4: Creating an Operating Plan

With essential forms of data having been collected, the task is now to develop an operating plan within the organization. This operating plan will serve as the platform and will guide the organization's efforts and investments in your programs.

### Benchmark # 5: Choosing the Right Programs

It is now time to begin choosing and implementing the appropriate wellness and safety programs. The programs will most likely include tobacco cessation, physical activity, weight management, self-care, stress management, ergonomics, safe driving tactics, sexual harassment training, and any other safety-related topic. But, the topics can be different depending on what the organization's data reveals.

### Benchmark # 6: Creating a Supportive Environment

Once the appropriate programs have been implemented, it's time to create a supportive environment. By having a supportive environment, organizations can be confident that employees will be supported in their efforts to lead a safe and healthier life. This support may be in the form of policies, procedural modifications, safety grants, health promotion and wellness grants, rewards and incentives.

### Benchmark # 7: Carefully Evaluating Outcomes

The seventh and final benchmark is carefully evaluating program outcomes. It is within this benchmark that organization's will evaluate their targets including things like participation, participant satisfaction, behavior modification, cost containment, incident frequencies and loss ratios.

## Below 100 Train the Trainer

The Below 100 Program is an initiative that aims to reduce the number of in the line of duty deaths in law enforcement to below 100, a number not seen since 1943. Improvements in training and advancements in equipment have greatly contributed to a decrease in line of duty deaths across the nation. However, individual officers can greatly improve their survivability by adopting the five tenants of the Below 100 Program. We lose an average of 150 officers per year in the line of duty. We must all work together to bring that number below 100. Any loss of life, on the job or off, can be devastating for the families and friends left behind in mourning. That mourning increases tenfold when the death could have been prevented.

On May 12, LGRMS and Below 100 teamed up to hold “Below 100 Train the Trainer Day in Georgia”. Four core instructors of the Below 100 Program traveled to Georgia from Michigan, Alabama, Florida and Georgia, and provided vital training to 113 Georgia law enforcement officers on the Below 100 program and how to deliver it to other law enforcement. The training was held in four separate locations throughout the State: Cartersville in the north; Pine Mountain in the west; Grovetown to the east; and Tifton in the south.

“If we would just slow down, wear our seatbelts and clear intersections, we could get our line of duty deaths to Below 100 a year,” says Dale Stockton, one of the founders of the Below 100 Program.

The Below 100 program identified five key tenets by which everyone can improve officer safety.

1. Wear Your Seatbelt.
2. Wear Your Vest.
3. Watch Your Speed.
4. Win: What’s Important Now.
5. Remember: Complacency Kills.

These newly trained officers have been challenged to take this training back to their departments and neighboring departments to reach as many people as they can to help reduce preventable line of duty deaths.

Law enforcement needs your help and support. It takes everyone working together to reduce the number of preventable line of duty deaths. Since 1980, there have been 150 line of duty deaths due to ejections. Historically, vehicles kill more cops than guns.

If you would like to host a Below 100 training class in your department, please contact your LGRMS area representative for more information on this valuable training.

## The Five Tenets of Below 100

### Wear Your Seatbelt

It might sound simple to you, even unnecessary, but the truth is too many agencies don't mandate belt wear. And even among those that do, many officers ignore policy because the culture doesn't value it. The truth: Seatbelts save lives.

### Wear Your Vest.

We know vests save lives. We know that bullets can fly when we least expect it. Add to that the fact that body armor can improve your likelihood of surviving a car accident or other traumatic event and you quickly see why you must wear it. Always. Period.

### Watch Your Speed.

Why do cops drive fast? Because they can, right? Well, driving faster than what conditions warrant is a sure way to get in trouble. Of course there are times when getting on scene quickly is critical. But

these times are rare. Too often, officers are speeding – just because they can. In the process, they are putting themselves and the public at perilous risk for no good reason.

### Win: What’s Important Now.

It’s a simple question that can elicit profound results. It’s a question that will lead to deliberate action, not reaction. If you are constantly prioritizing what’s most important, you won’t have time for the distractions that can get you in trouble, hurt or killed.

### Remember: Complacency Kills.

Chief Jeff Chudwin perhaps said it best: “Complacency is among the most dangerous and insidious threats we face because it lays us open to all others.” Complacency is why police officers think they can go without vest and seatbelts. It’s why they think they can speed and allow themselves to be distracted. To quote Chief Chudwin again: “Complacency will kill you.”





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# Safety Bulletin

## Statistics Tell the Tale



## *Distracted Driving Can Kill*



## Distracted Driving: Statistics Tell the Tale

The National Highway Traffic Safety Administration has compiled collision data for 2013; 2014 data has not yet been released. The data shows four continuing trends.

### Alcohol- and Impairment-Related Traffic Collisions Account for One-Third of All Traffic Deaths

This means that three out of ten drivers will be involved in an alcohol-related traffic collision at some point in their life. “Impaired” refers to alcohol and other drugs – including over the counter. Some over-the-counter drugs can make you sleepy or otherwise impair your coordination and judgment.

### The Incidence of Distracted Driving – Particularly Cell Phone Usage and Texting – Continues to Increase as a Cause for Collisions

Anything that divides your attention or prevents you from behaving or reacting in a normal manner is distracted driving. These include things that take your eyes off the road; mental distractions; or physical distractions such as taking your hands off the steering wheel.

Driving safely requires your full attention and an awareness of possible hazards. Studies show that at any given daylight time across America, 660,000 drivers are using their cell phone or other electronic device. That means they do not have their mind or eyes on the road. Are they on the road with you?

### 52% of Those Who Died were Not Wearing Occupant Restraints

Buckling up and making sure your passengers do the same is a personal choice. Justifications such as “I’m only going a short distance” or “It’s uncomfortable” are excuses. Increase your survivability by 50% by wearing your seatbelt.

### Speed Kills

The National Safety Council has an acronym for preventing collisions: RUA.

This stands for *Recognize* the Hazards, *Understand* the Defense, and *Act Correctly* in Time. It is that last part that is the key. Think of it this way: the faster you go, the less time you have to recognize a hazard; the faster you go, the less time you have to initiate a defense; the faster you go, the less time . . .

So here are the stats, nationally and for Georgia:

**2013 traffic deaths: 32,719**  
**Alcohol-related deaths: 10,076**  
**Injuries: 2,313,000**  
**Georgia deaths: 1,179**  
**Alcohol-related deaths: 297**

Think about how you drive. Can you change some possible bad habits to good defensive driving habits? Slow down, increase following distance, focus on driving not other tasks such as using your cell phone, buckle up. Even if you are an excellent driver, other drivers share the road with you.

*Are they impaired?*  
*Are they distracted?*





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**Training Classes**

**Advanced Workers' Compensation**

September 1	Tifton, Tift County
September 3	Statesboro, Bulloch County
September 29	Macon, Bibb County
October 13	Cornelia, Habersham County
October 15	Cartersville, Bartow County

**Health Promotion Champion**

September 8	Tifton, Tift County
September 9	Statesboro, Bulloch County
September 10	Dublin, Laurens County
September 22	McDonough, Henry County
September 23	Grovetown, Columbia County
September 24	Cartersville, Bartow County

**Law Enforcement Liability**

October 27	Tifton, Tift County
October 28	Dublin, Laurens County
October 30	Cartersville, Bartow County

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including descriptions  
of all courses,  
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