

## Distracted driving on the rise for police, fire and ambulance drivers



California Highway Patrol Officer Leland Tang demonstrates how the CHP is using special technology in patrol cars to help drivers keep their eyes on the road. Just last December, an L.A. County sheriff's deputy, distracted by his in-car computer, struck and killed a cyclist. David Crane — staff photographer

By [Brenda Gazzar](#), *Los Angeles Daily News*

Distracted drivers of emergency vehicles were to blame in collisions that killed three Southland residents and injured about 140 others in California over the last two years, according to a state database and local reporting.

These drivers of police cars, fire trucks and ambulances caused at least 180 traffic collisions in the state last year — or about one every other day — up from 165 collisions in 2012, according to data from the Statewide Integrated Traffic Records System that is run by the California Highway Patrol.

In fact, the number of collisions involving distracted emergency vehicle drivers on public roads who were at-fault increased by 122 percent over the last decade coinciding with a meteoric rise in technology.

“Black-and-whites now are equipped with more equipment that affords faster and more accurate information to officers but at the same time provides a certain degree of distraction while driving,” said Robert Stresak, executive director of California’s Commission on Peace Officer Standards and Training.

The use of electronic equipment, such as in-car computers, was cited as a factor in 48 or just over a quarter of such collisions in 2013, up from 26 cases in 2012. The 2013 data, which is periodically updated, is not yet complete.

The fatal collisions were:

- Cal Fire unit chief Timothy McClelland, who was talking on his cellphone using a hands-free device at the time, rear-ended a car on a San Bernardino freeway in August 2012 resulting in the death of Gregory Kirwin, 48, of Banning. McClelland has been charged

with vehicular manslaughter. The state agreed to pay his two young daughters \$15 million to settle a civil case.

- In September 2012, Adelanto resident Vanessa Rosales, 38, was killed and her son injured after an inattentive San Bernardino County Sheriff's deputy's patrol vehicle slammed into the back of a Honda Accord that in turn struck a Mercedes-Benz. Sheriff's investigators concluded Deputy Jesse Doner was distracted by selecting music on his cellphone and by his in-car computer, according to an attorney for the Rosales family. The San Bernardino County District Attorney's Office declined to file charges. A lawsuit on her family's behalf was recently settled and details are still being worked out, attorney Adam Shea said.

- Last December, Los Angeles County Sheriff's Deputy Andrew Wood had been [typing on his patrol car computer](#) while returning from a fire call when he entered the bicycle lane on Mulholland Highway in Calabasas and fatally struck entertainment attorney [Milton Olin Jr.](#), 65, of Woodland Hills. The [Los Angeles District Attorney's Office declined to file charges](#) against the 16-year department veteran and Olin's family has sued the county, the Sheriff's Department and the deputy for an undisclosed amount of damages.

In 2008, the total number of statewide collisions in which distracted emergency vehicle drivers were to blame topped 200.

While motorists in California are prohibited from using hand-held cellphones, drivers of emergency vehicles — who spend a disproportionate amount of time on the road — are generally exempt from such laws in the course of business and can use their in-car computers on the job.

## REVIEWING POLICIES

In July, the L.A. County Sheriff's Department created an internal committee of experts to tackle distracted driving and make recommendations for policy changes — the month before prosecutors revealed that Deputy Wood had been typing on his patrol car computer when he fatally struck Olin.

The Sheriff's Department manual prohibits cellphone use among employees driving county vehicles “absent extenuating circumstances” but there are no explicit limitations or safety guidelines on in-car computer use. Instead, it offers general directives on driving vehicles safely and avoiding negligent behavior.

Many local agencies have similarly vague policies. The Los Angeles Police Department, for example, has no explicit policy in its manual on cellphone or in-car computer use. The vast majority of its vehicles, however, have two officers in a car and officers are trained that “the passenger should be using the phone or (mobile digital computer),” said Cmdr. Andrew Smith, an LAPD spokesman.

The San Bernardino County Sheriff's Department goes further by banning texting while driving and restricts other cellphone use to urgent matters. It does not prohibit in-car computer use but directs members to “avoid extensive use” of these devices while driving.

The California Highway Patrol, which allows cellphone use only in “exigent circumstances,” directs field units to use their in-car computers for nonemergency

incidents or inquiries only. But a spokesman said officers are allowed to use these computers on a case-by-case basis based on the officers' discretion and the circumstances.

And some argue it's not necessary to explicitly limit in-car computer usage, particularly when an agency has a broad policy on a vehicle's safe operation. And it's also impossible to enumerate every possible distraction that can occur, said [Officer Leland Tang](#), a CHP spokesman.

"Do we legislate or create policies for issues that are not seriously negatively affecting public safety?" Tang said. "If there was this broad situation where you're having people die in record numbers because of negligent operation of (mobile digital computers) and data shows it, then, yes."

### MAKING CHANGES

An increasing number of first-responder agencies around the country are limiting the use of electronic devices behind the wheel partly in response to high-profile fatalities. Many say they are taking such steps to avert millions of dollars in liability — not to mention save the lives of their employees and the public.

Some departments, including the Washington, D.C., Metro Police, now prohibit drivers from typing messages on their in-car computers for safety reasons. Others allow the use of these devices only at certain speeds or in certain situations. Police in Fort Wayne, Ind., are using software that shuts down functions of their patrol car computers once their vehicles exceed 15 miles an hour.

The software is "a good thing," said Fort Wayne Officer Michael Joyner, in the effort "to reduce any unnecessary accidents and also help protect the officers."

The Yolo County Sheriff's Department in Northern California is also in the process of testing similar software for its patrol cars, a captain said.

And it's often tragedy that triggers or accelerates change. A year after Kimberly Schlau's teenage daughters were fatally struck in a head-on collision by a speeding and distracted Illinois state trooper in 2007, the Illinois State Police banned the use of cellphones and in-car computers while troopers are on emergency calls and those requiring an expedited response.

Agencies "tend to be reactive as opposed to proactive, which is unfortunate," Schlau said. "As more and more of these stories come out, it opens the eyes of departments, and they're looking at changes before something like this happens."

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