

Comments to the Community

BACKGROUND

An Officer was in a parking lot writing his report of a previous incident that occurred at a flooded underpass. A resident approached the officer and indicated that another person was in distress and stuck at the same flooded underpass. The officer stated "...I will get to her when I finish my paperwork..." The individual then drowned in her vehicle.

SCENARIO

On August 27, 2006, the local Police Department received calls for assistance at 10:45 PM, and dispatched an Officer to the area of the underpass to assist a vehicle that was stuck in high water. This particular underpass had a history of flooding during heavy rain. The Officer arrived at 10:50 PM where he found a car stalled under the bridge because of the flood water. Per the Police Officer, the water appeared to be around six feet deep. The Police Officer called dispatch and requested another car to the location.

The Officer then put the group of people in his car to drive them around to the other side of the bridge to a safe location to meet a friend who was going to drive them home. The Police Officer did not put out any traffic cones and left the scene prior to the arrival of the other officer. While driving to the other side of the bridge, the Police Officer had to take several detours due to the side roads' flooding. There was flooding all over the city at this time due to heavy rains.

The Officer delivered the individuals to a school parking lot, which is up the street from the south side of the bridge/flooded area. Once the individuals left the scene, the Officer began to write his incident report. While writing his report the officer was advised by a resident that another car had driven into the water, and a person was trapped. The Officer stated to the resident: **"I will get to her when I finish my paperwork in 5 minutes"**.

The resident testified that the officer made the statement in a sarcastic manner and seemed not to care. The officer did not contact Dispatch to determine the proximity of the second car he initially requested or to inform them of the second victim.

On the way back to the underpass to check on the vehicle, the resident called 911. By the time the Officer responded, the Fire Department was on the scene and had already pulled the victim from the submerged vehicle. Despite resuscitation efforts the victim died; the cause of death was ruled to be a drowning.

OUTCOME OF THE RESPONSE ACTIVITY

The person was trapped in the vehicle and drowned as a result.

EXPLANATION OF THE CONTRIBUTING FACTORS

Although the Officer called for an additional unit, he did not secure the scene to ensure the safety of other motorists. He did not put out cones and did not wait for the other officer to arrive. Additionally, the statement made by the officer was interpreted as indifference by the jury and portrayed the officer as uncaring.

LESSONS LEARNED

Speaking with the community is an essential function of a Police Officer's duties. Although the Officer was prioritizing his tasks based on his prior knowledge of the scene where the vehicle occupants were able to escape, the officer's communication style was viewed, in this instance, as indifferent. This perceived indifference had a large impact on the jury, leading to a multi-million dollar verdict against the Police Department. It is recommended that Officers receive regular communication training to understand the proper way to address and respond to the community's residents in a manner that conveys professionalism.

Questions? Ask your Supervisor or contact your CIRMA Risk Management Consultant at (203) 946-3700.