

Deliberative and Pre-decisional

Chapter 14: Law Enforcement Health and Wellness

Law enforcement officers face more threats to their health and wellness than ever before. On a daily basis, their profession demands that they address difficult and dangerous situations that can injure their physical and mental health. The daily job stress, the regular encounters of traumatic incidents, and accumulated memories can lead to post-traumatic stress disorder (PTSD). The burdens on law enforcement to remedy an increasing range of social problems, the proliferation of ever more dangerous criminal threats, and in some corners of society, a failure to appreciate and respect the work of American police, all have correlatively strained officer health and morale.

PULL QUOTE: “Nothing is more important than the well-being—physically, mentally, and emotionally—of our men and women [in law enforcement]. They are the backbone of our department(s).”¹ - Commissioner William Gross, Boston Police Department

Maintaining both physical and mental health helps law enforcement officers sustain long and difficult careers that are filled with these stressors, which may take a toll on the individual. Some studies have indicated, moreover, that law enforcement officers suffer a significantly lower life expectancy than the general public. It is imperative to recognize that the extraordinary duties of law enforcement officers carry greater risks to their health and wellness than most professions, and that proper attention to and care for these issues is essential to sustaining officers and recruiting capable citizens to take on the important duties of law enforcement. In examining the issues confronting officer health and wellness, the Commission recommends laws and policies that establish programs for officer physical fitness and health, devote more resources and protections for the mental health conditions of police officers, and safeguard officers from both intentional (e.g. ambush killings) and accidental (e.g. traffic and firearms) harms.

4.1 Physical Health

Law enforcement is an extremely challenging and dangerous career. Officers routinely encounter high-stress situations, crime, human suffering, and death. Many elements of law enforcement work deteriorate an officer’s physical fitness level, including shift work, poor sleeping patterns, operational and organizational stress, and improper nutrition. This contributes to increased likelihood of heart disease, as well as substance abuse and overall poor health of the officer. Exhaustion and poor dietary habits can also lead to poor decision-making, which is a critical skill for law enforcement officers.

The International Association of Chiefs of Police (IACP), through a cooperative agreement with the Bureau of Justice Assistance (BJA), conducted a multi-department assessment of line-of-duty injuries. Eighteen different agencies tracked all reported injuries over the course of one year. The report found that 1,295 injuries resulted in 5,938 days missed, with an average of 4.5 days missed per incident and an average rehabilitation period of 3.5 days. The study found that officers who engaged in fitness training regimens were less likely to suffer an injury reportable to the Occupational Safety and Health Administration and defined as severe.²

Heart Disease

Law enforcement is a high-stress occupation that often leaves officers with an increasing prevalence and

¹ *President’s Commission on Law Enforcement and the Administration of Justice: Hearing on Law Enforcement Health and Wellness* (February 27, 2020) (written statement of William Gross, Commissioner, Boston Police Department, MA), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.

² International Association of Chiefs of Police and Bureau of Justice Assistance, *Reducing Officer Injuries, Final Report: A Summary of Data Findings and Recommendations From a Multi-Agency Injury Tracking Study* (Alexandria, VA: International Association of Chiefs of Police, 2012), <https://www.theiacp.org/resources/document/reducing-officer-injuries-final-report>.

² International Association of Chiefs of Police and Bureau of Justice Assistance, *Reducing Officer Injuries, Final Report: A Summary of Data Findings and Recommendations From a Multi-Agency Injury Tracking Study* (Alexandria, VA: International Association of Chiefs of Police, 2012), <https://www.theiacp.org/resources/document/reducing-officer-injuries-final-report>.

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incident of cardiovascular disease.³ This prevalence is directly related to a number of standard risk factors, including high blood pressure, cigarette smoking, obesity, and a sedentary lifestyle.⁴ Moreover, officers encounter occupation-specific risk factors, such as sudden physical exertion, psychological stress, and shift work.⁵ This leads to an increased risk of a coronary event. One study reported that officers age 40 or older had a higher risk of a coronary event within 10 years than the same segment of the broader population.⁶ Despite well-known health issues facing law enforcement officers, exercise participation levels among officers remains low. A survey of Canadian police officers observed that only 17 percent of police officers engaged in regular physical activity a minimum of three times weekly.⁷

Jon Sheinberg, a board-certified cardiologist and police lieutenant for the Cedar Park Police Department in Texas, recently noted in a podcast with the Office of Community Oriented Policing Services (COPS Office), “Law enforcement has a very unique stress pattern. It's a pattern which is what we call 98–97 percent boredom and . . . 2–3 percent of sheer terror. So, you have a situation in which the stress patterns are rapidly changing, and you add that to a population that experiences shift work, a population that is sedentary, a population that eats a diet of convenience.”⁸

Substance Use

Stress in law enforcement shows up everywhere: physical health (increased risk of heart disease), mental health, and substance use. Officers may encounter any number of crises in the course of their job duties, including domestic violence calls, fights, shootings, homicides, child abuse, and fatal car accidents. In any given day, officers may be required to make multiple instant life and death decisions that are nearly always analyzed and critiqued well after the fact.

Adding to this circumstance are difficult schedules with rotating or overtime shifts that leave officers sleep-deprived, which may negatively affect reaction times. While the attitude toward mitigating stress in law enforcement agencies is slowly changing, many officers will not seek treatment because they believe it will cost them future promotions.⁹ Instead, officers may opt to self-medicate through drug or alcohol use. Through his research, Dr. John Violanti, a 23-year veteran of the New York State Police and professor in the Department of Social and Preventive Medicine at the University at Buffalo, found that alcohol abuse among law enforcement officers in the United States is double that of the general population.¹⁰

Sleep and Fatigue

Shift work interferes with normal sleep patterns. When officers work at different or unnatural times of day, they often suffer from sleep loss.¹¹ That kind of fatigue can degrade performance, reduce an officer's productivity, and put the officer's safety at risk. Dr. Violanti found that police officers were much more likely than the general public to have higher than recommended cholesterol levels, higher than average pulse rates

³ Franklin Zimmerman, “Cardiovascular Disease and Risk Factors in Law Enforcement Personnel: A Comprehensive Review,” *Cardiology in Review* 20, no. 4 (2012).

⁴ Zimmerman, “Cardiovascular Disease.”

⁵ Zimmerman, “Cardiovascular Disease.”

⁶ Colleen Copple et al., *Law Enforcement Mental Health and Wellness Programs: Eleven Case Studies* (Washington, DC: Office of Community Oriented Policing Services, 2019), 24, <https://cops.usdoj.gov/RIC/Publications/cops-p371-pub.pdf>.

⁷ Jason Williams and Vincent Ramsey, “The Need for Law Enforcement Wellness Interventions: A Critical Review,” *The Sport Journal*, September 5, 2017, <http://thesportjournal.org/article/the-need-for-law-enforcement-wellness-interventions/>.

⁸ Office of Community Oriented Policing Services, “Mitigating the Risk of Heart Disease in Law Enforcement,” *The Beat* (podcast), December 2019, https://cops.usdoj.gov/html/podcasts/the_beat/12-2019/Transcript_Sheinberg.pdf.

⁹ Lewis Z. Schlosser and Gerard P. McAleer, “Opioid Use Disorders Among Police and Public Safety Personnel: What Law Enforcement Leaders Need to Know,” *Police Chief Magazine*, March 14, 2018, <https://www.policechiefmagazine.org/opioid-use-among-police-personnel/>.

¹⁰ John M. Violanti, “Alcohol Abuse in Policing: Prevention Strategies,” *FBI Law Enforcement Bulletin* 68, no. 1 (1999), <https://www.thefreelibrary.com/Alcohol+abuse+in+policing%3a+prevention+strategies.-a054036506>.

¹¹ Bryan Vila and Charles Samuels, “Sleep Deprivation: What Does It Mean for Public Safety Officers,” *NIJ Journal*, no. 262 (2009), <https://www.ncjrs.gov/pdffiles1/nij/225762.pdf>.

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and diastolic blood pressure, and a higher prevalence of sleep disorders.¹²

Levels of sleep and fatigue are basic issues of survival for the human body. If these are not balanced, an already risky job becomes even more dangerous for law enforcement officers. According to an article in *Nature*, "Researchers have shown that being awake for 19 hours produces impairments that are comparable to having a blood alcohol concentration (BAC) of .05 percent. Being awake for 24 hours is comparable to having a BAC of roughly .10 percent."¹³ Put differently, just five hours less sleep basically doubles the impact.¹⁴ It should be noted that it is a crime to operate a motor vehicle with a BAC of .08 percent or above. Experts suggest 6.5 hours as the minimum amount of sleep necessary to prevent sleep deprivation; however, "53 percent of law enforcement officers average less. . . . More than 90 percent of officers report being routinely fatigued, and 85 percent reported driving while drowsy."¹⁵ Sleep is critical for law enforcement officer safety and wellness.

Diet and Nutrition

When there are no set times or places for officers to eat, maintaining a well-balanced diet becomes difficult. Nutritionists note that eating healthy on duty provides officers with stable energy levels throughout a shift and enables them to move faster in foot pursuits. A study that examines the relationship between officers' diets and injury found that heavier officers are often injured more than those who are not.¹⁶ Eating a well-balanced diet directly supports officer health and contributes to performance and fitness. Proper fitness is critical for officers to ensure excessive force is not used to compensate for their inability to use appropriate physical restraining methods.¹⁷ Fitness and wellness are just as important as any other required training, as they help lessen the potential for use of excessive force in addition to the costly lawsuits that result from it.¹⁸

Specifically, officers should be aware of the linkage between stress and food. A study by British researchers showed that people with high levels of stress were more likely than people with low stress levels to snack in response to daily hassles in their regular lives.¹⁹

Law Enforcement Stress and Trauma

Stress and trauma also have a negative impact on the health and well-being of law enforcement officers as they are exposed to traumatic incidents and extreme stress over the course of their career, which can average 30 to 35 years.²⁰ Some of this stress can also be attributed to high workloads that officers carry. A uniformed police psychologist with the New York City Police Department (NYPD) estimated that police officers might be exposed to at least 900 potentially traumatic incidents over the course of their careers.²¹

4.1.1 Law enforcement agencies should establish a department-wide health and fitness program with

¹² University at Buffalo, "Impact of Stress on Police Officers' Physical and Mental Health," *Science Daily*, September 29, 2008, <https://www.sciencedaily.com/releases/2008/09/080926105029.htm>.

¹³ Drew Dawson and Kathryn Reid, "Fatigue, Alcohol and Performance Impairment," *Nature* 388 (1997): 235, <https://www.nature.com/articles/40775.pdf>.

¹⁴ Vila and Samuels, "Sleep Deprivation."

¹⁵ National Law Enforcement and Corrections Technology Center, "No Rest for the Weary," *TECHBeat*, Winter 2008, <https://nij.ojp.gov/library/publications/no-rest-weary>.

¹⁶ James E. Guffey et al., "Police Officer Fitness, Diet, Lifestyle and Its Relationship to Duty Performance and Injury," *Journal of Legal Issues and Cases in Business*, no. 3 (2015), <https://www.aabri.com/manuscripts/131469.pdf>.

¹⁷ Guffey et al., "Police Officer Fitness."

¹⁸ Guffey et al., "Police Officer Fitness."

¹⁹ "How Stress Can Make Us Overeat," *Healthbeat*, September 2019, <https://www.health.harvard.edu/healthbeat/how-stress-can-make-us-overeat>.²⁰ Konstantinos Papazoglou and Brooke McQuerrey Tuttle, "Fighting Police Trauma: Practical Approaches to Addressing Psychological Needs of Officers," *SAGE Open* 8, no. 3 (2018), <https://doi.org/10.1177/2158244018794794>.

²⁰ Konstantinos Papazoglou and Brooke McQuerrey Tuttle, "Fighting Police Trauma: Practical Approaches to Addressing Psychological Needs of Officers," *SAGE Open* 8, no. 3 (2018), <https://doi.org/10.1177/2158244018794794>.

²¹ Daniel Rudofossi, *A Cop Doc's Guide to Public-Safety Complex Trauma Syndrome: Using Five Police Personality Styles* (Amityville, NY: Baywood Publishing Company, 2009), <http://site.ebrary.com/id/10615011>.²² Frazier, text communication with Matthew Varisco, May 1, 2020.

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both financial and nonfinancial incentives.

Beyond standard fitness education, agencies should conduct regular education on stress management, sleep, hygiene, nutrition, substance use prevention, and positive lifestyle choices. An incentive-based voluntary program would cultivate more positive attitudes about the implementation than a mandatory approach. Both financial and nonfinancial incentives (e.g. health insurance discounts, monetary fitness bonuses, and on-duty fitness time) can be used to promote a program. Additionally, agencies should work with athletic trainers or training facilities within the community as partners in a health and fitness program to minimize costs to staff.

4.2 Mental Wellness

Staying physically healthy is not enough, officers must also receive psychological support to enable them to continue to perform their duties; however, not everyone seeks such support.²² Law enforcement is an extremely challenging and dangerous career. Officers routinely encounter high-stress situations, crime, human suffering, and death. Staying healthy is not enough, and these officers must receive psychological support to enable them to continue to perform their duties; however, not everyone seeks such support.²³ Law enforcement executives should promote the continued development of minds and bodies to make them stronger and more resilient. Policies and programs that support health and wellness are essential in building a balanced and prosperous agency. While many law enforcement agencies already recognize the need for health and wellness programs, the majority of departments focus on only the physical readiness of the employee. In recent years, more agencies have realized mental wellness should complement the physical component, but they often lack the resources and the critical guidance to start or improve a program that cares for their officers' mental health and wellness. Another challenge is how law enforcement culture can stigmatize self-care, including seeking professional mental health services.

These recommendations aim to help law enforcement agencies better care for the mental health of their officers. The Department of Justice should lead the development of a national strategy to remove the stigma of seeking mental health assistance and provide law enforcement officers with comprehensive mental health support that compliments the physical health strategies already in place in many agencies.

According to Attorney General William P. Barr, "nearly one in four officers experience thoughts of suicide at some point in their lives. At least 228 officers took their own lives in 2019—a 44 percent increase from the previous year. Not only is that higher than the number of line-of-duty deaths, it reflects a steady increase in officer suicides over the past several years."²⁴ Additionally, the risk of suicide among law enforcement officers is 54 percent higher than the general population.²⁵

PTSD is an often-unrecognized psychological injury law enforcement officers incur that can be just as debilitating as any physical injury. Undiagnosed or unaddressed PTSD negatively affects performance and quality of life. Intense mental trauma experienced in the field is not always based off a single incident. Instead, trauma often accumulates over a career. One in five officers is subject to PTSD, which can lead to

²² Frazier, text communication with Matthew Varisco, May 1, 2020.

²³ Frazier, text communication with Matthew Varisco, May 1, 2020.²⁴ William P. Barr, U.S. Attorney General, "Remarks as Prepared for Delivery," presented at the International Association of Chiefs of Police Officer Safety and Wellness Symposium, Miami, FL, February 20, 2020, <https://www.justice.gov/opa/video/attorney-general-barr-speaks-iacp-officer-safety-and-wellness-symposium>.

²⁴ William P. Barr, U.S. Attorney General, "Remarks as Prepared for Delivery," presented at the International Association of Chiefs of Police Officer Safety and Wellness Symposium, Miami, FL, February 20, 2020, <https://www.justice.gov/opa/video/attorney-general-barr-speaks-iacp-officer-safety-and-wellness-symposium>.

²⁵ Police Executive Research Forum, *An Occupational Risk: What Every Police Agency Should Do To Prevent Suicide Among Its Officers* (Washington, DC: Police Executive Research Forum, 2019), <https://www.policeforum.org/assets/PreventOfficerSuicide.pdf>.²⁶ "Ruderman White Paper on Mental Health and Suicide of First Responders," Ruderman Family Foundation, April 2018, https://rudermanfoundation.org/white_papers/police-officers-and-firefighters-are-more-likely-to-die-by-suicide-than-in-line-of-duty.

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deteriorated heart health, hormonal imbalances, and depression or thoughts of suicide.²⁶

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Approximately 100,000 active police officers in the United States suffer from PTSD, and many also live with the comorbidities of depression, anxiety, and suicidal ideation.²⁷

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Many law enforcement agencies recognize the need for health and wellness programs. However, the majority of departments focus on one issue: the physical readiness of the employee.

In recent years, agencies have realized that mental wellness should complement the physical component. Agencies, however, often lack the resources and the critical guidance to start or improve a program that accounts for their officers' mental health and wellness. Mental Health First Aid programs are important tools that teach the signs of mental illness and substance use issues and the skills to respond.²⁸

PULL QUOTE: "We take care of others. Who takes care of us?"²⁹ - Commissioner James Clemmons, Jr., Richmond County Sheriff's Office, North Carolina

Law enforcement culture continues to stigmatize self-care, including seeking professional mental health services. Law enforcement officers fear losing everything they have worked for if they admit they are struggling. These issues are fueled by cultural expectations, often held by both the military and law enforcement professions (e.g., pride, toughness, and peer pressure), and a perceived lack of support from the command staff. Officers are not always aware of the available mental health program services and resources. In addition, they are hesitant to use available services even when they know leadership approves of their use.

Accessing mental health resources can be particularly challenging for men, who account for the largest part of the law enforcement workforce. In general, men pursue preventative screenings, maintain a regular source of care and get timely medical interventions much less often than women.³⁰ This is not because men are somehow programmed to avoid seeking help, although some research suggests that "men who score higher on measures assessing dimensions of masculinity norms generally have less favorable help-seeking attitudes, seek help for psychological problems less often, and in some cases fail to obtain routine health examinations."³¹ While the reasons behind this gender difference are not fully understood, research indicates that men who more strongly identify with masculine norms tend to show poorer mental health and

²⁶ "Ruderman White Paper on Mental Health and Suicide of First Responders," Ruderman Family Foundation, April 2018, https://rudermanfoundation.org/white_papers/police-officers-and-firefighters-are-more-likely-to-die-by-suicide-than-in-line-of-duty.

²⁷ Gerber and Holder Law, "Workers' Compensation for PTSD."

²⁸ "Mental Health First Aid," National Council for Behavioral Health, accessed July 31, 2020, <https://www.mentalhealthfirstaid.org/>.²⁹ James Clemmons, Jr., Sheriff, Richmond County Sheriff's Office, NC, in discussion with Law Enforcement Health and Wellness Working Group, meeting, February 26, 2020.

²⁹ James Clemmons, Jr., Sheriff, Richmond County Sheriff's Office, NC, in discussion with Law Enforcement Health and Wellness Working Group, meeting, February 26, 2020.

³⁰ Donald K. Cherry, David A. Woodwell, and Elizabeth A. Rechtsteiner, "National Ambulatory Medical Care Survey: 2005 Summary," *Advance Data from Vital and Health Statistics*, no. 387 (2007), <https://www.cdc.gov/nchs/data/ad/ad387.pdf>; David Sandman, Elisabeth Simantov, and Christina An, *Out of Touch: American Men and the Health Care System* (New York: Commonwealth Fund, 2000), <https://www.commonwealthfund.org/publications/fund-reports/2000/mar/out-touch-american-men-and-health-care-system>; Anthony J. Viera, Joshua M. Thorpe, and Joanne M. Garrett, "Effects of Sex, Age, and Visits on Receipt of Preventive Healthcare Services: A Secondary Analysis of National Data," *Abstract, BMC Health Services Research* 6, no. 1 (2006), <https://bmchealthservres.biomedcentral.com/articles/10.1186/1472-6963-6-15>; and Jeannine S. Schiller et al., "Summary Health Statistics for U.S. Adults: National Health Interview Survey, 2010," *Vital and Health Statistics* 10, no. 252 (2012), https://www.cdc.gov/nchs/data/series/sr_10/sr10_252.pdf.

³¹ Wizdom Powell et al., "Masculinity and Race-Related Factors as Barriers to Health Help-Seeking Among African American Men," *Behavioral Medicine* 42, no. 3 (2016): 3, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4979354/>.

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are less likely to seek psychological help.³²

While men may not seek medical interventions as often as their female counterparts, the health and well-being of female officers cannot be overlooked. Data show that 23 percent of male officers reported more suicidal thoughts than the general population (13.5 percent), as do a comparable 25 percent of female officers.³³ It is critical for all law enforcement officers to seek the care they need.

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In addition, first responders and police officers may experience the following risk factors for suicide:

- occupational hazards and exposures
- access to firearms or other lethal weapons
- erratic work schedules resulting in sleep disturbances and disrupted family life
- personal and professional stigma related to accessing mental health services³⁴

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Post-Traumatic Stress Disorder

PTSD is an often-unrecognized psychological injury that can be just as debilitating as any physical injury. Undiagnosed or unaddressed PTSD negatively affects performance and quality of life, and in some cases may ultimately lead to suicide. One of the most effective mitigation factors is early and aggressive intervention using peer or professional counseling.

There are many signs that an officer is experiencing trauma, ranging from misperceptions of normal actions by others, to disengagement. Intense mental trauma is not always based off a single incident, but often accumulates over a career. One in five officers is subject to PTSD, which can lead to deteriorated heart health, hormonal imbalances, and depression or thoughts of suicide.³⁵ While there is no central repository for statistics on officer suicides, the number of officers who die by suicide each year exceeds the number who are killed feloniously and accidentally.³⁶

Crisis Lines

Telephone crisis services or hotlines have been effective in preventing suicide, both during the immediacy of the call and in the following weeks. In 2019, the Federal Communication Commission designated 988 as the National Suicide Prevention Hotline.³⁷ This three-digit number, like 911, will help to increase awareness, normalize calling for help, and aid those experiencing a mental health crisis.

[CROSS REFERENCE SOCIAL PROBLEMS]

Similar to law enforcement, firefighting is a physically and emotionally demanding profession. The fire service has established the Fire/EMS Helpline, which offers free 24-hour assistance with issues such as stress,

³² Y. Joel Wong et al., "Meta-Analyses of the Relationship between Conformity to Masculine Norms and Mental Health-Related Outcomes," *Journal of Counseling Psychology* 64, no. 1 (2017), <https://www.apa.org/pubs/journals/releases/cou-cou0000176.pdf>.

³³ Lois Baker, "Researchers Investigate Impact of Stress on Police Officers' Physical and Mental Health," University of Buffalo, September 25, 2008, <http://www.buffalo.edu/news/releases/2008/09/9660.html>.

³⁴ Ian H. Stanley, Melanie A. Hom, and Thomas E. Joiner, "A Systematic Review of Suicidal Thoughts and Behaviors among Police Officers, Firefighters, EMTs, and Paramedics," *Clinical Psychology Review* 44 (2016), <https://doi.org/10.1016/j.cpr.2015.12.002>.³⁵ "Ruderman White Paper on Mental Health and Suicide of First Responders," Ruderman Family Foundation, April 2018, https://rudermanfoundation.org/white_papers/police-officers-and-firefighters-are-more-likely-to-die-by-suicide-than-in-line-of-duty.

³⁵ "Ruderman White Paper on Mental Health and Suicide of First Responders," Ruderman Family Foundation, April 2018, https://rudermanfoundation.org/white_papers/police-officers-and-firefighters-are-more-likely-to-die-by-suicide-than-in-line-of-duty.

³⁶ Police Executive Research Forum, *An Occupational Risk*.

³⁷ Federal Communications Commission, "FCC Proposes Designating 988 as National Suicide Prevention and Mental Health Hotline," December 12, 2019, <https://docs.fcc.gov/public/attachments/DOC-361337A1.pdf>.

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depression, addiction, and PTSD.³⁸ Based on the similarities between law enforcement and the fire service, a designated national crisis line would benefit the law enforcement community.

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Located on the Rutgers University Behavioral Health Management Campus, Cop2Cop (C2C) is a part of the Rutgers Behavioral Health Management System.³⁹ C2C a successful state legislated peer crisis response hotline. C2C offers peer support, clinical assessments, provider networks, crisis intervention, and other critical mental health services to law enforcement families 24/7 in New Jersey.⁴⁰

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Family Stressors

The toll that the law enforcement profession takes on companions and loved ones can also be exacting. According to the IACP, "Spouses, partners, children, and companions of law enforcement officers play a significant role in [the] officer's health and wellness and serve as an essential support system for their loved ones."⁴¹ Line officers have identified that programs aimed at financial literacy, improving interpersonal relationship, and support services and benefits are critically important to their well-being and professional success. In response, the COPS Office has provided funding to the Fraternal Order of Police to develop a standardized and nationally available training curriculum in law enforcement peer support, Power in Peers.⁴²

PULL QUOTE: "Law enforcement officers are society's problem solvers each and every day they come to work, and often times when they are off duty as well. Just as citizens expect assistance and service from law enforcement officers, our officers must also expect the same level of service and resources when they reach out for help. It is our hope that our law enforcement culture comes to 'normalize' requesting help from our members in need and in doing so, we can protect those whose life's calling has been to protect others."⁴³ - Colonel Patrick Callahan, New Jersey State Police

Resiliency

Resilience refers to a person's ability to recover from stressful situations.⁴⁴ Creating a culture of resiliency helps organizations maintain an effective workforce. Resiliency is key to the health of our law enforcement officers and the longevity of their careers. While there are ways to identify and hire candidates who are resilient by examining their background to determine how they have faced challenges in the past and might

³⁸ "Share the Load Program," National Volunteer Fire Council, accessed June 29, 2020, <https://www.nvfc.org/programs/share-the-load-program/>.

³⁹ Copple et al., *Law Enforcement Mental Health*.

⁴⁰ *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Law Enforcement Health and Wellness* (February 27, 2020) (written statement of Cherie Castellano, Peer Support Program Director, Rutgers National Call Center and Cop 2 Cop Program), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.

⁴¹ "Employee and Family Wellness Guide," International Association of Chiefs of Police, February 1, 2018, <https://www.theiacp.org/resources/document/employee-and-family-wellness-guide>.

⁴² *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Law Enforcement Health and Wellness* (February 27, 2020) (written statement of Sherri Martin, National Director of Wellness Services, Fraternal Order of Police), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.⁴³ *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Law Enforcement Health and Wellness* (February 27, 2020) (written statement of Patrick Callahan, Colonel, New Jersey State Police), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.⁴⁴ Heather Craig, "Resilience in the Workplace: How to Be More Resilient at Work," *Positive Psychology* (blog), January 16, 2019, <https://positivepsychology.com/resilience-in-the-workplace/>.

⁴³ *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Law Enforcement Health and Wellness* (February 27, 2020) (written statement of Patrick Callahan, Colonel, New Jersey State Police), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.⁴⁴ Heather Craig, "Resilience in the Workplace: How to Be More Resilient at Work," *Positive Psychology* (blog), January 16, 2019, <https://positivepsychology.com/resilience-in-the-workplace/>.

⁴⁴ Heather Craig, "Resilience in the Workplace: How to Be More Resilient at Work," *Positive Psychology* (blog), January 16, 2019, <https://positivepsychology.com/resilience-in-the-workplace/>.

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in the future, resiliency can also be developed.⁴⁵ The VALOR Initiative for resilience training is a joint effort of BJA, the IACP, and the University of Pennsylvania's Positive Psychology Center.⁴⁶ The program has trained more than 50,000 law enforcement and highway patrol officers around the country on three areas for individual growth in resiliency: thinking positively and actively in stressful situations, managing energy day-to-day and long-term, and improving relationships at work and home.

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Wellness opportunities that can build resiliency

- on-site or departmental confidential psychological services
- employee assistance programs (EAP)
- 24-hour hotline for public safety employees
- peer support and addiction recovery programs
- embedded unit chaplain programs
- family support programs
- organizational consultant programs
- critical incident response management and response debriefing services
- suicide prevention hotlines
- training in how to enhance resiliency building skills based upon scientific research and evidence

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Messaging and Education

Law enforcement leaders should clearly communicate the programs and resources available to officers on mental health and suicide prevention. If leadership shows that it values mental health and wellness, officers are more encouraged to seek help. Additionally, current policies should improve transparency and clarify policies that relate to confidentiality and access to service. These messages will inform, allow, and support staff to help themselves and each other.

Service Providers

While some service providers are highly effective, others deliver services that do not meet the needs of law enforcement agencies. Agencies seeking to build effective resiliency programs can look to examples such as the Indianapolis Metropolitan Police Department's (IMPDP) Office of Professional Development and Wellness (OPDW). They have established a comprehensive program that includes:

- mentoring for new officers
- training on resiliency skills in the basic academy and throughout officers' career
- a critical incident stress debriefing team
- counseling services from culturally competent vetted resources

⁴⁵ Andrew Shatté and Jan Bruce, *The Science Behind Resilience* (n.p.: New Life Solutions, Inc., 2015), <https://www.mequilibrium.com/wp-content/uploads/2016/01/The-Science-Behind-Resilience-12-22.pdf>.

⁴⁶ "BJA's VALOR Officer Safety And Wellness Program Trains Over 50,000 Officers," Bureau of Justice Assistance, November 20, 2018, <https://bja.ojp.gov/feature/bjas-valor-officer-safety-and-wellness-program-trains-over-50000-officers>.⁴⁷ Nicole Juday, Officer, Indianapolis Police Department, IN, email communications and discussions with Law Enforcement Health and Wellness Working Group, February 27–May 13, 2020.

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- mental health and resiliency services
- suicide prevention
- physical health care
- financial health counseling
- a military transition support system
- family support
- therapy canine
- close partnership with chaplains⁴⁷

Upon request, the IMPD will share their wellness resources with other law enforcement agencies throughout the country. The IMPD has also helped organizations, such as the Metropolitan Nashville Police Department in Tennessee, create cultures of resiliency within their own departments. As a testament to their department, OPDW members have been intimately involved in assisting dozens of agencies implement successful wellness programs.⁴⁸

Recruitment and Training Deficits

Improvements to recruiting and training (both academy and continuing education) will improve staff health, wellness, and resiliency. Agencies that receive guidance and direction to make and offer such improvements will have a positive impact on staff, families, and the community.

[CROSS-REFERENCE RECRUITMENT AND TRAINING CHAPTER]

4.2.2 Law enforcement agencies should require mental health training, both in academy training and recurring in service training, for their personnel.

Providing mental health training to new recruits not only reinforces it as a priority of the agency, but it helps to establish a foundation for wellness. Training topics should help law enforcement officers respond to calls for services and successfully maintain their career. Training should include:

- the major categories of mental illness
- the signs and symptoms of a mental health crisis
- methods to de-escalate those experiencing a mental health crisis
- state and any locally relevant laws regarding the ability of an officer to forcibly detain a subject who is in a mental health crisis
- how to refer and methods of referring individuals for mental health services

Similarly, training topics related to a successful career as a first responder should include:

- executive support for those who access mental health services
- how to manage the signs and symptoms of cumulative stress
- signs and symptoms of PTSD⁴⁹
- how compassion fatigue is related to law enforcement encounters

⁴⁷ Nicole Juday, Officer, Indianapolis Police Department, IN, email communications and discussions with Law Enforcement Health and Wellness Working Group, February 27–May 13, 2020.

⁴⁸ Juday, email communications and discussions with Law Enforcement, February 27–May 13, 2020.

⁴⁹ Copple et al., *Law Enforcement Mental Health*.

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- depression and suicide prevention
- how the position affects home life
- resiliency skills

4.2.4 Law enforcement agencies should ensure that mental health resources and services are accessible and confidential.

Resources that are easily accessible are more likely to be used. Agencies increase awareness and potential implementation when they use internal webpages, apps, and searchable tags to clearly message about and provide information on wellness services. In addition, staff may be more willing to locate resources if they do not have to engage an agency representative. Staff will also be more likely to use the services if they can be guaranteed confidentially when they seek mental health services connected to a work-related experience while on duty without being required to share the details directly to their supervisor.

4.2.5 Law enforcement agencies should establish policies that mandate an annual mental health check for all sworn law enforcement officers and relevant civilian staff. Similarly, mandatory mental health checks should be required after a critical incident or traumatic incident.

This recommendation has been widely discussed within the field of law enforcement; however, it has yet to be implemented across all law enforcement agencies. Law enforcement officers and other criminal justice personnel (e.g., prosecutors, civilian investigators, forensic examiners, dispatchers, evidence collection specialists, and victim witness staff) are regularly exposed to traumatic situations that negatively affect their resiliency. A mental health check is a narrowly defined nondiagnostic meeting that is conducted on agency time with a designated agency wellness representative (i.e., peer support officer) or mental health clinician. This type of mental health check should be used to inform law enforcement officers and other relevant criminal justice professionals about available wellness resources. The mental health check should also educate the officer about signs of and risk factors associated with psychological distress or impairment.

An annual mental health check is not a fitness-for-duty evaluation; it should remain mutually exclusive and separate. A person who has conducted the fitness-for-duty evaluation of a specific employee should not conduct annual mental health checks for the agency of that employee.⁵⁰ Additionally, there should be clearly defined policies related to what the annual mental health check involves and the responsibilities of those who conduct them.

4.2.6 States should provide funding for peer support training and set certification standards for peer support members and training.

Law enforcement agencies widely use peer-led critical incident stress debriefing after traumatic incidents; however, peer support training is not standard. As noted by Corey Nooner, Master Sergeant of the Oklahoma City Police Department, Oklahoma, "Deployment of trained peer support is an unmatched resource for law enforcement."⁵¹ Standardizing this training through a curriculum and certification process will help peer support members understand their responsibilities and limitations.

4.2.7 Congress should enact legislation that protects the authority or commission that an officer has when they request assistance for mental health issues.

⁵⁰ Tom Coghlan, Owner, Blue Line Psychological Services, email communication with Corey Nooner, Master Sergeant, Oklahoma City Police Department, OK, April 6, 2020. ⁵¹ *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Law Enforcement Health and Wellness* (February 27, 2020) (written statement by Corey Nooner, Master Sergeant, Oklahoma City Police Department, OK), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.⁵² Fuchs, *President's Commission on Law*, February 27, 2020.

⁵¹ *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Law Enforcement Health and Wellness* (February 27, 2020) (written statement by Corey Nooner, Master Sergeant, Oklahoma City Police Department, OK), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.⁵² Fuchs, *President's Commission on Law*, February 27, 2020.

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Based on self-reports of law enforcement personnel, staff do not seek mental health services because they fear losing their jobs and their ability to provide for themselves and their families. Legislation that protects law enforcement officers who ask for mental health assistance will provide more security and improve the use of mental health services. The legislation should ensure that a law enforcement officer's request for assistance will not be used as the sole basis for the removal of the officer's authority. This legislation would not eliminate the consequences of conviction for a criminal act and would not apply to those who are a danger to self and others.

4.2.8 Congress should strengthen Health Insurance Portability and Accountability Act provisions regarding medical records and treatment notes of first responders.

Law enforcement officers have encountered situations where treatment notes have been provided to agency representatives because the agency is paying for the treatment of the officer. A provision is needed in the Health Insurance Portability and Accountability Act (HIPAA) that clarifies that treatment notes are confidential regardless of who pays for the treatment.

4.2.10 The Department of Homeland Security should develop a wellness unit within the Incident Command System.

[CROSS-REFERENCE HOMELAND SECURITY]

The Department of Homeland Security developed a standardized approach to incident management known as the National Incident Management System (NIMS). The Incident Command System (ICS), which is a subpart of NIMS provides a standard response and operation procedures for critical incidents.⁵²

Currently, ICS does not specifically include a wellness function to address the needs of the personnel involved in the incident. Including a specific wellness unit within the ICS will ensure that scene commanders seek out the wellness resources available and provide a location for them to be accessed. This addition ensures that the wellness of responders is a priority to be addressed at significant incidents.⁵³ It also ensure that wellness is considered regardless of who is responding, which could include multiple agencies from across the region or county.

4.2.11 Congress should establish and fund a national law enforcement crisis hotline.

Currently, there is no national hotline to specifically assist public safety officers in crisis. The national crisis support lines that are available to the public are perceived to be not well equipped to effectively respond to those performing public safety duties. If an officer finally calls a hotline and gets the "wrong" person on the other end of the line, then they will likely never call again. Additionally, if an individual perceives that the hotline is not equipped to assist law enforcement, an individual in crisis may not attempt to access the service. A national hotline for public safety officers that is well marketed, has specifically skilled mental health professionals, and can direct the caller to locally specific resources will have an impact on an individual's willingness to access the hotline. Confidentiality and text messaging capabilities are also critical components of a national hotline, particularly for those who are emotional with limited speaking ability.

4.2.12 Congress should amend the definition of "injury" in the Federal Employees' Compensation Act to include post-traumatic stress disorder and other mental health issues incurred by employees in the performance of law enforcement public safety duties.

Research shows that a police officer will experience more traumatic events in six months than the average

⁵² Fuchs, *President's Commission on Law*, February 27, 2020.

⁵³ Fuchs, *President's Commission on Law*, February 27, 2020.⁵⁴ Tara Hartley et al., "PTSD Symptoms Among Police Officers: Associations with Frequency, Recency, and Types of Traumatic Events," Abstract, *International Journal of Emergency Mental Health* 15, no.4 (2013), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4734407/>.

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person will experience in a lifetime.⁵⁴ Similarly, federal employees performing law enforcement and other public safety duties are also exposed to danger and trauma, yet PTSD is not a covered injury in the FECA OWCP coverage. The federal government and its workers compensation programs should ensure that FECA rules clearly account for PTSD or other similar diagnoses and provide proper guidance to federal employees and agencies to address mental health needs.⁵⁵

4.3 Law Enforcement Safety

The murder of a law enforcement officer in the line of duty is an assault on the entire community. There is no greater affront to the rule of law than deliberate attacks against police officers and deputy sheriffs entrusted with enforcing the law. Law Enforcement is an inherently dangerous profession as officers confront violent criminals and address public safety threats, putting their own lives and safety at risk. In addition to willful violence directed against law enforcement, they also confront threats to their safety incident to the job such as traffic and firearm accidents, as well as exposure to controlled substances.

The National Law Enforcement Officers Memorial Fund reports that law enforcement line-of-duty deaths increased by 12 percent from 2017 to 2018.⁵⁶ A total of 145 federal, state, and local law enforcement officers died in the line-of-duty in 2018, up from 129 officers in 2017. In the year 2018, firearms-related fatalities were the leading cause of officer deaths, with 53 officers shot and killed (up 15 percent from 2017); 50 officers were killed in traffic-related incidents (up 9 percent from 2017); 42 officers died from other causes (up 14 percent from 2017).⁵⁷

PULL QUOTE: "Too often, the badge and the shield have become targets and too many officers are paying the ultimate price for nothing more than the uniform they wear."⁵⁸ - Patrick Yoes, President, Fraternal Order of Police

An officer not wearing their ballistic vest is 14 times more likely to suffer a fatal injury than an officer who is wearing body armor.⁵⁹ In 2019, 293 officers were shot in the line of duty, 50 of whom were killed. Thirty officers were shot in an ambush attack, and seven of those officers were killed.⁶⁰ Enacting federal legislation that would make the targeting of a law enforcement officer with violence in certain, limited circumstances a federal crime would help protect law enforcement.⁶¹ This will not make every attack against an officer a federal crime, but it would give federal prosecutors a tool to fight back against targeted attacks.

The events of 9/11, increasing active shooter incidents, and targeted attacks on police officers have changed

⁵⁴ Tara Hartley et al., "PTSD Symptoms Among Police Officers: Associations with Frequency, Recency, and Types of Traumatic Events," Abstract, *International Journal of Emergency Mental Health* 15, no.4 (2013), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4734407/>.

⁵⁵ U.S. House Committee on the Judiciary: Oversight Hearing on Policing Practicing (September 19, 2019) (written statement of Patrick Yoes, National President, Fraternal Order of Police), <https://fop.net/CmsDocument/Doc/Yoes%20testimony%2019%20Sept.pdf>.⁵⁶ Bureau of Justice Assistance, "National Officer Safety Initiatives."

⁵⁶ Bureau of Justice Assistance, "National Officer Safety Initiatives."

⁵⁷ Bureau of Justice Assistance, "National Officer Safety Initiatives."⁵⁸ *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Law Enforcement Health and Wellness* (February 27, 2020) (written statement of Patrick Yoes, President, Fraternal Order of Police), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.⁵⁹ Dan Tompkins, "Body Armor Safety Initiative: To Protect and Serve . . . Better," *NIJ Journal*, no. 254 (2006), <https://nij.ojp.gov/library/publications/body-armor-safety-initiative-protect-and-serve-better>.

⁵⁸ *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Law Enforcement Health and Wellness* (February 27, 2020) (written statement of Patrick Yoes, President, Fraternal Order of Police), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.⁵⁹ Dan Tompkins, "Body Armor Safety Initiative: To Protect and Serve . . . Better," *NIJ Journal*, no. 254 (2006), <https://nij.ojp.gov/library/publications/body-armor-safety-initiative-protect-and-serve-better>.

⁵⁹ Dan Tompkins, "Body Armor Safety Initiative: To Protect and Serve . . . Better," *NIJ Journal*, no. 254 (2006), <https://nij.ojp.gov/library/publications/body-armor-safety-initiative-protect-and-serve-better>.

⁶⁰ Yoes, *President's Commission on Law*, February 27, 2020.

⁶¹ Yoes, *President's Commission on Law*, February 27, 2020.⁶² "Causes of Law Enforcement Deaths," National Law Enforcement Officers Memorial Fund, accessed May 22, 2020, <https://nleomf.org/facts-figures/causes-of-law-enforcement-deaths>.⁶³ Eun Young Noh, "Characteristics of Law Enforcement Officers' Fatalities in Motor Crashes," National Highway Traffic Safety Administration, January 2011, <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/811411>.⁶⁴ Eastman, *President's Commission on Law*, February 27, 2020.

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the world of law enforcement. Often law enforcement may be the only resource to provide initial life-saving medical care to victims of these types of mass casualty situations.

Typically, motor vehicle-related incidents are the leading cause of death for law enforcement officers. From 2005 to 2017, 30 percent of 1,512 officers who died in the line of duty died as a result of vehicle-related crashes, while 9 percent were struck by a vehicle.⁶²

Wearing seatbelts prevents injuries and vehicular deaths. In a major study conducted by National Highway Traffic Safety Administration, for those cases where seatbelt status was known, only slightly more officers wore seatbelts than did not.⁶³ Additionally, distraction-free driving should be a standard for each officer to follow on duty.

Officers also confront health risks due to their exposure to potent controlled substances.

Fentanyl is a powerful synthetic drug similar to, yet much more potent than morphine and heroin, and can be deadly depending on the amount and time of exposure. As evidenced during the COVID-19 pandemic, law enforcement agencies are also exposed to significant health risks, as their interactions with the community are not limited in times of a health crisis. Protection and preparation against pandemics and exposure to illicit narcotics (e.g., fentanyl) are a concern for law enforcement officers.

4.3.1 The Department of Justice should further implement a national, comprehensive database for law enforcement officer injuries and treatment. The data should be analyzed and released in a timely manner.

While there has been considerable progress in revising the Law Enforcement Officers Killed and Assaulted (LEOKA) data set, it is still lacking specific medical information that would be required to study this topic appropriately. For law enforcement to make meaningful improvements based on the science of law enforcement injuries, there must be further solutions to capture comprehensive law enforcement injury-based data.⁶⁴ Finally, to make training and procedural improvements that save lives and prevent injuries, incidents and data need to be analyzed and assessed at the national level in a timely manner.

4.3.2 The Department of Justice should expand the National Blue Alert Network to all 50 states.

The National Blue Alert network is a program run by DOJ that gives law enforcement, the media, and the public an expanded early warning of threats against law enforcement officers, helps apprehend suspects who have killed or seriously injured an officer, and provides critical information when an officer is missing in the line of duty. Like AMBER Alerts, which are designed to speed actionable information about missing children to the public, Blue Alerts provide details about possible assailants, including physical descriptions, vehicle information, and other identifying characteristics. According to the COPS Office, 36 states currently participate in the National Blue Alert Network.⁶⁵ Expanding this program to all 50 states would further protect the lives of law enforcement officers.

4.3.3 Congress should pass legislation that would (1) create a new federal offense for those who deliberately target law enforcement officers with the intent to kill; and (2) limit the amount of damages that a criminal defendant could recover as a result of injuries that were incurred while

⁶² "Causes of Law Enforcement Deaths," National Law Enforcement Officers Memorial Fund, accessed May 22, 2020, <https://nleomf.org/facts-figures/causes-of-law-enforcement-deaths>.⁶³ Eun Young Noh, "Characteristics of Law Enforcement Officers' Fatalities in Motor Crashes," National Highway Traffic Safety Administration, January 2011, <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/811411>.⁶⁴ Eastman, *President's Commission on Law*, February 27, 2020.

⁶³ Eun Young Noh, "Characteristics of Law Enforcement Officers' Fatalities in Motor Crashes," National Highway Traffic Safety Administration, January 2011, <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/811411>.⁶⁴ Eastman, *President's Commission on Law*, February 27, 2020.

⁶⁴ Eastman, *President's Commission on Law*, February 27, 2020.

⁶⁵ Shanetta Cutlar, Senior Counsel, and Vince E. Davenport, Supervisory Senior Policy Analyst, Office of Community Oriented Policing Services, email communication with Matthew Varisco, Federal Program Manager, Law Enforcement Health and Wellness Working Group, April 13, 2020.

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committing or being apprehended for a felony or a violent crime.

The legislation should impose serious and specific penalties for the killing of law enforcement officers, judges, and other public safety officers in the line of duty. The legislation should also make the murder of a law enforcement officer who is employed by an agency that receives federal funds a capital offense. The bill should impose substantive limits on federal courts' review of habeas corpus petitions that challenge a state court conviction for killing a law enforcement officer, judge, or other public safety officer. Further, the legislation should also limit the amount of damages that a criminal defendant could recover as a result of injuries that were incurred while committing or being apprehended for a felony or a violent crime. Instead, the bill should allow only for the recovery of actual losses—medical expenses, lost wages, property damage, or other tangible loss—and prohibit the defendant from suing a law enforcement officer for punitive damages, emotional harm, other intangible damages, and attorney's fees.

4.3.5 A National Law Enforcement Safety Board should be established that investigates line-of-duty deaths. This board should effectively promote a higher level of safety in law enforcement.

Law enforcement agencies are required to report felonious and accidental killings and assaults upon law enforcement officers in the line of duty as part of the FBI's Uniform Crime Reporting (UCR) law Enforcement Officers Killed and Assaulted (LEOKA) program data. Additionally, other organizations review and report statistics for line-of-duty death incidents; however, there is no single entity that conducts thorough, accurate, and independent investigations and produces timely, well-considered recommendations to enhance law enforcement safety. A National Law Enforcement Safety Board, similar to the National Transportation Safety Board, would improve officer safety.