



News & Views

Risk Management Programs welcomes new members!

Inside this issue:

Ramming	2
Playground Safety	3
Key Safety Program Elements	5

VACoRP would like to welcome the following **new** member:

Washington County

VACoRP now covers 74 counties, 41 county school systems, and 72 county-related agencies. We would like to thank the membership for its continued support.

VACoGSIA would like to welcome the following **new** member:

Woodway Water Authority

VACoGSIA now provides workers' compensation coverage to 59 counties, 29 county school systems, and 40 county-related agencies.

It's renewal time again!!!

By now, you should have received your renewal information package for the 2005/2006 policy year. The package contains schedules for Buildings & Contents, Inland Marine, Computer Equipment and Automobiles, which need to be reviewed and updated.

In addition to the schedules, the package includes an exposure checklist containing the information reported to us in prior years. Please review this checklist for accuracy and make any appropriate changes. Also, please review the coverage form that outlines your limits and deductibles from last year. If you wish to make any coverage changes please indicate on this form.

Public Officials/School Leaders Legal Liability applications are also included if appropriate. Please complete and return if coverage or a quote is requested.



We also ask that you provide us with a copy of your fiscal 2005 budget. The budget assists us in developing your general liability premium.

Just a reminder, if we receive all of the completed renewal documents by March 1, 2005,

you will receive your renewal quote by March 15, 2005. Hopefully, this will assist you in your budget process. Thank you for your continued support. If you have any questions or comments please call us at 1-888-822-6772.

DID YOU KNOW:

School Systems are exempt from OSHA's 300 series record keeping and report forms

If you have any questions or would like a copy of the OSHA appendix outlining this requirement please call us at 1-888-822-6772.

Ramming

Vehicle use places an insured in the midst of a potential liability nightmare. In the event of a crash, a vehicle's owner likely will be held responsible for the actions of the driver and for the outcome of that incident. No more is this true than in the operation of a dedicated police cruiser. The high profile nature of a Sheriff's Office cruiser requires the operator to drive in a capacity that will protect citizens, suspects, and county property. Indeed, the purpose of a Sheriff's Office and its deputies is public safety. This responsibility is remarkably acute during any pursuit or emergency driving. And in the consideration of public safety, intentional ramming of a fleeing suspect is a drastic step that raises many concerns, mainly due to the fact that it is a crash caused explicitly by the decision and maneuvers of law enforcement.



In short, VACoRP strongly recommends that our member Sheriffs avoid using ramming as a method to stop fleeing suspects. This position reflects that of the Virginia DCJS and takes the greater interest of VACoRP's membership into account. The following issues arise when considering the use of intentional contact as a method to stop a fleeing suspect:

- Injury to officer, suspect, or others – a typical car crash exposes the occupants to significant forces that oftentimes result in injury. Couple this with the probability of higher pursuit speeds, and the chance for injury is increased. For the deputy, this introduces the possibility of missing work or receiving a career affecting injury. In contrast, medical bills for injuries received by the suspect in such a maneuver likely will be the responsibility of the county.
- Intentional ramming is not an accident – When an officer initiates contact to end a pursuit, any subsequent damage is consequently intentional. As such, the police cruiser is being used as a consumable. In general, insurance is not designed to cover items lost or damaged as a result of willful destruction/consumption. The decision to end a pursuit in this method clearly changes an incident's status from accident to consumption, negating any physical damage coverage designed for unintended loss. As for liability, the deliberate nature of such action begs the question of whether responsibility falls with the automobile coverage or law enforcement liability coverage. Further, crashes and their uncontrollable nature dictate that a deputy has little control over the repercussions of ramming: damage may be minor, or it could be severe. Either result negatively affects the entire pool by causing the entire membership to pay for one member's destructive choice.
- Equipment availability – in reality, no law enforcement program has all the equipment, especially vehicles, that it would like. This demands that the application of available equipment be prudent. Any officer who has had to share a cruiser will confirm the restrictive nature of such an arrangement. Intentionally ramming another vehicle removes a working cruiser from service and forces personnel to work with even less equipment for an indefinite amount of time. Further, the replacement of a cruiser will directly affect the Sheriff's Office and county as a whole since cruisers are insured at actual cash value. For example, the value of a 1999 Ford Crown Victoria is only a fraction of the cost of a new cruiser. The remainder of cost from what VACoRP pays will be borne by the county. As a result, funds that could have been used for additional vehicles or to update existing equipment may no longer be available.



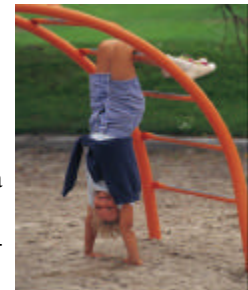
Playground Safety



Caution. Warning. Danger. These three monikers are designed to attract the attention of drivers on the road, employees in the workplace, and product users in the home. Another place one of these directives is located is on playground equipment. All manufactured public playground equipment will have a warning label affixed to it. This warning serves to highlight the importance of considering safety before, during, and after the equipment is used. With this in mind, playground safety depends as much upon the user as it does the installer and maintenance personnel who construct and preserve the equipment.

Initial installation and product placement is essential to providing a safe environment in which children can learn. Several factors must be addressed when a playground is installed.

- **Equipment location** – Swings, merry-go-rounds, and other significant moving equipment should be placed near the perimeters. Additionally, their use zones should not be easily confused for walking areas that access various parts of the playground. Slide surfaces should not receive direct sun for most of the day. All devices should have adequate spacing to prevent crowding and limit injuries.
- **Protective surfaces** – Equipment should always be surrounded by soft surfacing material such as engineered wood fiber, pea gravel, shredded rubber, or approved rubber mats/poured in place surfacing. Wood mulch or engineered wood fiber should be at a depth of approximately 12 inches. Hard surfaces such as concrete, grass, or packed earth are unacceptable as surfacing materials.
- **CPSC and ASTM Guidelines** – While currently there is no Virginia or Federal law requiring playgrounds to meet certain standards, the Consumer Product Safety Commission publishes guidelines that all public playgrounds should follow in order to protect all users.
- **Drainage** – Playground surface/area should not trap water.



Public playgrounds are those that can be accessed by general citizens. Play equipment at parks, schools, churches, and restaurants all qualify as “public” and are subject to the CPSC/ASTM guidelines. And while the CPSC guidelines are great for the physical configuration, the single most important factor in injury prevention is active adult supervision; however, it should not be left to the playground owner to provide this. Parents or guardians are expected to be responsible for their children’s activities on the playground. Their participation will help to reduce the occurrence and consequences of entanglement, falls, head entrapment, and impact, the leading causes of death and serious injury on playgrounds. Further, since playgrounds are designed for either age 2-5 or 5-12, parents and guardians must ensure that their children use age-appropriate equipment. In short, citizens have a responsibility to help maintain a safe atmosphere by ensuring that their children are supervised and are using equipment in an appropriate manner.

Playground Safety *continued from Page 3*



All playgrounds require post-installation maintenance in order to remain safe; installing a playground and never checking its condition elevates the potential for injuries from damaged equipment. Throughout its life, even the most advanced, safety oriented playground will need bolts tightened, seats replaced, and hardware repaired. While some items need infrequent inspection, others (such as loose surface material) need constant attention. All maintenance should follow a designated schedule, and any repairs must be recorded. Any repair or replacement should be done per the original manufacturer's specifications. Using other materials or methods may increase the chance of injury and could increase the owner's liability. Many playgrounds erected since 1994 likely meet the majority of CPSC guidelines; unfortunately, those constructed prior to this point will commonly fall outside of the current guidelines. Further, playground companies come and go; therefore, parts for that swing set constructed fifteen or twenty years ago may not be available, making repairs difficult at best. In the end, consistent, continued maintenance will go a long way to protecting the users and making sure the equipment is around for a long time.

Combining proper installation, maintenance, and safety-conscious users significantly impacts the overall safety and value of a playground or recreation area. Without all three elements, playgrounds present more hazards with which children can be injured. VACo Risk Management Programs will be happy to support our members with their playground questions and needs.

Ramming *continued from page 2*

A viable alternative to ramming is the use of tire deflation systems. These devices are designed to puncture tires and bring a fleeing vehicle to a controlled stop. Though determined suspects may continue after driving over such a device, speeds are dramatically reduced and apprehension is only a matter of time. And in a pursuit, speed is the most dangerous factor. When properly using these devices to end a pursuit, the Sheriff's Office reduces risk to both equipment and personnel. Further, deflation systems can be reused with minimal cost as compared to cruiser replacement. From a cost, safety, and effectiveness perspective this relatively new technology provides law enforcement with an advantage over fleeing suspects that intentional ramming does not.



In the line of law enforcement, pursuits do occur. However, the resolution of those pursuits will depend heavily on an office's policies, a deputy's training, the availability of equipment, and the choices of supervisors. Any equipment or maneuver that law enforcement personnel use to complete their job requires training. No more important is this than when considering ramming. At this time, only one Virginia county trains its personnel on the effective PIT maneuver. Considering this, and the availability of tire deflation devices, ramming another vehicle in the event of a pursuit, unless a civilian or officer's immediate safety is on the line, should be removed as a viable option.

KEY SAFETY PROGRAM ELEMENTS

“All employees must receive ongoing safety training”

The cost of insurance is a major expense. Members that reduce their costs by creating effective safety programs can allocate “would be” insurance premiums to other programs. Avoiding accidents translates into lower costs and more job satisfaction.

There is not one safety program that is right for all members. The size, management style, and type of operation must all be considered when designing the program. Safety programs that incorporate the following elements, however, will achieve the most measurable results:

Management Support And Direction

Top management needs to frequently communicate safety expectations throughout the county/agency/school and actively participate in the safety program. Ask yourself: “When is the last time my boss talked about safety?”



Designated Safety Director

Although it is important to have a designated safety director--which may not be a full-time job based on the member’s size and the complexity of safety issues--this does not relieve supervisors or employees of their individual safety responsibilities.

Control Accident Hazards

Every member should set standards for what is appropriate for safe employee behavior as well as establish criteria for controlling physical hazards.



Employee Training

All employees must receive ongoing safety training, with safety orientation training being the most critical. Informal safety training for individuals following observed unsafe acts is very effective in correcting problems.

Accident Investigation

All accidents must be properly investigated to determine how they can be prevented in the future.

Site Inspection

A mandatory, scheduled program for self-inspections should exist and include procedures for correcting deficiencies.

First Aid

There should be two persons trained in first aid at each location (not necessarily building), and emergency procedures and telephone numbers should be clearly posted.



Periodic Audit

Losses should be reviewed periodically to measure the program's effectiveness.



VACO RISK MANAGEMENT

104 Church Ave., SE
Roanoke, VA 24011

Phone: 1-888-822-6772
Fax: (540) 345-5330
web-site: www.vacoins.org



VACO Risk Management Programs

104 Church Avenue, SE
Roanoke, Virginia 24011
540-345-8500

Staff:

Wayne Faddis, Administrator
Chris Carey, Assistant Administrator
C. Flippo Hicks, General Counsel
Susie Gretzinger, Manager, Health Benefits Trust
Mike Stafford, Claims Manager
Jim McClellan, Loss Control Manager
Carol Jordan, Underwriting Manager
Jerry Hardy, School Specialist

VACoRP Supervisory Board

John Riley, *Chairman*, Frederick County
Jim Gillespie, *Vice-Chair*, Russell County
David Ash, Clarke County
Frank Pleva, King William County
Peggy Wiley, Greensville County
C.M. Williams, Stafford County
Wanda Wingo, Botetourt County
James Campbell, VACO, *Ex-officio*

VACoGSIA Supervisory Board

C.M. Williams, *Chairman*, Stafford County
David Ash, *Vice-Chair*, Clarke County
Jim Gillespie, Russell County
Frank Pleva, King William County
John Riley, Frederick County
Peggy Wiley, Greensville County
Wanda Wingo, Botetourt County
James Campbell, VACO, *Ex-officio*

Serving Virginia's Counties
