



# NYMIR Law Enforcement

## NEWSLETTER

### UPDATE ON BODY ARMOR TESTING

**T**he National Institute of Justice (NIJ) has recently completed another round of testing of body armor used by U. S. law enforcement agencies. The tests were concentrated on the effectiveness of Zylon, the relatively new, high-performance ballistic fiber used widely by body armor manufacturers.

NIJ did ballistic and mechanical properties testing on 103 used vests containing Zylon, which were obtained from United States law enforcement agencies. Sixty of these used vests (58%) were penetrated by at least one round of bullets during a six-shot test series. Of the vests that were not penetrated, 91% had backface deformations in excess of what is allowed by the NIJ standard for new armor. Only four of the used vests met all of the performance criteria expected under the NIJ compliance standard for new body armor.

The preliminary analysis of Zylon from these tests indicates that Zylon degrades as a result of exposure to moisture and light. These common exposures affect the chemical properties of the Zylon fiber, resulting in a significant decrease in its performance.

The test results have forced NIJ to reexamine its body armor compliance-testing program. The current program focuses solely on new armor and does not take into account performance degradation in used armor. NIJ will be adopting new changes to this program in the near future. NIJ has revised its list of armor models that meet their testing requirements and recommend new vest purchases be from this list only. The list is available at <http://www.justnet.org>. (Within the website, go to the navigation bar on the left and select "Testing and Evaluation". Then select "Body Armor Database".)

### EVIDENCE ROOM SAFETY

**W**hen's the last time you took a good look in your Evidence Room? Did you notice any funny odors? Were there any leaking containers? Taking some basic precautions can reduce the potential for "surprises" that may require clean up by a Hazardous Materials Team.

#### FOLLOW PROPER PROCEDURE

Ensure that all evidence is properly inventoried, booked and documented. One police department in Colorado allowed a metal suitcase to be brought into their Evidence Room. The suitcase was not properly documented and sat in a corner for nearly a year. One day, an employee noticed something leaking out of the suitcase, as well as what appeared to be an acid burn on the outside of the case. Yes, curiosity got the cat and he opened the suitcase. The employee was overcome by the vapors from the chemicals that had been mixing for a year, and the Bomb Squad had to be called in to take away the aftermath of a compromised portable meth lab and detonate it for fear of its potentially explosive properties.

#### ENSURE PROPER VENTILATION

How's the ventilation in your Evidence Room and where does the exhaust system vent? Any ventilation issues will become apparent if marijuana is booked into evidence and remains in the Evidence Room for an extended period of time. If you notice employees in other building areas acting quite happy and hanging out at the vending machines, you may have a ventilation system problem! While we can smile at this example, ventilation needs to be closely evaluated, especially if you have byproducts of a meth lab booked into evidence. These chemicals may need to be stored in an alternative location that provides better safety protection than your Evidence Room (such as inside a flammable liquids storage cabinet in a secure cold storage or other remote building).

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## NEWSLETTER

### EVIDENCE ROOM continued

#### HANDLE BLOOD/BODY FLUIDS WITH CARE

Another exposure to consider is evidence that is contaminated with blood or other body fluids. There is the potential for a blood borne pathogens exposure if this evidence is not handled properly.

#### IMPROVING SAFETY

Some items to consider for improving the safety of evidence storage areas:

- ✓ Ensure all officers are following the department's policy for evidence booking.
- ✓ Develop a policy for handling hazardous or suspicious evidence.
- ✓ Have the ventilation system checked for adequacy and where the exhaust points are located. We have seen more than a few instances where exhaust points are located within 5 feet of fresh air intakes!
- ✓ Develop a Blood borne Pathogen Policy if your department does not currently have one.
- ✓ Conduct periodic training of officers in proper evidence handling, documentation and the handling of potentially hazardous evidence.
- ✓ Establish a secure remote evidence storage area for storing hazardous evidence.

Taking the time to ensure your procedures are up to date and that all reasonable safety measures are followed will not take long. It will go a long way towards increasing safety and lowering the liability risk to your department.

### NATIONAL POLICE WEEK



National Police Week was May 13–19, 2007. The week celebrates the many courageous and heroic actions performed by law enforcement officers in the line of duty. During this week, law enforcement officers from throughout the United States attend many ceremonies and other events at various venues in Washington, D.C. One of the solemn annual ceremonies conducted is the addition of names to the National Law

Enforcement Memorial located in Judiciary Square.

The following poem is in honor of NYMIR's law enforcement officers during this special week.

#### I AM THE OFFICER

*I have been where you fear to be  
I have seen what you fear to see  
I have done what you fear to do  
All these things I have done for you*

*I am the person you lean upon  
The one you cast your scorn upon  
The one you bring your troubles to  
All these things I've been for you*

*The one you ask to stand apart  
The one you feel should have no heart  
The one you call the officer in blue  
But I'm just a person, just like you*

*And through the years I've come to see  
That I am not always what you ask of me  
So take this badge, take this gun  
Will you take it? ... Will anyone?*

*And when you watch a person die  
And hear a battered baby cry  
Then do you think that you can be  
All these things you ask of me?*

**Anonymous**

### **NYMIR LAW ENFORCEMENT LIABILITY ADVISORY COMMITTEE**

**I**n order to ensure that NYMIR is providing relevant and timely information and services to its law enforcement agencies, an advisory committee has been established. The five members on this committee have many years of law enforcement leadership experience. These individuals will provide input on information used in NYMIR's website, identify topics for Law Enforcement Liability regional seminars and provide guidance in developing strategies which will assist NYMIR law enforcement professionals in reducing their law enforcement liability exposures. The members of the advisory committee are:

*Eugene Conway*

**Chief of Police  
Town of DeWitt  
315.449.3640**

*Ernest Cutting, Jr.*

**Undersheriff  
Chenango County Office of Sheriff  
607.337.1869**

*Martin Herkimer*

**Undersheriff  
Livingston County Office of Sheriff  
585.243.7143**

*John Kaplan*

**Chief of Police  
Village of Potsdam  
315.265.2121**

*Sal Trentanelli*

**Chief of Police  
City of Corning  
607.962.8148**



Should you have any questions or have suggestions for improving the services provided to control law enforcement liability exposures, please contact any advisory committee member or **Brett Carruthers @ 716.282.4890.**

## NEWSLETTER

### POLICE AND EMERGENCY UNITS – ADDITIONAL EQUIPMENT POLICY ENHANCEMENT

When a municipality or its police department purchase additional automobiles, the original cost of the unit is used to indirectly calculate the premium for the physical damage (collision and comprehensive coverages). The normal value is the actual cash value of the vehicle itself. The costs associated with items such as emergency flashing lights, computer equipment, recording equipment, license plate camera systems and stenciling of the municipality's name on the side door, etc. are normally not included in the vehicle value and should be reported separately. These costs, which can run into the thousands of dollars, are not contemplated in the original cost of the vehicle. It is standard practice for insurance companies to require that these

pieces of equipment be reported separately, and therefore charged separately.

Many times the municipality or police department overlook or fail to account for these items with their insurance carriers. Therefore, the claims for these items are denied when they are damaged or stolen. NYMIR recognizes that this is a growing problem with many of our subscribers, and we are adding a feature to our automobile policy that will automatically allow for a limit of up to \$2,500 for this extra equipment on each vehicle.

Coverage limits in excess of \$2,500 are available upon request. Please contact your agent for additional information.

**Wayne Keebler**  
Vice President of Underwriting

We appreciate comments on the newsletter and suggestions for future articles on relevant law enforcement topics. Please feel free to contact us.



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### *Preventing Workplace Violence*

*NYMIR is hosting a series of workshops on Workplace Violence Prevention across the state.*

*This is in response to requirements in the New York State Workplace Violence Prevention Act which makes it mandatory for certain government entities to comply with the provisions in the act.*

*The focus of the two-hour workshop is to provide a framework for municipal officials to understand the provisions of the Workplace Violence Prevention Act and how to go about setting up a program within their own municipality.*

*The workshop will be given in a variety of venues around the state. We will keep you posted on dates and times. The workshops are open to all interested parties.*