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"I wasn't texting; I was just reading an email ...": a qualitative study of distracted driving enforcement in Washington State

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Abstract

Background—In response to the rise of distracted driving, many countries and most US states have adopted laws to restrict the use of handheld phones for drivers. Specific provisions of each law and the overall social mores of distracted driving influence enforceability and impact.

Objectives—Identify multilevel interdependent factors that influence distracted driving enforcement through the perspective of police officers.

Design/methods—We conducted focus group discussions with active duty law enforcement officers from three large Washington State counties. Our thematic analysis used descriptive and pattern coding that placed our findings within a social ecological framework to facilitate targeted intervention development.

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Contributors The study was conceived and designed by BEE, with review and revision by JDM, APK, AF, LH and RK. BEE, PEN and LB conducted analysis and interpretation of the data. BEE, PEN and LB drafted the article. All authors participated in critical revision of the manuscript and have approved the final version.

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Results—Participants reported that the distracted driving law posed challenges for consistent and effective enforcement. They emphasised the need to change social norms around distracted driving, similar to the shifts seen around impaired driving. Many participants were themselves distracted drivers, and their individual knowledge, attitude and beliefs influenced enforcement. Participants suggested that law enforcement leaders and policymakers should develop and implement policies and strategies to prioritise and motivate increased distracted driving enforcement.

Conclusions—Individual, interpersonal, organisational and societal factors influence enforcement of distracted driving laws. Targeted interventions should be developed to address distracted driving and sustain effective enforcement.

INTRODUCTION

Cellphone use while driving presents a safety risk to drivers and others on the road. Studies suggest drivers who talk or text may face between 2 and 23 times increased risk of crash or near crash, depending on driver age and cellphone usage patterns.¹² Talking or texting while driving causes distraction for drivers, and as cognitive, manual, visual and audible distraction increases, driver performance deteriorates.³⁴ Despite these risks, distracted driving is a practised habit with daily conditioned behaviour,⁵ and drivers continue to use cellphones in the car.⁶⁷ In our 2013 study of observed driver behaviour, nearly 1 out of every 10 drivers was talking or texting behind the wheel at any given moment.⁸

Dozens of countries and most US states have responded to the risk presented by distracted driving by adopting laws that restrict handheld cellphone use and texting while driving.⁹¹⁰ In 2007, Washington State became the first US state to prohibit texting and driving. The law identifies a driver who "sends, reads, or writes a text message" or holds "a wireless communications device to his or her ear" as "guilty of a traffic infraction".¹¹¹² Washington's distracted driving law was upgraded from a secondary offence to a primary offence in 2010, enabling officers to pull over drivers for cellphone use in the absence of another driving offence.¹³ By the end of 2015, 46 US states and the District of Columbia (DC) had adopted laws banning texting while driving; 14 states and DC have banned talking on a handheld phone for all drivers.¹⁴

Several studies of drivers have found that effective enforcement would be a powerful tool for changing their behaviour.^{15–17} However, enforcement of distracted driving laws can present significant challenges,^{18–21} and laws that are not regularly and strictly enforced are unlikely to deter behaviour.⁵ Some studies have examined the association between distracted driving laws and measures of distracted driving;²²²³ however, to our knowledge, no prior studies have examined the enforcement of distracted driving laws through the perspective of law enforcement officers. The goal of this study was to identify multilevel interdependent factors that influence distracted driving enforcement through the perspective of police officers in Washington State.

METHODS

Study design

In 2013, we conducted three semistructured focus group discussions with 26 active duty law enforcement officers from three Washington State counties (Spokane, King and Whatcom counties). These counties were selected from a stratified set of four urban and two rural counties, which comprise approximately 60% of the state population. Two urban counties and one rural county were randomly selected to ensure geographic diversity and to represent a broad variety of traffic enforcement contexts. We recruited participants from police, sheriff and state patrol law enforcement agencies using flyers distributed through the Washington Association of Sheriffs and Police Chiefs and local Target Zero traffic safety task force members.

Data collection

Participants completed anonymous surveys to collect demographic data and report personal driving habits. All focus groups were audio-recorded and conducted by the same trained moderator, who had previous experience with traffic safety and law enforcement. A focus group script of 28 general and probing questions was used to elicit consistent responses across all groups (see online supplementary appendix A). No financial compensation was given for participation, but lunch was provided during the focus groups.

Data analysis

We transcribed audio recordings verbatim and used *ATLAS.ti* software to enable coding and thematic analysis. We employed a two-cycle coding strategy focusing on descriptive and pattern codes.²⁴ In the first cycle, three team members independently coded from a team-developed codebook and then met to review coding discrepancies and ensure intercoder agreement on all transcripts. In the second cycle, a social ecological framework (SEF) was used to identify pattern codes. This model was used because it enabled the identification of synergistic factors that influence distracted driving at multiple interdependent levels. The SEF model contained four levels of influence: societal, organisational, interpersonal and individual. Each level represents opportunities for targeted intervention strategies without disregarding the holistic context in which it is implemented.

RESULTS

Participant characteristics

Twenty-six police officers participated in three focus groups, with 3–16 participants per group. Participants represented a range of law enforcement roles, including traffic officer, sheriff, state patrol officer, special operations and administration. The majority of participants were male (85%), reflecting the national demographic patterns of law enforcement.²⁵

Distracted driving was common among participants (table 1). Over half (58%) reported that they talked weekly or daily on a handheld cellular phone while driving. One-quarter (27%) reported regularly reading text messages while driving. Other forms of distraction were also

common. One risk unique to law enforcement is the reliance on in-vehicle computer terminals. Sixty-two per cent of participants regularly read from the on-board computer while driving.

The key individual, interpersonal, organisational and societal factors influencing distracted driving enforcement reported by participants are displayed in our SEF model (figure 1).

Individual factors

Participants reported several examples of individual knowledge, attitudes and beliefs that influence distracted driving enforcement. The most commonly cited motivations for joining the police force were the desire to help people and have a positive impact in the community. However, participants consistently reported a perception among patrol officers that focusing on traffic enforcement rather than 'real police work' was incompatible with those aspirations.

Patrol's general consensus or feeling would be that dealing with crime and criminals is more important and they don't want to deal with the hassle of giving a normal hard working person a ticket.

It was consistently reported that drivers are perceived to be 'normal', 'good guys' who are simply going about their lives. Several participants reported that they identify with distracted drivers and are apprehensive about citing people for something of which they themselves are guilty.

... how can I sit there and cite somebody for something when I'm still having a problem controlling myself.

Some participants believed that multitasking is a skill that some individuals could safely execute while driving.

I think it varies. I mean, some people have a better ability to multitask. I don't think we should throw everybody into the same basket necessarily. I mean as law enforcement officers a lot of us are trained ... to multitask. Some of us do good and some of us don't. And it's just like that in society.

Other participants drew a direct link between law enforcement and the prevention of injury, and emphasised the importance of inciting officers' core values.

The key for enforcement, I think, is that officers will enforce a law if it touches their core value. If you can get to the officer's core value and they see a reason to stop that texting/cell phone driver and issue a citation, they'll see the equal sign on the other end ... on the other side of the equal sign is an injury stopped and a life saved.

Interpersonal factors

At the interpersonal level, interactions with drivers were frequently reported to influence enforcement. Several participants noted that a driver's response to being pulled over affects how officers approach enforcement.

What I try to do with everybody I deal with, I try to educate them, to a point. Now, whether it's an education and a ticket, or just an education—that depends on the contact.

Although it was reported that some drivers accept citations without much resistance, many drivers challenge officers during traffic stops. A prevailing theme in the focus groups was that officers received more opposition from drivers when they were texting compared with talking on a handheld phone.

When you are stopping for cell phone, people know they were caught because it's very clear when they were caught holding it to their ear. It's the texting; when you stop them for that ... I almost don't even stop for texting now, because I'm so accustomed to people giving me all kinds of excuses for what they were doing other than texting ... People deny that one up and down every day.

Participants also reported that officers will ask drivers if they were using their phone for emergency purposes in order to ensure that they are accurately enforcing the current law, which makes exceptions for emergencies. However, drivers' reported emergencies are rarely consistent with the intention of the law.

I always try to ask, 'Why were you on your phone?' To look for, maybe they were calling 911, and I was writing them a ticket and wasn't supposed to. But, they always come up with their emergency, 'Oh, I had to tell my wife something last minute.' Well, that's not really an emergency.

Participants commonly cited interactions and communication between fellow officers as an important factor that influences enforcement motivation. Some participants felt that it was important for younger officers to have a positive example set by senior officers. Similarly, many participants suggested that training younger officers creates dialogue and enforcement motivation among their peers.

Basically, when you train one young officer who is a good officer, he is going to have his group of friends his age and they're going to be talking or having coffee and he goes, 'Man, I've been writing a lot of these tickets.' And all of a sudden, that's what gets it. We've got young guys for years who were excited about DUIs and pretty soon we had whole shifts. We had competitions for how many DUIs you could get, so it could grow if we were serious about it.

Organisational factors

Participants identified several departmental policies and strategies that influence distracted driving enforcement at an organisational level. In all focus groups, it was consistently reported that traffic enforcement was a low priority for patrol officers, who are busy with other police activities.

Most non-dedicated patrol resources are going to other calls. They've got other stuff going on, and so there's prioritizing. They may have to go to a burglary report and frankly, they need to get that done. So they'll go and they'll see a violation, and I've done that too, [and] just continue on.

Correspondingly, there was a general consensus that having officers dedicated exclusively to traffic enforcement is an effective enforcement strategy. To complement dedicated traffic units and officers, there was wide support for emphasis patrols that include overtime grants. In addition to the financial incentive, it enables officers to focus their efforts without competing priorities. Some participants noted that this has been effective for seat belt and impaired driving enforcement.

After [it] became a primary offense and there were big public awareness campaigns and overtime money for seatbelt enforcement, we wrote a lot of seatbelt tickets and we got the compliance up. We haven't quite got there with distracted driving quite yet.

Participants also reported several effective distracted driving enforcement strategies that have been used by departments. The use of motorcycles and bicycles is an effective strategy for identifying distracted drivers because they enable an officer to pull alongside the vehicle and look down into the driver's window. Some participants recommended that departments use unmarked cars or techniques using spotters. In all focus groups, it was reported that strategies for identifying distracted drivers were similar to those used to find drunk drivers.

They [distracted drivers] really are equally dangerous, because the driving behaviors are the same ... If you are going to look for a distracted driver, what are you going to look for? You are looking for the same signs you see with a drunk driver: over the center line, over the fog line, into the curb, sitting at the traffic light while it's green, running the light.

Participants suggested a number of ways in which departments can educate and motivate officers about the importance of distracted driving enforcement. Many participants recommended using a short educational 'roll-call' video that could be shown during department briefings. It was suggested that the video contain officers from various ranks and cadres, researchers and victims of distracted driving collisions as spokespeople. Additionally, some participants recommended increased communication with prosecutors as a means of educating officers and improving coordination.

One of the things that I do every month with my unit is I bring in our prosecutor and have our prosecutor sit down and talk to us specifically about traffic and what we're seeing in the courts, what the judges are ruling, what the feedbacks are, and what their interpretation of whatever law is and how they are going to prosecute it. And through that, the officers have a really, really clear idea about expectations ... I think it's very effective when you get the two of them together and you have that dialog.

Several participants reported that statistics on the societal costs and impact of distracted driving would be an effective motivator for officers. However, it was noted in all focus groups that the data is likely under-reported on collision reports. Participants noted that they were unlikely to get a warrant for phone records for minor collisions and must therefore rely on driver responses. However, because drivers rarely admit to distracted driving, there becomes a culture of under-reporting.

P2. Young partner here, he might come out from the academy and say, 'I'm going to ask [if the driver was distracted]', and then after two years of being told, 'no' on everything ... Why am I going to ask these things?

Participants recounted several harrowing narratives, where officer distraction was felt to have contributed to collisions, vehicle damage, serious injury and, occasionally, the death of the officer and/or bystanders. Despite this, participants spoke of the lack of clear policies on officer distracted driving from law enforcement leadership.

Our agency has not enacted any kind of policy that says, 'Hey, no talking on that phone while you're driving.' So a lot of [officers] will claim, and honestly claim, 'We're doing police work. We're trying to catch this guy. Somebody's following them in an unmarked car,' and all that kind of stuff. But I'd venture to guess that most of the conversations that cops have in their cars are to their wives or girlfriends or whatever the case may be. Again, it's a cultural thing and it really infects all of us.

Societal factors

Participants reported both legal policies and sociocultural norms that influence distracted driving enforcement at a societal level. There was consensus among participants that Washington State's narrowly defined texting and driving law is challenging to enforce.

The law [only] says that it's illegal to read or type a text message while driving. ... Email, Google search, and all of the other stuff ... They're distracting and everything, but that's not what the law says.

However, other officers interpreted texting more broadly to include typing or scrolling through text.

I'll stop and say, 'I'm sorry, but I couldn't help but notice that you are texting.' [the driver replies]'Oh, I wasn't texting; I was just reading an email ... [I] explain, 'That's part of the infraction. I'll be right back with your citation.'

Officers noted that it was difficult to differentiate between texting and other activities that require physical manipulation of the phone, but are not expressly prohibited.

[A driver] could be dialing a phone number ... it's an almost impossible law to enforce unless they hand you their phone and say, 'Yes, I was sending a message.' Most people aren't going to do that for you.

A majority of participants reported similar frustrations with the handheld mobile telephone law that explicitly prohibits holding a phone to one's ear, but does not account for drivers holding a device in another location, including in a hand, using speaker mode.

I'm driving down the road and I have the cell phone to my ear, that's against the law. But if I'm driving down the road and I have it on speaker phone ... that's not against the law because it's not up to the ear. What's the difference here? ... We could do a better job legislative-wise in making a much simpler, clearer law.

In addition to front-line enforcement challenges, the ambiguous nature of the law leads to inconsistent prosecution of distracted driving cases. Participants reported that their confidence in a citation leading to a conviction was low and associated with the different legal interpretations in their respective jurisdictions.

All the jurisdictions are different, depending on what judge you have. ... In my jurisdiction, we're very confident [in prosecution for distracted driving. In the] jurisdictions that surround me, I hear horror stories. So, I think it's hit or miss.

The sociocultural norms surrounding phone use were frequently referenced in the focus groups with several participants suggesting the need for a normative shift similar to the evolution in the societal perception of drunk driving in recent decades. There was general consensus that people have become culturally and socially conditioned to continually be on the phone and immediately answer calls and texts.

For a lot of people, it's so second nature ... I don't believe a lot of them intend to violate the statute and drive with a cell phone, but it rings and second nature is you answer the phone.

DISCUSSION

The WHO has emphasised that distracted driving is a growing problem in high-income, middle-income and low-income countries as cellphone use is pervasive on every continent.¹⁰ Dozens of countries have adopted laws to restrict handheld cellphone use, but there has been little examination of how such laws are enforced and little consideration of opportunities to pass laws that support effective enforcement. Our findings highlight a number of key themes for policymakers and law enforcement leaders as they develop effective strategies to address the distracted driving epidemic. While this study reflects findings from one US state, it is likely that many of the main lessons are generalisable to policymakers in countries with shared challenges: distracted driving laws that have not kept pace with technological evolution, enforcement challenges and the need to respond to an emerging public health challenge that puts lives at risk.

Our study found that law enforcement agencies have the opportunity to address individual and interpersonal-level enforcement factors by developing policies that target officers' knowledge, attitudes and beliefs. A similar approach was successful in increasing seat belt use through enforcement of stronger seat belt legislation in Washington State.²⁶ In our study, participants emphasised the importance of having young officers engaged and motivated to enforce distracted driving to drive changes in department culture. Departmental enforcement competitions may be a proven and effective strategy for motivating officers. Several participants suggested that educating officers about the risks of distracted driving and targeting the core values that first motivated them to choose their career would be influential in encouraging increased enforcement.

Key themes reported by participants at an organisational level provide useful insight for law enforcement leadership as they develop departmental policies emphasising distracted driving enforcement. In addition to sharing effective strategies for identifying distracted drivers, participants noted the importance of dedicated traffic patrols and the prioritisation of

distracted driving enforcement within departments. Several participants noted a culture of under-reporting the influence of distracted driving on collisions. This confirms findings from other studies suggesting that distracted driving is under-reported and may pose a greater public health burden than previously reported.²⁷

There is a need for departments to establish and enforce policies banning distracted driving among officers. Many participants self-reported their own distracted driving habits. Though enforcement officers are trained in safe driving skills, neurocognitive studies suggest that multitasking and cognitive load impairs driving skills for all participants.²⁸ Traffic-related fatalities remain the leading cause of death for law enforcement officers, surpassing the risk from firearm injuries, and traffic fatalities among law enforcement officers increased 13% between 2014 and 2015.²⁹ At the individual level of influence, in addition to increased risk to themselves and other drivers, officers who are distracted drivers must personally reconcile a sense of guilt for enforcing a law with which personally they do not always comply.

The most consistent societal-level enforcement factor cited in the focus groups is the need for an improved distracted driving law to facilitate both enforcement and prosecution. Participants' suggested improvements in the law were consistent with recommendations from the National Highway Traffic Safety Administration, which advocates for (1) a law that covers the use of all handheld devices, (2) policies that apply to all drivers in all driving environments and (3) driving violations that are reportable offences.³⁰ Improvements in the law would also address one of the most commonly referenced interpersonal factors influencing distracted driving enforcement. A lack of clarity in the current law creates a challenging dynamic for officers when approaching drivers suspected of distracted driving and provides a disincentive for enforcement. More recently, technological approaches for improved detection of cellphone use (eg, a 'textalyzer' detection device) may improve the ability to recognise, enforce and prosecute distracted driving laws.³¹

The reported need for an evolution of social norms, particularly the parallels drawn between distracted driving and impaired driving, represents a strong impetus for developing public campaigns to complement changes in the law, such as national impaired driving efforts (eg, Don't Drink and Drive) or seat belt campaigns (eg, Click It or Ticket).

Our study has a number of limitations. Although our sampling strategy enabled us to collect rich data with diverse perspectives from our defined study population, the exploratory nature of this qualitative study may limit the generalisability of our findings. Focus group participation was low in one rural county, though rural areas represented by sheriffs' offices and state patrol were included in other groups. It is also possible that officers who voluntarily participated in the focus groups may have views that differ systematically from officers who did not participate. Lastly, these focus groups occurred in the setting of existing laws to prohibit distracted driving.

IMPLICATIONS AND DISSEMINATION OF FINDINGS

Study participants had thoughtful suggestions for crafting more enforceable and effective distracted driving laws. Their recommendations have been shared with lawmakers and safety

experts, and have informed recent efforts to update distracted driving legislation in Washington State. We also developed intervention messages and an educational roll-call video to disseminate to law enforcement agencies during daily briefings. Intervention strategies were shared with law enforcement officers, sheriffs and chiefs of police/state patrol, in partnership with the Washington Traffic Safety Commission. In conjunction with a video producer, we developed intervention messages and an educational roll-call video (see online supplementary appendix B), which was widely disseminated to law enforcement jurisdictions. These findings from these focus groups inform an important public policy debate and may contribute to public health goals for travelling safely with fewer preventable injuries, collisions and traffic delays.

Supplementary Material

Refer to Web version on PubMed Central for supplementary material.

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What is already known on the subject?

- Distracted driving is associated with significant public health risks.
- Traffic enforcement has improved driver seat belt use and reduced impaired driving.
- Most countries have laws against distracted driving, but little is known about the effective enforcement of these laws.

What this study adds?

- ► This is the first study to identify factors that influence distracted driving enforcement from the perspective of police officers.
- We identified characteristics of distracted driving laws that inhibit effective and consistent enforcement.
- Policymakers and law enforcement leadership can implement strategies and policies to modify officer behaviour and motivate increased enforcement.

Concussion in sport

An Australian government-funded website includes the most recent evidence-based information on concussion in sport. The goal is to ensure that f the public has rapid access to information that would increase their understanding of these concussions. The website may also assist in the delivery of 'best practice' medical care. If managed appropriately, most symptoms of concussion will resolve spontaneously but complications can occur and may be prevented.

Preventing lawnmower trauma

A student at the Virginia Tech Carilion School of Medicine performed a Geographic Information System analysis of lawnmower-inflicted trauma cases and concluded that in the Virginia region these injuries differ from others nationally. They are more frequent and mostly caused by lawnmower rollovers possibly because in this region the average slope is greater than what the safety guidelines recommend.

Post-Obama gun sales fall

More than 90% of the guns sold in the USA come from companies that are privately owned making it impossible to get accurate sales numbers from the gun makers themselves. Based on background checks, however, it is estimated that sales in January 2017 fell by nearly 50%. One explanation is that owners no longer fear there will be laws reducing their access to new guns, given Trump's position on this issue.

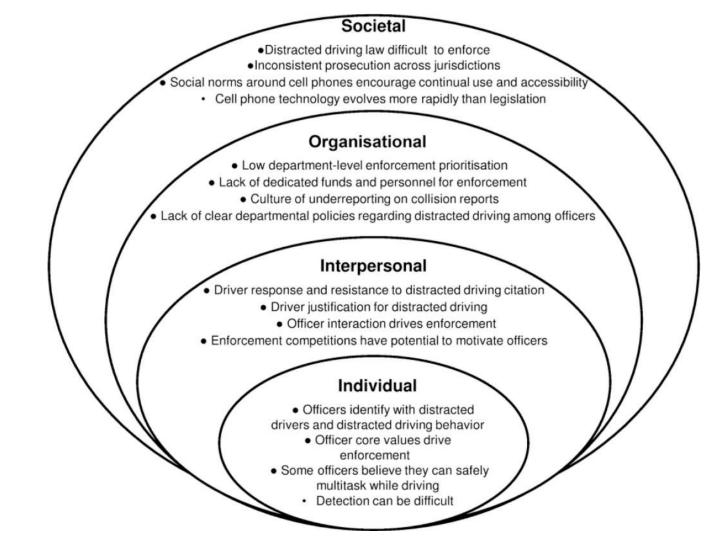


Figure 1.

Social ecological framework with key factors influencing distracted driving enforcement.

Table 1

Officer self-reported driving risk factors (n=26)

Most trips (%) 0 0 0 0 0 4 0 4 × 12 × 4 Daily (%) 0 35 15 C ∞ 0 19 27 4 12 5 Weekly (%) × 12 15 33 12 × 15 4 Ś 31 Rarely (%) 88 38 54 34 15 0 27 23 19 5054 61 _while driving? Never (%) 19 38 4 5073 69 19 15 50 Use a non-phone non-music device (eg, laptop) Use audio function from patrol car computer Use a music device (iPod/MP3 player) Survey response: How often do you_ Type using patrol car computer Read from patrol car computer Compose a text message Talk on a cellular phone Change CDs/cassettes Dial a cellular phone Read a text message Drive while drowsy Eat