Why? 'Because we can'

Many cops consider speeding with impunity as a job perk

BY SALLY KESTIN, JOHN MAINES, AND DANA WILLIAMS | Staff writers

A police badge in Florida is a license to speed.

A Sun Sentinel investigation revealed troubling practices: Police officers are not cited for speeding like ordinary motorists; off-duty speeding routinely goes unchallenged unless someone complains; and punishment can be as slight as a verbal or written reminder to obey the speed limit.

"If you have a badge, you can do anything on the roads," said Tallahassee lawyer Lance Block, who sued the Broward Sheriff's Office on behalf of a Sunrise man badly injured by a speeding off-duty deputy.

The reason? A culture among cops who seem to regard driving fast as an entitlement, and an atmosphere of tolerance by their supervisors.

As many as one in five South Florida cops hits excessive speeds on our roads, the Sun Sentinel's analysis of SunPass data found.

"If you have police officers doing 100 mph, they're just being irresponsible not only to themselves and their family but to the community," said Robert Pusins, a retired major with the Fort Lauderdale Police Department. "The problem is the attitude . . . 'because we can.'"

Even in their personal vehicles, officers can easily "badge their way out" of getting tickets, former cops told the Sun Sentinel. The same professional courtesy extends to family members, the ex-cops said, speaking on condition of anonymity.

Badges imprinted with "police officer's son or daughter" are available online for as little as $12.95.

320 CRASHES, ONLY 37 CITED

Such solidarity leads to special treatment, the Sun Sentinel found.

At least 320 law enforcement officers across Florida were involved in crashes from 2004 through 2010 that were blamed on the officers' speeding. But only 37 — 12 percent — were ticketed, an analysis of crash reports shows.

By contrast, 55 percent of other motorists who were speeding when they crashed received a citation.

Among the officers ticketed: Eric Plescow, a Coral Gables officer who was going 96 mph on Interstate 75 in Sunrise in October 2010, when he lost control at a curve, veered into another lane and caused a three-car crash, according to the Florida Highway Patrol.

Plescow pleaded no contest to failure to use due care and paid a $130 fine. He is still with the police department.

Florida law allows police officers to exceed posted speeds in an emergency as long as they don't endanger lives or property. But in more than half the crashes involving speeding cops, the officers were not in emergency mode or a pursuit, according to the crash reports reviewed by the Sun Sentinel.

In some cases, cops given an apparent pass for speeding have gone on to cause tragic crashes.

"What are the consequences? Generally, there's none."

State Sen. Steve Oelrich

Eric Brody, 32, has been brain-damaged since a Broward sheriff's deputy's cruiser slammed into him at 25 mph over the limit near his home in Sunrise in 1998.

Mike Stocker/Staff photographer

Broward Sheriff's Deputy Christopher Thieman, running late for work, slammed into Eric Brody of Sunrise in 1998, leaving the 18-year-old in a coma for six months and impaired for life. Four years earlier, Thieman injured another motorist while driving his patrol car at least 20 mph over the speed limit but wasn't ticketed, said Block, the lawyer who represents the Brody family.

Thieman was going as much as 25 mph over the speed limit when he hit Brody, records show.

But a sheriff's investigation blamed the teenager for improperly turning left in front of the deputy.

"The only one who was written up was Eric," Block said.

'ABOVE THE LAW'

Even police union reps who defend their officers' driving say more needs to be done to stop unnecessary speeding.

At the Miami Police Department, where the Sun Sentinel found excessive speeding by more than 140 cops, "we had an administration that was kind of lax on discipline," said Armando Aguilar, president of the Miami Fraternal Order of Police.

"Somebody dropped the ball," said Aguilar, who also is vice president of the Florida FOP. "It's important to make sure that now that we know about it, to curtail it and let them know there will be severe discipline if it continues."

State Sen. Steve Oelrich of Gainesville, a for-

mer Florida sheriff, said speeding isn't taken seriously by many police agencies.

Too often, the penalty for cops caught driving too fast is a slap on the wrist, he said.

"What are the consequences? Generally, there's none, except those few times when they get killed or hurt or kill somebody else," Oelrich said.

CITIZENS FRUSTRATED

Citizens who have tried to hold speeding cops accountable came away feeling like the officers got a break.

Scott Spizman of Plantation reported a Davie police car he saw tailgating at high speed on Florida's Turnpike in December 2009 near Boca Raton, miles outside the cop's jurisdiction.

"He was putting people's lives in danger," Spizman told the Sun Sentinel.

An internal affairs investigation confirmed Officer Erik Stuehrenberg topped more than 100 mph not just that day but on two other dates that investigators checked. The officer lost his take-home car for 10 days.

"If we got caught doing 100 mph, we'd be facing a big fine," Spizman said. "I'd have my insurance going up."

Asked about Stuehrenberg's punishment, the Davie Police Department issued a one-sentence statement: "The facts of the case demonstrate that we take this seriously."

At other South Florida police agencies, only a handful of officers have been disciplined for speeding — five Palm Beach sheriff's deputies in all of 2011, internal affairs records show.

One deputy had a police dog in his patrol car and was going more than 90 mph on his way to work.

Another drove 85 mph with inmates in the vehicle. Their discipline ranged from verbal counseling to the 30-day loss of a take-home car.

Cops seldom cited

Florida officers involved in crashes caused by their speeding were ticketed far less often than civilians over a 7-year period.

POLICE OFFICERS

37 cited	283 not cited

12%
88%

CIVILIANS

29,752 cited	24,827 not cited

55%
45%

Data from 2004 through 2010. SOURCES: Florida Department of Highway Safety and Motor Vehicles, Sun Sentinel research

**DANA WILLIAMS/RESEARCH
C. JONES-HULFACHOR/STAFF ARTIST**

The Fort Lauderdale Police Department disciplines officers for speeding based on GPS data from their vehicles but punishment is typically a written reprimand.

A dozen Fort Lauderdale cops have been caught driving 80 to 100 mph, mostly off duty. All were reminded to obey traffic laws. One received a more severe penalty: Sgt. William Lauginiger, who drove 86 to 98 mph 10 times during a six-week period, all while off duty, got a one-day suspension.

'NO ONE IS POLICING THEM'

James Andersen of Coral Springs said police agencies must be more diligent about policing their own speeding, a problem apparent to many South Florida motorists.

"All you gotta do is drive down I-95, drive down I-75 or the turnpike," said Andersen, a retired businessman who commuted to Miami for years. "It wouldn't take you 15 minutes to find an officer speeding. I'm talking about people doing 20, 30 miles over the speed limit."

In February 2011, Andersen followed a Hollywood police officer outside his jurisdiction and videotaped the police cruiser reaching 86 mph as he headed south on the Sawgrass Expressway. The speed limit is 65.

The police supervisors who reviewed the video concluded that while it showed the car hit 86 mph at one point, the officer averaged 76 mph and was "traveling with the flow of traffic," records show.
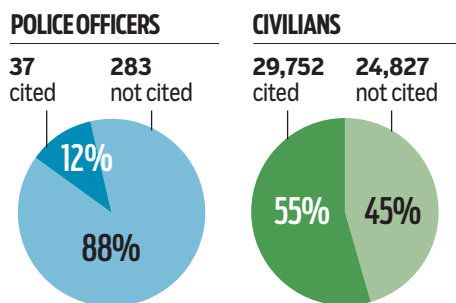
Though Andersen provided the car's ID number, there was no proof who the driver was, the investigation concluded. No action was taken.

"This is the typical smoke screen that they put up," Andersen told the Sun Sentinel. "They police themselves, so effectively no one is policing them."

Sen. Oelrich, the former sheriff, regularly sees

police officers speeding for no valid reason.

"The motoring public, they think these people are going somewhere. I know better," said Oelrich, a Republican who has also served as a St. Petersburg cop and Florida Department of Law Enforcement agent. "It's a culture thing, and it needs to be modified."

Key to that cultural revolution is eradicating "the cavalier attitude that this is part of our accepted rite of passage," Oelrich said. "It's got to be a combination of education, training and discipline, and it's got to start at the top."

Police chiefs and sheriffs need to make safe driving a high priority, he said. Word from the top must become "we're going to drive like we expect our citizenship to drive," Oelrich said. "We have to get the supervisors to buy into that, and they've got to enforce it."

So what to do to a cop caught driving 100 mph off duty?

"That's three days off without pay, and the next time it's termination," Oelrich said.

Available technology like GPS devices makes it easy to monitor officers' driving and catch speeders, but few police agencies in Florida now use it.

"It's got to come that we take this seriously," Oelrich said. "It wouldn't be too minor to say it's got to be a movement to make this happen. We are going to drive safely and enforce the laws that we are sworn to uphold."

skestin@tribune.com or 954-356-4510

THREE-PART SERIES

The Sun Sentinel investigated a year's worth of SunPass data for Broward, Palm Beach and Miami-Dade counties and found police speeding is rampant and rarely punished.

Sunday: 90-plus mph is common, even when cops are off duty.

Monday: High-speed cop crashes leave lives in ruin.

Today: Police culture condones speeding.