



**T**here are some words and phrases that 9-1-1 telecommunicators prefer be avoided in the communication center, such as “It sure is quiet today.” Oh no, they used the Q-word!

Another word to avoid is “liability.” Why would one word be so scary? The answer is simple: When it’s used, many believe it’s being used to frighten the telecommunicator. This is far from the truth. Every job in every industry has some type of liability attached to it. The best way to avoid it is to talk about it, learn how to minimize risk and then talk about it some more.

Public safety consists of many different positions that are found in a communication center, and with each position comes some type of liability — more for some and less for others.

In this article, we will look at three types of liability that can impact PSAPs and telecommunicators — criminal, civil and vicarious:

- **Civil liability** refers to responsibility for debts or wrongdoing against another private party. For example, if a telecommunicator fails to advise an officer about the presence of a gun and the officer is killed on the call, the family of the officer — if the state allows it — can file a civil case against the agency and/or telecommunicator.
- **Criminal liability** deals with wrongdoing against society as a whole. It means the person has committed an offense against state criminal codes.
- **Vicarious liability** refers to responsibility placed upon one person for the failure of another with whom the first person has a special relationship, such as a parent and child or employer and employee, to exercise such care as a reasonably prudent person would use under similar circumstances.

If state law permits it, a person can be tried in both a criminal and civil case, and the verdict can be different in each one. The most notorious examples are the trials of O. J. Simpson, who was found not guilty in the criminal case but guilty in the civil case.

Most lawsuits brought about in the 9-1-1 industry are civil cases. Unfortunately, there

are many of these lawsuits in the books today. The influx of these lawsuits is and can be caused by one or more of the following:

- Lack of training
- Lack of standardization (policy/procedures/guidelines)
- Lack of accountability
- Complacency
- Lack of supervision

**Lack of training** is at the forefront of the causes. New-hire training is a must in our industry. We can no longer hire people and allow them to sit in dispatch with the most experienced person for a day or two and expect them to perform at a top level. Without a standardized new-hire training program, agency liability increases.

We’ve come a long way over the years, and now more than ever we need continuing education to keep up with changes and to reinforce the knowledge of each employee. In-service training should be a mandatory requirement in every agency to help minimize liability. Assuring that every employee has the same training across the board and implementing a minimum number of training hours is the start of a good in-service training program.

**Lack of standardization** means that the agency does not hold the actions or inactions of employees to a certain standard. This includes both written policy and procedures that each employee follows as well as national standards. APCO International has been involved in the development of several national standards for public safety communications in the operational, technical and