



# SAFETY SHORTS

General Safety • Highway Departments • Law Enforcement & Corrections

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## **ROAD/HIGHWAY DEPARTMENTS**

By: KC Pawling, NIRMA Road Safety and Loss Prevention Specialist

### **Building Roads Without Breaking Lives**

Every year, counties across the country set up hundreds of work zones to maintain roads, replace culverts, repair bridges, and keep traffic moving. These projects are essential, but they also create some dangerous conditions on our road system. A work zone safety program helps counties protect their employees, contractors, and the public while reducing crashes, injuries, and costly claims.

#### **The Reality of Work Zone Crashes**

Work zone crashes are not rare accidents; they happen every day. National data shows that nearly 900 people were killed in work zones in 2023, and about 850 more lost their lives in 2024. That means, on average, at least two people are killed in work zones every single day across the country.

One important point that is often overlooked: most work zone fatalities are not construction workers. Roughly four out of every five people killed are drivers or passengers simply trying to get where they're going. Work zone safety isn't just a worker issue; it's a public safety issue.

Injuries far outnumber fatalities. Each year, tens of thousands of people are injured in work zone crashes, many with long-term impacts that include missed work, medical costs, and insurance claims. For counties, these crashes can also mean lawsuits, price-of-coverage increases, and damaged public trust.

#### **Why Work Zones Are So Risky**

Work zones change driver expectations. Lanes narrow, shoulders disappear, traffic patterns suddenly shift, and workers and equipment are closer than usual to live traffic. Add speeding, distracted driving, or poor visibility, and the risks increase.

County crews often face added challenges:

- Short-duration or mobile work that's easy to underestimate due to its inconsistency over multi-mile activities.
- Limited staffing or equipment for traffic control.
- Rural roads where drivers don't expect to see work activity.
- Tight budgets and busy construction seasons.

Without clear standards and consistent practices, work zone safety can become reactive instead of planned and that's when serious incidents happen.

### **What a Good Work Zone Safety Program Looks Like**

A strong work zone safety program gives county staff a clear roadmap. It helps ensure that traffic control is planned ahead of time, set up correctly, inspected regularly, and fixed when there's a problem.

Effective county programs include:

- Consistent use of MUTCD-compliant signs, markings, and devices
- Clear expectations for short-term and mobile work, not just long projects
- Regular work zone inspections by supervisors or safety staff
- Training so employees know *why* traffic control matters, not just how to set it out
- Accountability when unsafe conditions are identified

Just as important, a good program supports a safety culture. When crews know the county backs them up on safety decisions, slowing traffic, adding signs, or shutting down a lane when needed, they are more likely to speak up and do the job right.

### **The Payoff for Counties**

Investing in work zone safety pays off in real, measurable ways. Counties with strong programs see:

- Fewer crashes and injuries
- Lower liability exposure
- Better protection for employees and contractors
- Improved compliance with state and federal standards
- Greater confidence from the public

Most work zone crashes are preventable. Good planning, consistent setup, and simple corrective actions can make the difference between a normal workday and a life-changing event.

At the end of the day, work zone safety is about making sure county employees go home the same way they arrive and that the people driving through county projects do too. A strong work zone safety program helps make that happen, every day.

If you need a training scheduled, or just simply want an objective point of view on your safety and training program, you can contact me via email at [kcpawling@nirma.info](mailto:kcpawling@nirma.info) or phone at 402-310-4417.

## **GENERAL SAFETY**

By: Chad Engle, Loss Prevention Manager and Safety Specialist

### **Protecting Counties from ACH and Wire Fraud**

#### **Best Practices and Emerging Scams Every Public Entity Should Know**

Business fraud continues to rise nationwide, and county governments are not immune. In fact, attempted ACH and wire fraud is becoming so common that even individuals are frequent targets. My own father-in-law has experienced multiple attempts by fraudsters to compromise his personal bank accounts, a reminder that these tactics are no longer rare, sophisticated attacks aimed only at large organizations—they are widespread, persistent, and increasingly convincing. For public entities, a single successful attempt can result in significant financial loss and time-consuming recovery efforts, making prevention critical.

Drawing on guidance from the **National Automated Clearing House Association (NACHA)** and fraud prevention experts, the following best practices and scam awareness tips can help counties strengthen controls and reduce risk.

#### **Best Practices to Prevent ACH and Wire Fraud**

##### **Always verify payment changes by phone.**

Before sending funds or changing payment instructions, verbally confirm the request using a previously known and trusted phone number. Never rely solely on email or text messages, even when the request appears legitimate.

##### **Be cautious of new or changed payment instructions.**

Fraudsters frequently request that routine payments be redirected to a “new” account. Treat any change in banking information as high risk until independently verified.

##### **Match payments to legitimate invoices.**

Confirm payment requests align with approved invoices and established vendor relationships. Fraudsters routinely pose as trusted vendors.

##### **Think before clicking links or opening attachments.**

Emails may appear to come from coworkers or vendors but may contain malware or phishing links designed to steal credentials or banking information.

##### **Closely inspect sender email addresses.**

Scammers often use look-alike email domains (for example, “.co” instead of “.com”). Small differences matter.

##### **Never verify requests by replying to email.**

If an email account has been compromised, a fraudster can respond and falsely confirm the request.

### **Watch for urgency and pressure.**

Fraudulent requests often demand immediate action and discourage verification. Urgency is a major warning sign.

### **Limit exposure through strong cyber and financial controls.**

- Use dual approval and multi-factor authentication for electronic funds transfers
- Restrict financial processing to designated computers
- Apply regular security patches and updates
- Deploy enterprise-grade antivirus and intrusion detection tools
- Limit sensitive information shared on social media and public websites

### **Scams Counties Should Watch For**

#### **Business Email Compromise (BEC) and Phishing**

Criminals gain access to an employee's email account and monitor activity (sometimes for lengthy periods of time) before impersonating trusted contacts to initiate fraudulent transfers.

#### **Senior Executive Spoofing**

Employees receive urgent transfer requests that appear to come from county leadership but originate from spoofed or hacked email accounts.

#### **Overpayment Scams**

Fraudsters send a payment for more than the agreed amount and request the excess be wired back. The original payment is later returned as fraudulent.

#### **Vendor Spoofing**

Scammers impersonate known vendors and request changes to banking instructions, diverting funds directly to fraudulent accounts.

### **Final Thought**

Fraud prevention depends on **clear procedures, employee awareness, and a culture that encourages verification over urgency**. Real-world experiences—both personal and professional—show that slowing down and confirming unusual requests remains one of the most effective defenses.

Feel free to contact me with any questions or for training: [chad@nirma.info](mailto:chad@nirma.info)

#### **Source and Credit:**

Adapted from “*Tips for Preventing ACH and Wire Fraud*,” (April 8, 2025) with permission of the author, Jan Sheridan, Vice President – Treasury Management at Union Bank & Trust (UBT).

# **LAW ENFORCEMENT/CORRECTIONS**

By: Todd Duncan, NIRMA Law Enforcement and Safety Specialist

## **Extending Traffic Stops – Understanding and Avoiding the Legal Risks**

A traffic stop is a seizure under the Fourth Amendment. Its duration must be limited to the time reasonably necessary to address the mission of the stop (e.g., traffic violation, license/registration checks, warrants). Extending the stop without independent legal justification is unconstitutional and puts the officer and their agency at risk of potential liability.

As with all constitutional issues, knowledge is power. Being accountable for knowing and adhering to constitutional boundaries allows deputies to make strong cases while minimizing legal liability.

### **Traffic Stop Principles, Straight Out of Case Law:**

- U.S. Supreme Court
  - Deputies may not prolong a traffic stop for unrelated investigative activities (e.g., K9 sniff) absent reasonable suspicion. Even a short extension is unlawful. *Rodriguez v. United States*, 575 U.S. 348 (2015).
  - Deputies may conduct a K9 “sniff” around the vehicle’s exterior during a traffic stop without reasonable suspicion or probable cause, so long as it does not add time to the stop. It must occur during the normal course of the traffic mission. *Illinois v. Caballes*, 543 U.S. 405 (2005).
  - Deputies may ask questions unrelated to the purpose of the stop, so long as they do not measurably extend the stop. *Arizona v. Johnson*, 555 U.S. 323 (2009).
- Eighth Circuit:
  - Expansion of a stop requires reasonable suspicion of additional criminal activity. *United States v. Peralez*, 526 F.3d 1115 (8th Cir. 2008).
  - Any delay of a traffic stop for a dog sniff requires independent reasonable suspicion. *United States v. Englehart*, 811 F.3d 1034 (8th Cir. 2016).
  - Nervousness and travel factors alone are often insufficient without more specific indicators. *United States v. Beck*, 140 F.3d 1129 (8th Cir. 1998).

### **When a Stop May Be Extended**

Law enforcement officers may extend a traffic stop only if they develop independent legal justification, such as reasonable articulable suspicion, probable cause, or consent.

- Reasonable Articulable Suspicion (RAS): specific, articulable facts (not a hunch) indicating criminal activity beyond the traffic violation. For example, inconsistent travel stories, indicators of drug trafficking, presence of contraband indicators. A combination of articulated suspicious facts, rather than one suspicious fact in isolation, is more likely to be deemed constitutionally sufficient.

- Probable Cause (PC): Facts that would lead a reasonable deputy to believe there is a fair probability that evidence of a crime will be found.
- Consent: Voluntary, unequivocal, and not the product of coercion. Must not be obtained through an unlawfully prolonged stop.

### **Common Legal Risks**

- “Mission Creep” – Completing traffic tasks, then delaying to “wait for a K9.”
- Unjustified Delay – Slowing down routine tasks to create time for unrelated investigation.
- Weak RAS Factors – Relying solely on nervousness, out-of-state plates, or travel from a “source city.”
- Post-Completion Questioning – Continuing detention after the purpose of the stop is finished without RS or consent.

### **Practical Steps to Stay Compliant**

- Stay Mission-Focused
  - Promptly conduct license, registration, and warrant checks.
  - Write citations/warnings efficiently and without delay.
- Develop and Articulate Reasonable Suspensions Early
  - Observe and document specific behaviors or indicators as they arise.
  - Avoid relying on generalized or common travel factors alone.
- Parallel Tasks Are Allowed
  - You may conduct unrelated inquiries while completing traffic tasks if you don’t extend the duration of the stop.
- Know the End Point
  - Once the traffic mission is complete, the stop must end unless:
    - You have RAS/PC, or
    - You obtain valid, voluntary consent.
- K9 Deployment
  - Conducting a K9 sniff during the stop is acceptable so long as it does not prolong it.
  - If conducting a K9 sniff will add time, you must have RAS before extending.
- Clear Documentation
  - Write reports that chronologically explain when RAS was developed and what facts supported it.
  - Be prepared to justify every additional minute of detention.
- Seek Consent Properly
  - Ensure the stop is not unlawfully prolonged before requesting consent. Completing the stop and returning the driver’s ID and paperwork before seeking consent is a safe strategy.
  - Document the voluntariness of consent (tone, advisement, lack of coercion). Using body worn cameras, in-car cameras, or written consent forms when obtaining consent is highly recommended.

### **Bottom Line**

If you extend a traffic stop without reasonable suspicion or other legal justification, evidence may be suppressed in a later criminal case against the subject of the stop, and you and your agency could face civil liability for a violation of the Fourth Amendment. Time matters. Justification matters. Documentation matters.

**Stay professional. Stay accountable. Protect the badge.**

***NIRMA Member Officials, Supervisors, and Managers:***

***Have a human resource question or issue? Contact NIRMA's Human Resources Helpline at (866) 896-6423.***

***Have a non-HR legal question or issue? Contact NIRMA's Legal Link at (402) 742-9240 or by email at [legallink@nirma.info](mailto:legallink@nirma.info)***