Michigan Commission on Law Enforcement Standards
Career Development Unit

2025 Visual Acuity Validation for
Michigan Law Enforcement Officers

June 2025

Abstract

The State of Michigan requires all individuals selected as law enforcement officers to meet the medical selection qualifications outlined in Michigan Administrative Code Rule 28.14204. According to licensing standards for Michigan entry-level[1] law enforcement officers, applicants must "possess normal visual functions at a level necessary to perform the job of a law enforcement officer;" however, the standard does not require perfect visual acuity and permits for corrected vision. This current vision acuity standard is supported by the 2018 Job Task Analysis (JTA), previous JTAs, and the essential job functions of a law enforcement officer. The Commission has the statutory responsibility to ensure that the entry standards accurately reflect the contemporary position of an entry-level law enforcement officer.

This report describes the process used to revalidate the Michigan law enforcement visual acuity standard and affirms that Michigan law enforcement applicants must meet this standard as a medical entry-level standard. The result of this 2025 review validates the current visual acuity standard.

Background

The Michigan Commission on Law Enforcement Standards (hereafter referred to as the Commission) is authorized by Public Act 203 of 1965 as amended (hereafter referred to as the Act) to promulgate rules establishing compulsory standards for the selection, employment, and training of law enforcement officers in Michigan. The Act authorizes the Commission to develop reasonable "minimum standards of physical, mental, and character fitness that govern the recruitment, selection, appointment, and certification of law enforcement officers." The Act requires the Commission to establish standards for the employment and training of law enforcement officers. These include non-medical standards such as education and character fitness, and medical standards such as physical fitness and vision. The Commission grants law enforcement licensures to those who meet all entry-level standards and are employed and compensated as fully empowered law enforcement officers by a bona fide law enforcement agency in Michigan. The diverse governing body of the Commission consists of twenty-three members appointed to a term of office by the Governor or by virtue of the position they hold as prescribed in the Act and in Executive Order 2020-121.

In the early 1970s, the Commission (formerly known as the Michigan Law Enforcement Officer's Training Council) created medical standards for law enforcement officers, including the existing visual acuity standard. In support of the Act, the Commission promulgated Mich. Admin. Code R. 28.14204(a), which refers to "normal visual functions." The vision standard considers that certain levels of corrected vision are acceptable, and it is entrusted upon medical professionals, such as optometrists, to determine what is accepted as "normal visual functions" (Mich. Admin. Code R. 28.14204).

The Commission issued the first visual acuity validation report in 2013. In 2024, staff initiated a rigorous review of the visual acuity standard at the direction of the Commission and due to public inquiry.

[1] Entry-level refers to persons entering a Michigan law enforcement position by means of the basic police academy, a pre-service recruit, or the recognition of prior basic training experience program."

Validation Process

Within the context of this report, *validity* and *validation* refer to the process and the evidence collated to ensure the visual acuity standards align with the demands of the essential job functions of an entry-level patrol officer. To confirm the job-relatedness of these standards, data must be collected and evaluated. The Commission conducted JTAs in 1979, 1996, 2006, and 2018. These JTAs identify the essential job tasks of entry-level law enforcement officers using a data-driven approach reflecting the evolution of the profession over time.

2013 Validation Report

The Commission used the data from the 2006 JTA to aid in the publishing of the 2013 Visual Acuity validation report. The 2006 JTA asked 3,200 officers to rate the frequency of job tasks to determine their importance. This evaluation found that officers rated the ability to visually identify and respond swiftly as a highly critical job function.

The Commission staff agreed to the following guiding principles for the 2013 Visual Acuity standard validation process to ensure a quantitative and a qualitative validation process:

- Examine the essential job tasks of patrol officers in Michigan
- Consult with optometry experts and specialists
- Review of professional literature
- Explore standards used by other states and similar professions
- Examine emerging legal issues and relevant court precedent

Based on the 2013 JTA and the above methodology, optometry experts advised that the existing visual acuity standard for entry-level law enforcement officers was valid and reasonable. No changes to the testing methods were recommended.

Lastly, Commission staff evaluated the testing methods and standards for visual acuity with the Americans with Disabilities Act and considered legal issues and court precedent. In 2013, Commission staff found that the evidence-based medical standards, including the existing visual acuity standard, have legitimate connectivity between the medical specifications and the essential job functions of the law enforcement officer profession.

2025 Validation Report

Similar to the 2013 validation report, Commission staff agreed to the following guiding principles for the 2025 validation process to ensure a quantitative and qualitative validation process:

- Examine the essential job tasks of entry-level law enforcement officers in Michigan as they exist today (2025)
- Consult with optometry experts and specialists
- Review of professional literature
- Explore standards used by other states and similar professions
- Examine emerging legal issues and relevant court precedent

The 2018 JTA process utilized survey and analysis methods similar to the 2006 JTA. The survey of 2,940 officers identified core and non-core tasks. The JTA identified core tasks with a

"statewide significance," considering their frequency and criticality and whether the tasks were considered entry-level.

The 2018 JTA identified 305 tasks as essential job tasks in the performance of law enforcement duties. Upon evaluating the 305 job tasks, the Commission associated 135 tasks (44%) with visual acuity as part of law enforcement duties. Although the job tasks do not explicitly mention the need to "see clearly," normal near and far visual acuity is essential to perform these 135 tasks effectively. Some examples include:

Job Task 21: Search fire debris for evidence related to the cause of the fire.
Job Task 107: Identify wanted vehicles or persons.
Job Task 112: Participate in large-scale area search parties.
Job Task 193: Discharge firearm in reduced light levels.

Understanding Essential Job Tasks of a Law Enforcement Officer

The ability to accurately identify, process, and respond to visual information is critical to performing daily law enforcement tasks. Law enforcement officers must meet a high visual acuity standard to carry out their job tasks as prescribed by the 2018 JTA. Officers are tasked with documenting and providing precise descriptions of their observations and actions. While officers often have time to assess and interpret information, some situations demand quick decisions based on limited visual information. These high-pressure moments may involve life-or-death decisions, where the inability to see and interpret crucial details can lead to delayed actions or poor judgment.

Visual acuity impacts the ability to properly identify, collect, and photograph evidence, complete detailed reports, and effectively testify in court. Additionally, visual acuity impacts critical law enforcement job functions, largely in situations that involve complex or immediate reactive decision-making.

Decision-Making

"Making the right decisions is at the core of many of the heated discussions present in the law enforcement field today" (King, 2017). Visual acuity is a critical component for individuals to make a good decision. Visual acuity involves more than simply seeing with clarity. Clear observation impacts visual perception. An individual's visual perception is the ability to take visual information and make sense of that information (Mańkowska et al., 2015 & Dichairo, 2024). Whereas visual perception and visual acuity are distinctly different aspects of vision; they are tightly related aspects of vision. Dichairo (2024) states that "having poor vision can make other aspects of visual perception more challenging." People with visual acuity less than 20/20 vision increase their chances of inaccurately processing visual information. Other factors such as low-light environments, high-stress situations, high-speed driving, and the need to make an expeditious decision exacerbate this issue (Blake, n.d. and Louis, 2016).

Reaction Time

When a delay occurs in transmitting visual stimulus to the brain, the efficiency of the response is diminished, leading to a prolonged reaction time. Ranalli (2019) breaks down

reaction time into three components: 1) seeing what is happening, 2) interpreting what is happening and selecting a response, and 3) sending a signal to the body to physically react. Moving through these various steps hampers the reaction to the actions of others. Low visual acuity further impairs reaction times. Research conducted by the National Research Council Committee (2002) concluded that "acuity is clearly a factor in real-world orientation and mobility." According to Lennie & Van Hemmel (2002), visual acuity of less than 20/40 in the better eye, reduces response to everyday objects such as road signage and obstacles in the roadway. The American College of Occupational and Environmental Medicine (ACOEM, 2016), provides guidance for medical providers who evaluate public safety employees (e.g., law enforcement officers) and applicants.

The ACOEM conducts comprehensive evaluations of existing research to produce medical qualification recommendations for medical providers. Accordingly, the ACOEM guide states that "vision is critical to the safe and effective performance of many law enforcement officer job functions" (Louis, 2016). Additionally, the ACOEM advises that law enforcement driving, especially in emergency response situations, is more visually demanding than that of a commercial vehicle operator (Louis, 2016). Therefore, if commercial vehicle operators are permitted to have corrected vision of 20/40 in each eye, then higher standards are needed for law enforcement officers (Louis, 2016). Various studies uncovered the following:

> LEOs [Law enforcement officers] with vision worse than 20/20 appear to make significantly more errors in these [shoot/no shoot decisions, recognizing faces, identifying license plates, and weapons vs. non-weapons] situations, especially in dim light when more critical decisions are more likely to occur. For example, in dim light, correct identification of a potential weapon less than 6 feet away in officers with 20/20 vision was found to be less than 80%; with 20/60 vision it dropped to less than 40%. Similarly, LEOs with distant vision better than 20/20 made less than 10% errors in shoot/no shoot scenarios – in the 20/20 to 20/25 range, the error rate was less than 15%; in the 20/32 to 20/40 range, it was more than 20%; and at less than 20/60 was about 30%. (Louis, 2016)

Bona Fide Occupational Qualification

Being a law enforcement officer is a visually demanding occupation. Law enforcement officers must complete essential job tasks with minimal to no aid from others. The licensed law enforcement profession requires a high level of independent function, especially in critical moments. The Commission identified 44% of the essential job task functions in the 2018 JTA as requiring normal visual acuity. Thus, the Commission has determined that the ability to meet a minimum standard of visual acuity is reasonably necessary to carry out the job functions of a law enforcement officer within the normal operations of a law enforcement agency.

To the extent that visual acuity is protected by state and federal law, Equal Employment Opportunity laws provide a narrow exception for a *bona fide occupational qualification* (BFOQ). A BFOQ allows an agency to consider an otherwise prohibited characteristic—such as sex,

religion, national origin, or other factors—if it can demonstrate that such criteria are an essential qualification for performing a particular job function (Society of Human Resource Management, 2021). The Commission substantiates that a minimum standard of visual acuity is essential for performing the job function of a law enforcement officer.

The Commission's visual acuity standard requires corrected or uncorrected 20/20 vision. Therefore, the current standard accommodates for applicants to use prescription lenses to achieve 20/20 vision.

Issue

The Commission's review of the entry-level law enforcement officer visual acuity standard addresses the validity of the Michigan Administrative Code Rule 28.14204. The methodology for this review includes open-source information, individual contact with Commission counterparts in each state, peer-reviewed journals and periodicals, federal regulations, and consultation with the Commission's subject matter experts of optometry, Doctors Mark Swan and Avesh Raghunandan from Ferris State University.

The research addresses current visual acuity tests, visual acuity standards for law enforcement throughout the United States, the impact visual acuity has while performing essential law enforcement functions, and court decisions.

Understanding Visual Acuity

Vision is crucial for law enforcement officers' survival and their ability to effectively perform their duties for the public. Visual acuity, or the clarity of vision, is crucial for performing daily tasks such as identifying objects or people and handling detailed work like fingerprinting or reading computer screens. Normal visual acuity is necessary for both near-vision and far-vision tasks.

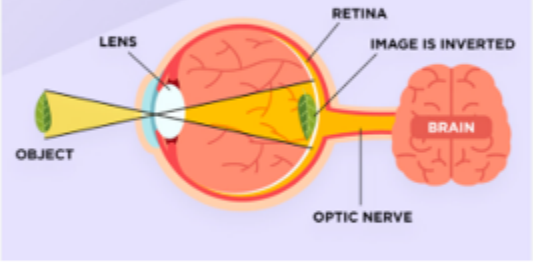
Near-vision tasks include but are not limited to, the fine-detail work needed to search for small particulates or trace evidence, dust for fingerprints, or read a computer screen. Far-vision tasks include high-level overview work such as recognizing and identifying people and their facial expressions or objects at various distances and documenting a broad perspective. When visual acuity is impaired, the ability to resolve critical details, properly document, identify evidence, and tactically respond in a sound and safe way to situations is compromised.

Visual acuity results from light passing through various parts of the eye (Figure 1), including the cornea, lens, and retina, before the brain processes it into images (National Eye Institute, 2022). The cornea bends the light, causing it to refract. Depending on where the refracted light hits the retina, visual acuity issues can arise. For example, nearsightedness (myopia) refers to a condition where a person sees near objects clearly, but distant ones appear blurry (National Eye Institute, 2023). Conversely, farsightedness (hyperopia) describes a condition where a person sees far objects clearly, but near ones seem blurry (National Eye Institute, 2023). Both are common light refractive errors, occurring when light focuses either in front of or behind the retina instead of at its center (National Eye Institute, 2020).

Other common light refractive errors that impact vision include astigmatism, which can make near and far objects appear blurry, and presbyopia, which occurs with age and causes nearby items to look blurry (National Eye Institute, 2020). In Figure 2, light is refracting and hitting different parts of the retina to demonstrate the different types of refractive errors.

Figure 1

Anatomy of Refractive Errors



Source: Oscar Wylee. (2025) How does the human eye see? https://www.oscarwylee.com.au/glasses/eye/how-does-human-eye-see

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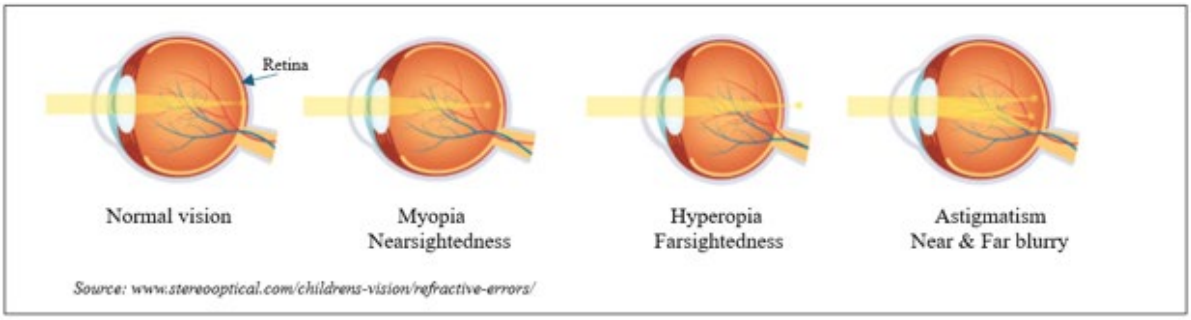
Normal vision occurs when light hits the center of the retina, creating a clear image. When a person has normal visual acuity, the layperson's term "20/20 vision" is often used. "20/20 vision" means that a person can see clearly what the average person can see when standing 20 feet away from a prescribed object or eye chart (Vimont, 2022). If a person has 20/40 vision, this means the person can see objects 20 feet away, whereas a person with normal vision can see the same object 40 feet away (Vimont, 2022). Inversely, 20/15 vision means a person can see an object 15 feet away, whereas a person with normal vision can see that same object 20 feet away, making 20/15 vision better than 20/20 vision (Vimont, 2022).

Figure 2

Types of Refractive Errors



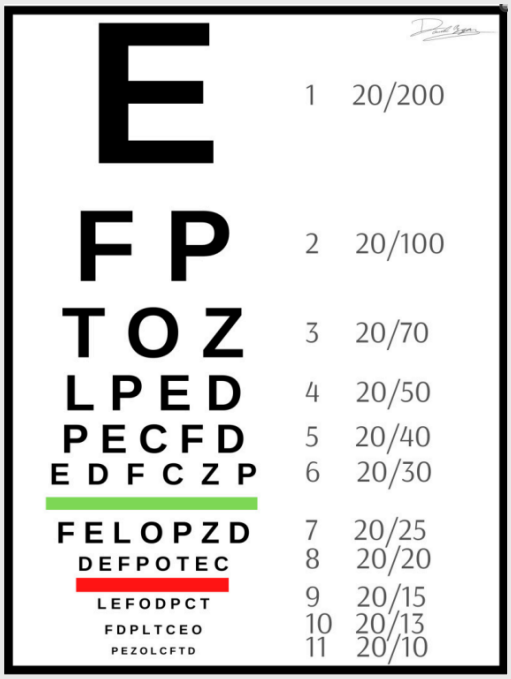
Current Vision Acuity Testing

The current visual acuity standard set under Michigan Administrative Code Rule 28.14204 states that an entry-level Michigan law enforcement officer must:

> Possess normal visual functions at a level necessary to perform the job of a law enforcement officer as determined by complying with the provisions of this subdivision. All vision testing shall comply with the test manufacturer's specifications and protocols. The following determinations of compliance with this standard may be made by a licensed optometrist.
>
> (i) Far visual acuity complying with 1 of the following:
>
> a. Acuity in each eye is uncorrected at 20/20 or better.
>
> b. Acuity in each eye corrected to 20/20 or better.
>
> (ii) Near visual acuity at a range of 10 to 20 inches complying with 1 of the following:
>
> a. Acuity in each eye is uncorrected at 20/20 or better, with a reduced Snellen equivalent.
>
> b. Acuity in each eye corrected of 20/20 or better, reduced Snellen equivalent.

Figure 3

Snellen Eye Chart for Visual Acuity Testing



Caltrider, D., Gupta, A., & Tripathy, K. (2024, May). *Evaluation of visual acuity*. [Photograph]. National Library of Medicine. https://www.ncbi.nlm.nih.gov/books/NBK564307/

Figure 3 is an example of a Snellen Eye Chart used for distance and near visual acuity. These charts are calibrated to be equivalent to 20/20 vision. The Snellen Chart is the most recognized visual acuity test where both eyes are tested together and individually (Caltrider et al., 2024). Standardized visual acuity charts comprise letters of varying sizes, with the largest letter sizes at the top row, which decrease progressively and systematically in size toward the bottom row. The standard distance for testing is 20 feet or 6 meters, and a recommended luminance of 80 to 320 cd/m2 (Azzam et al., 2023). The applicant is positioned to stand 20 feet from the chart and directed to read the smallest line without correction.

For the testing of entry-level law enforcement applicants, each eye is individually tested for visual acuity at a distance and near with and without prescription lenses. First, the applicant reads the chart without corrective lenses. Then, they may use corrective lenses, if they have a prescription, and did not receive a score of 20/20 visual acuity. If the applicant does not have a prescription for corrective lenses, they can obtain an eye examination and prescription lenses, if appropriate, and then take the test again. If the applicant cannot achieve corrected 20/20 visual acuity, their application is denied.

Studies on Visual Acuity Standards

The International Association of the Directors of Law Enforcement Standards and Training (IADLEST) issued a research paper on the various visual acuity standards within the United States (Fink, 2024). Fink (2024) provides a historical look at the establishment of visual acuity standards. In a 1984 California Commission on Police Officers Standards and Training (POST) vision-related job task analysis that ultimately identified “17 relevant visual skills” necessary for law enforcement officers to conduct the essential functions of a patrol officer (Goldberg et al., 1994). The 17 relevant visual skills located in Figure 4 received critical ratings from law enforcement officers as “important” or higher, highlighting the need for patrol officers to possess this set of visual abilities (Goldberg et al., 1994). During the same time as the California POST study, the State of Arizona produced eyesight acuity demonstration photographs (Figure 5) complementing the California POST study (Fink, 2024).

Figure 4

17 Relevant Visual Skills for Law Enforcement Officers

1. Dark Adaptation
2. Identify Objects
3. Color Discrimination
4. Identify Large Forms
5. Dynamic Near Acuity
6. Dynamic Far Acuity
7. Static Far Acuity
8. Color Identification
9. Fine Details / Various Light Conditions
10. Peripheral Vision
11. Motion Detection
12. Pursuit (smooth following of moving target)
13. Accommodation (eye-focusing ability)
14. Light Adaptation
15. Depth Perception (eye alignment)
16. Glare Tolerance
17. Glare Recovery

The Commission conducted additional research relating to the 17 relevant visual skills previously identified by the California POST study. The Commission's findings validate the correlation between visual acuity and various job-related skills, highlighting their significant impact on one another.

Figure 5

Eyesight Acuity Demonstration

Source: Fink, W. (2024, December). *Basic information about eyesight acuity standards and law enforcement.* https://www.iadlest.org/news/magazine

In a 1993 study, the National Safety Council described the importance of visual skills in highly demanding visual occupations. These skills include accommodation, depth perception, oculomotor balance (eye alignment), and peripheral vision (Ladou, 1993). Dr. James Sheedy described law enforcement as a visually demanding occupation and states, "Police officers need a minimum level of visual acuity for proper observational skills and intense driving requirements" (Ladou, 1993, p. 197).

In a 2010 study published in *Optometry and Vision Science,* the researchers discovered that fine motor skill tasks benefit from both good sensory and motor fusion (depth perception) and visual acuity in both eyes (O'Connor et al., 2010). Additionally, having some degree of binocular vision is beneficial compared to the absence of fusion, especially when performing specific sensorimotor tasks (O'Connor et al., 2010). O'Connor et al. (2010) identified a statistically significant relationship between visual acuity in the weaker eye and the variation in visual sharpness between the two eyes related to performance on motor skill tasks.

In 2015, Wood et al. discussed the impact of low lighting, blur, and the ability to identify pedestrians crossing a roadway. According to the findings, small amounts of blur, as little as

20/40 vision, had a "significant detrimental impact" on identifying a pedestrian in low-light situations at various distances (Wood et al., 2015). The study found that participants (18-30 years old) experienced a significant decline in object recognition performance as the level of blur increased (Wood et al., 2015). This suggests that the participants were not impervious to nighttime vision blur simply due to youthfulness.

In a 2015 study, Mańkowska et al. described "the visual system as the most complex sensory system which is engaged in creating feedback that dominates the other sensory systems." Mańkowska et al. (2015) evaluated the impact of visual perception, reaction time, and movement anticipation on athletic performance, which has many parallels to law enforcement performance. The "sense of sight gathers as much as 80% to 90% of all human sensory information," therefore, researchers place high importance on visual perception as a factor that influences athletic performance (Mańkowska et al., 2015). Whereas this study focused on visual perception (the brain's ability to interpret and make sense of what the eyes see), reaction time, and movement anticipation, there is a strong correlation between visual acuity and visual perception. According to Hyvarinen (1999), "abnormal visual information [low visual acuity] leads to changes in visual perception."

In 2022, Woo and Song studied the effects of visual acuity and eye-hand coordination. Specifically, they studied the impact of eye disease, diminished visual acuity, and eye-hand coordination. Findings included that diminished visual information due to reduced visual acuity negatively affects eye-hand coordination and arm-hand dexterity which negatively affects the ability to perform tasks requiring eye-hand coordination and arm-hand dexterity (Woo & Song, 2022).

Janicijevic et al. (2022) examined the reaction time performance of military personnel and active university students, focusing on the relationship between physical skills and visual acuity. Findings revealed that students who performed well on the visual tests demonstrated faster reaction times especially in shoot/don't shoot scenarios (Janicijevic et al., 2022). Furthermore, the contrast between military personnel and students highlighted that individuals that are unfamiliar with a task tended to rely more heavily on their visual skills (Janicijevic et al., 2022). This supports the importance of maintaining high vision standards, especially for officers who frequently operate in unfamiliar and unpredictable environments.

Visual Acuity Standards in the United States

Law enforcement agency visual acuity standards vary throughout the United States. 20/20 vision is typically the desired visual acuity by the top 20 largest police agencies in the United States. The World Atlas ranked the largest law enforcement agencies in the United States, and the Commission compiled research regarding visual acuity for these agencies (Kershner, 2020).

Of the 20 largest agencies (Figure 6), 11 require a corrected vision of 20/20 for law enforcement officers. Seven agencies mandate a minimum corrected vision of 20/30, while only two agencies accept corrected vision as low as 20/40. In terms of uncorrected vision, the majority of the agencies do not accept less than 20/100 visual acuity. Among the 20 agencies, visual acuity standards are established by local police departments in 13 instances and by state regulatory bodies in the remaining seven.

Figure 6

The Largest Police Departments in the United States

Rank	Police Department	Full-Time Sworn Officers	Visual Acuity Corrected	Visual Acuity Uncorrected
1	New York (NY) Police	36,008	20/30	20/100
2	Chicago (IL) Police	11,965	20/20	20/40
3	Los Angeles (CA) Police	9,870	20/30	20/70 20/40 in the better eye
4	Philadelphia (PA) Police	6,031	20/40 weaker eye 20/20 binocular	20/200 20/70 in better eye
5	Houston (TX) Police	5,203	20/20	20/100
6	Washington (DC) Metropolitan Police	3,712	20/30	20/100
7	Dallas (TX) Police	3,408	20/20	20/100
8	Miami-Dade (FL) Police	2,723	20/30	20/100
9	Phoenix (AZ) Police	2,689	20/30	20/100
10	Las Vegas (NV) Metropolitan Police	2,566	20/20	
11	Baltimore (MD) Police	2,524	20/20	20/40
12	Nassau County (NY) Police	2,462	20/40	
13	Suffolk County (NY) Police	2,385	20/30	20/100
14	San Francisco (CA) Police	2,356	20/30	20/100
15	Detroit (MI) Police	2,250	20/20	
16	San Antonio (TX) Police	2,244	20/20	20/100
17	Boston (MA) Police	2,099	20/20	20/100 20/25 in better eye
18	Memphis (TN) Police	2,012	20/20	20/100 20/30 in better eye
19	Honolulu (HI) Police	1,962	20/20	20/40
20	Milwaukee (WI) Police	1,879	20/20	20/100

Court Cases

In 1990, the Iowa Supreme Court, *Hollinrake v. Law Enforcement Academy,* addressed the issue of visual acuity as a disability. The plaintiff, Hollinrake, was denied certification as a police officer by an Iowa law enforcement academy because his visual acuity did not meet minimum standards. The visual acuity standard required applicants to have no less than 20/100 uncorrected vision in both eyes and corrected acuity of 20/20 in both eyes. Hollinrake raised two pertinent arguments in response to this standard.

First, he questioned the wording of the standard and the necessity of 20/20 vision in “both eyes.” Second, he argued that this standard violated the Iowa Civil Rights Act of 1989, similar to the Americans with Disabilities Act of 1990. The Iowa Supreme Court ruled:

1.) The wording for the visual acuity standard may be vague, permitting two interpretations of the standards; however, the 20/20 requirement in both eyes is a rational requirement because proper depth perception and reserved vision are necessary in the event of injury in one eye in the performance of law enforcement duties.
2.) The Law Enforcement Academy did not violate the Iowa Civil Rights Act because Hollinrake did not fit the definition of "disabled." Hollinrake was not substantially limited in his ability to obtain satisfactory employment because of his low visual acuity.

In 1999, the United States Supreme Court addressed low uncorrected visual acuity and whether it is a disability. In *Sutton et al. v. United Air Lines*[2], the plaintiffs were commuter pilots and applied for a commercial pilot position with United Air Lines. The plaintiffs were advised that they were disqualified for the position.

The plaintiffs sued, claiming a violation of the Americans with Disabilities Act in that United Air Lines discriminated against them because of their disability. The United States Supreme Court ruled:

1.) Even though plaintiffs suffered from a physical impairment, their impairment did not "substantially limit" major life activities. The plaintiffs were permitted to fly commuter planes within United Air Lines; therefore, their vision impairment did not limit the significant life activity of working.
2.) Because United Air Lines did not regard the plaintiffs as substantially limited in performing a class of jobs or a broad range of jobs in various classes, the Americans with Disabilities Act did not apply.

In 2004, the Michigan Supreme Court case, *Peden v. City of Detroit,* addressed the essential job functions of law enforcement officers. Although this case does not directly mention visual acuity, the case specifically addresses the need for law enforcement officers to meet standards and are required to be able to comply with essential job functions identified by state law. In *Peden v. City of Detroit*, the City of Detroit dismissed Officer Allan Peden after the Detroit Police Department compiled a list of Essential Job Functions of Law Enforcement Officers that was modeled after the law enforcement governing body, the Michigan Law Enforcement Officers Training Council (now known as MCOLES).

Peden had a severe heart attack years prior and was limited to mostly clerical duties and had been in the Crime Analysis Unit at the time of his dismissal. In this case, Peden claimed a violation of the federal Americans with Disability Act 42 U.S.C. §§ 12101-12213 (ADA) and the Michigan Persons with Disabilities Civil Rights Act (MCL 37.1101 et seq). The Michigan Supreme court in *Peden v. City of Detroit* (2004) ruled:

1.) Under the ADA, Congress stated that the employer will be given the ability to make decisions as to what are essential functions of a job, and if the essential job functions

[2] Sutton was superseded in part by a subsequent amendment to the ADA, which now states that the "determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as ... medication."

were developed prior to interview, then the description would be evidence of essential functions of the job (42 USC 12111(8)).

2.) Michigan law defined the essential functions and job functions of law enforcement officers under MCL 28.601 *et seq.* now under Public Act 203 of 1965 as amended. Therefore, an essential job function list existed at the time of employment.

3.) Under the Equal Opportunity Employment Commission (EEOC), an essential job function is not limited to tasks an employee conducts on a regular basis. Rather, essentiality exists if there are a limited amount of people who can perform that function, the job position exists because of that duty, and/or the function is highly specialized.

4.) Peden held the title Police Officer and Michigan laws define the essential duties of a police officer; therefore, the City of Detroit was not in violation of ADA, EEOC or other violations by terminating Peden.

Conclusion

Law enforcement is a visually demanding profession. Having normal visual acuity is critical not only for the safety of Michigan licensed law enforcement officers and the public, but also for effectively performing core job functions. Commission staff identified 44 percent of the core job tasks in the 2018 JTA as requiring normal visual acuity to successfully perform those tasks. Furthermore, 19 of the 20 largest police agencies in the United States recognize normal visual acuity as an essential standard for law enforcement officers.

Court precedent has clearly addressed the claims of discrimination regarding the visual acuity standard for law enforcement officers:

- Visual acuity is a bona fide occupation qualification and is an exception under the Equal Employment Opportunity laws.
- Essential job functions clarifying job expectations, i.e. normal visual acuity, are not a violation of the Equal Employment Opportunity laws.
- Visual impairments related to refractive errors do not qualify as a disability in that they do not “substantially limit” major life activities.

Commission staff have thoroughly evaluated the current visual acuity standard and testing protocols. Based on the objective review and evaluation, it is recommended that the current visual acuity standard be maintained and no alterations to the standard or the testing protocols be made at this time.

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