

- D. Preventable Crash or Injury: A crash or injury shall be deemed preventable when the member/operator failed to observe agency policy, procedures, or training, and/or failed to exercise due caution or appropriate defensive driving or trained defensive tactics.

IV. PROCEDURES:

A. Training

1. The department will provide on-going training to all employees on accident and injury prevention. The Annual Analysis of Accidents and Injuries described in Section E of this order shall be reviewed to identify the training needs of the department.
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B. Accident Review Board Authority and Responsibilities

1. This agency's Accident Review Board (ARB) shall be responsible for conducting administrative reviews and/or hearings regarding agency motor vehicle crashes and on-duty personal injuries of agency personnel.
2. The ARB is responsible for reviewing all aspects of these incidents and identifying causative and/or contributory factors, where possible. The ARB shall serve in an advisory capacity only, using this agency's chain of command to present findings and make recommendations to the Chief of Police. The ARB may draw conclusions concerning whether the accident or injury was preventable but may not recommend discipline or other personnel action.

C. Board Composition

1. The ARB shall consist of at least three and not more than five voting members as determined and selected by the Chief of Police. Three voting members are required to establish a quorum.
2. The board shall be chaired by a senior supervisor or command-level officer for a period designated by the Chief of Police. The chairperson shall be responsible for establishing board-operating procedures, where not otherwise specified in this policy, subject to the approval of the Chief of Police. The chairperson shall ensure that all personnel under review are provided with current operating procedures of the ARB.
3. The ARB chairperson may appoint a nonvoting board coordinator on a permanent or temporary basis for the purpose of processing departmental motor vehicle crash and injury reports, scheduling cases for review or hearing, and processing disposition reports, among other tasks.
4. Any member of the ARB who does not feel capable of making an impartial decision in each case because of a conflict of interest with individuals involved or for other reasons shall request replacement for purposes of that specific case review.

5. The ARB chairperson has the authority to call members of this agency to testify at board hearings or to provide written statements necessary for board review.
6. Recommendations of the ARB shall be made by a simple majority vote.

D. Reporting and Investigating Motor Vehicle Crashes and Injuries.

1. Unless incapacitated, employees are responsible for immediately notifying communications or their supervisor of any motor vehicle crashes, and any personal injury sustained while on duty. Communications shall notify the on-duty patrol supervisor and the watch commander.
2. Supervisors shall be responsible for ensuring that crash investigations are conducted by persons with appropriate traffic investigation training. The supervisor will also investigate and complete any necessary worker's compensation forms needed for treatment or immediate reporting of an injury.
3. Where feasible, the supervisor, any accident investigators, and the involved officer(s) shall file reports on departmentally approved forms within 24 hours of a crash or injury occurrence.
4. The supervisor shall prepare a memorandum to the Chief that shall include the following information:
 - a. Details of the accident or injury and contributory factors to the crash or injury.
 - b. Statements of witnesses.
 - c. Name and insurance information on involved drivers and others involved in a crash, and the nature/seriousness of injuries and/or property damage.
 - d. A statement as to whether the supervisor believed the member's injury or crash was "preventable" or "non-preventable"—as defined by this policy—with documentation supporting those conclusions.
 - e. Any recommendations that would help prevent similar crashes in the future.
5. ARB Proceedings
 - a. The ARB shall convene as soon as practicable or as directed by the Chief of Police following an agency-involved motor vehicle crash or reportable injury for hearings and/or deliberations.
 - b. The board may consider investigative reports submitted from agency personnel and/or statements of witnesses. The board's findings will be classified as preventable or non-preventable.
 - c. As soon as possible after completing its review, the ARB shall submit a preliminary written report of its findings, conclusions, and recommendations to the involved officer(s), through the chain of command to the Chief of Police. Such recommendations may include but are not limited to the following:
 - i. remedial or refresher training,

- ii. modifications or evaluation of equipment; and
- iii. modifications or review of agency policy, procedures, training, or tactics.

d. The Chief of Police may order an internal investigation if policy or procedure were violated.

6. Appeal Procedures

- a. Officers may appeal findings and recommendations of the ARB regarding preventable crashes or injuries by submitting a written appeal to the Chief of Police within five days of the issuance of its preliminary report. Appeals must be accompanied by a written statement specifying points of disagreement with, or perceived oversights in, board findings, and/or provide additional information not previously considered that may bear on the board's findings and recommendations.
- b. Where uncontested within five days or when otherwise unmodified, the preliminary report of findings of the ARB shall be considered final.
- c. The Chief of Police will notify the employee of his or her decision by memorandum within ten days of receipt of their appeal.

7. Remedial Action

In addition to any other disciplinary measures taken by the department for a violation of policy, the department has the options listed below that can be applied to personnel involved in crashes:

- a. Members of the department that have a preventable vehicle crash may be required to undergo additional training, take a defensive driving course, or undergo other corrective measures.
- b. More than four vehicle crashes in any five- year period may result in termination for failure to perform basic job functions in a safe manner.
- c. Members of the department who have repeated preventable injuries may be terminated due to inability to perform basic job functions in a safe manner.

E. Annually the assigned supervisor shall conduct an analysis of all accidents and injuries and make any recommendations for training, equipment, or policy changes needed to reduce employee motor vehicle accidents resulting in property damage and/or personal injuries. The report with its recommendations will be forwarded to the Chief of Police for review and any action necessary.