

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

EMPLOYEE-INVOLVED VEHICLE COLLISION REVIEW COMMITTEE
SUBJECT

DATE: March 10, 2009

NO: T-3

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: **Accident Committee**
Police Vehicle Accident Committee

I. POLICY

- A. It is the policy of the Stockton Police Department to review the circumstances of vehicle collisions involving on-duty police department employees operating a city vehicle.

II. DEFINITIONS

- A. Employee-Involved Vehicle Collision
1. Any employee working for the Stockton Police Department who is involved in a vehicle collision as prescribed in General Order T-2.
- B. Vehicle Collision Committee
1. The Vehicle Collision Committee will consist of five sworn department members who will serve at the discretion of the Chief of Police.

III. VEHICLE COLLISION COMMITTEE

- A. Committee Purpose
1. The purpose of the Vehicle Collision Committee is to review the circumstances and cause of all employee-involved vehicle collisions and to determine their classification.
- B. Committee Composition
1. Committee composition shall be as follows:
 - a. Lieutenant, Traffic Section, or designee (Chair)
 - b. Sergeant, Traffic Section, or designee
 - c. Police Officer, Investigations Division
 - d. Police Officer, Field Services Division (Field Training Officer)
 - e. Police Officer, Personnel and Training Section (driver trainer)

III. ROLES AND RESPONSIBILITIES

- A. The Vehicle Collision Committee will be responsible for:
1. Reviewing all employee-involved collisions.
 2. Maintaining records of:
 - a. The classification of reviewed collisions.
 - b. A three-year history of employee collisions.
 3. Quarterly reporting of all employee-involved vehicle collisions.

- B. The Division Commander will be responsible for the review of all chargeable employee-involved vehicle collisions to ensure proper investigation, documentation, classification, taking action or making recommendations for disciplinary and/or training actions when appropriate.

II. PROCEDURE

A. Vehicle Collision Review Committee

1. The Vehicle Collision Review Committee shall convene monthly.
2. Each committee member will receive copies of the collision report and any supportive documents or photographs prior to the scheduled meeting.
3. Every employee involved in a vehicle collision reviewed by the committee will be notified of the time and place of the meeting a minimum of five days in advance. PD Form 1603 will be used for this purpose.
4. Each collision report shall be reviewed, and the involved party given an opportunity to be heard, prior to a ruling by the committee. The appearance of the employee is not mandatory, unless otherwise directed by the Chairperson.
 - a. Only two members of the collision committee, chosen by the Committee Chairperson, will take part in the questioning of an employee appearing before the committee.
5. After reviewing the collision investigation (CHP 555) and interviewing witnesses, if any, the committee will determine one of the following classifications regarding the employees involvement:
 - a. Chargeable – The collision could have been prevented.
 - b. Unpreventable – The collision could not have been prevented.
 - c. Hazard of the Job – The collision was either chargeable or unpreventable, but in view of the facts, the action taken was consistent with the proper procedure.
 - d. Legal Intervention – An intentional act designed to prevent the escape and/or effect the arrest of a suspect.
 - (1) Upon a determination of Legal Intervention, the Vehicle Collision Committee will refer the collision investigations packet to the Use of Force Committee for review.
6. If the committee determines an employee's vehicle collision was chargeable, the Chairperson will forward such findings in a packet to the employee's Division Commander. The packet will include the following information:
 - a. A memorandum outlining the findings of the Committee.
 - b. A copy of the collision investigation (CHP 555).
 - c. A copy of the employee's three-year accident history.
7. The Vehicle Collision Committee Chairperson will ensure the committee's disposition of each collision is documented in the employee's three-year accident history file to include the following information:
 - a. The employee's name and identification number
 - b. The date of the collision.
 - c. The DR number assigned to the collision.

- d. The employee's activity prior to the collision.
 - e. The determination of the Vehicle Collision Committee.
8. The Vehicle Collision Committee Chairperson will ensure that the City Risk Manager receives information on all collisions found to be chargeable to include:
- a. A memorandum outlining the findings of the Committee.
 - b. A copy of the collision investigation (CHP 555).
 - c. A copy of the applicable Supervisors Report of Accident
9. The Vehicle Collision Committee will prepare a quarterly report to the Chief of Police listing the preceding quarter's employee-involved vehicle collision reviews and their classifications.
- B. Division Commander
- 1. The employees Division Commander will review the Vehicle Collision Committee's completed packet to ensure completeness.
 - 2. In instances requiring formal review and/or investigation, the Division Commander will forward the packet to the Internal Affairs Section for follow-up.
 - 3. The Division Commander will make a determination relative to any violations of policy present in the collision and, in those cases requiring formal action, a recommendation for appropriate discipline.
 - 4. Cases requiring formal action shall be referred with a recommendation for discipline to the Chief of Police through the Commander's chain of command.
 - a. The Chief of Police will review the recommendation of the Division Commander. Upon approval, depending on circumstances of the case, final disciplinary action will be taken by the Chief's Office or referred back to the Division Commander for disposition.
- C. Internal Affairs Section
- 1. The internal Affairs Section shall conduct an investigation of employee-involved collisions referred by the Chief of Police or the Division Commander.
 - 2. After discipline as a result of an employee-involved vehicle collision is imposed, the Internal Affairs Section will document the discipline received by entering it in the employee's disciplinary history file.