



San Diego Community College District Police Department Policy and Procedures

1.13 POLICE EQUIPMENT ACCIDENT PROCEDURES

EFF. 10/01/19

I. PURPOSE

This Department procedure establishes guidelines for investigating police equipment accidents.

II. SCOPE

This procedure applies to all members of the Department.

III. BACKGROUND

All traffic collisions involving on-duty College Police personnel or Department vehicles will be investigated by College Police personnel. A field supervisor will be dispatched to oversee all police equipment accident investigations and will prepare a written report of their conclusions on the Supervisors Vehicle Accident Report Form. The immediate supervisor of the driver involved should be assigned to respond to the scene whenever possible. This form should be forwarded to the Fleet Safety Sergeant within 48 hours of the collision.

IV. DEFINITIONS

A. Fleet Safety Sergeant

The Chief of Police shall designate a Fleet Safety Sergeant who will be responsible for reviewing police equipment accidents, determining preventability and classification of accidents, maintaining records, and providing information to the fleet safety committee.

B. Fleet Safety Committee

The Chief of Police shall appoint a Fleet Safety Committee consisting of one police lieutenant, one supervisor from the Northern Command and one supervisor from the Southern command. The fleet safety committee shall serve as an accident review and

appeals board.

C. Police Equipment Accident

Any accident resulting from the operation of a Police Department vehicle, or involving a District vehicle if operated by a Department member, if injury results or if damage results to the vehicle or other property.

D. Preventable

One in which the driver was at fault, or where utilizing defensive driving techniques could have prevented the accident..

E. Non-Preventable

One in which the driver was not at fault, or one that could not have reasonably been prevented by use of defensive driving techniques and the circumstances of the situation.

F. No-Vehicle Accident

1. One in which the cause of damage was an intentional act or vandalism. Damage resulting from an intentional act, such as intentionally ramming a vehicle into another, or malicious mischief as defined in the Penal Code, is not an accident.
2. Damage that results from other than the operation of the vehicle. For example, a parked vehicle is struck by a tree limb or a golf ball.

V. **REPORTING PROCEDURES**

A. The San Diego Community College Police employee upon being involved in a vehicle collision will immediately notify the College Police Dispatch Center of the collision. The member will provide the dispatcher with detailed information including the following:

- 1 Location of collision;
2. Number of vehicles and/or pedestrians involved;
3. Injuries, if any;
4. Any additional information requested by the dispatcher.

The dispatcher will promptly notify the member's supervisor to report to the location of the collision for the appropriate administrative investigation. Normally, College Police personnel will investigate all non-injury collisions. However, collisions resulting in injuries should be done by the appropriate agency having jurisdiction of the area where the collision occurred.

B. A supervisor will assign an officer to conduct the Traffic Collision Report.

C. The supervisor will then complete the following reports:

1. Injury/illness report, if required;
2. Workman compensation forms, if there are injuries, issuing pink copy to employee;
3. Property, Damage & Loss (PDL) report;
4. Fax copies of the accident, injury, and occupational illness investigation reports to Risk Management.

All reports must be completed and submitted to RISK MANAGEMENT WITHIN 24 HOURS OF INJURY.

VI. ACCIDENT INVESTIGATION

A. All traffic collisions involving on-duty Police Department personnel or Police Department vehicles will be investigated.

1. Accidents involving injury will be investigated by the San Diego Police Department Traffic Division.
2. Accidents involving major property damage or occurring during the course of a police pursuit will be investigated by the San Diego Police Department .
3. Accidents involving only minor damage to property other than property owned by the San Diego Community College District shall be investigated by an on-duty College Police officer.
4. Non-injury accidents involving damage only to San Diego Community College District property or vehicles will be investigated by a College Police officer.
5. Accidents occurring in jurisdictions other than the City of San Diego will be investigated by the responsible police agency.

- B. In addition to the formal accident investigation, the immediate sergeant of the employee involved in the traffic collision will be dispatched to oversee all College Police equipment accident investigations. If the employee is not assigned to a sergeant then the immediate on-duty sergeant or acting sergeant will be dispatched. The sergeant or acting sergeant will establish facts necessary to determine the preventability and classification of the accident and prepare a written report of his/her conclusions.

VII. ACCIDENT REVIEW

- A. The Fleet Safety Sergeant will review each accident report to determine whether it was preventable, non-preventable, or no vehicle accident. The Fleet Safety Sergeant will determine whether it was a preventable accident that falls under Category 1, 2, or 3. This shall be an administrative procedure separate from the field investigation. All accidents will be reviewed within ten (10) working days after the date of occurrence.
- B. If an accident is determined to be non-preventable, the Fleet Safety Sergeant will forward the Supervisors Vehicle Accident Report Form to the Fleet Safety Lieutenant/Chief and the Chief of Police, who will review and sign the form as "Department Head." The completed form will be returned to the Fleet Safety Sergeant for recording in the employee's driving file. The Fleet Safety Sergeant will notify the employee's immediate supervisor of the non-preventable finding.
- C. If the accident is determined to be preventable, the Fleet Safety Sergeant will forward a copy of all reports, including the 3. If the accident is determined to be preventable, the Fleet Safety Sergeant will forward a copy of all reports, including the Supervisors Vehicle Accident Report Form, to the driver's immediate supervisor. The category of the accident, as determined by the Fleet Safety Sergeant, will be listed on the form. Preventable accidents will be classified as follows:
1. Category 1 - an accident that occurred because of misjudgment of clearance, or failure to drive defensively.
 2. Category 2 - an accident that occurred because the employee was negligent and/or violated District or Departmental rules, policies and procedures, or violated any section of the California Vehicle Code, except for those violations noted in Category 3.
 3. Category 3 - an accident that occurred because the employee was under the influence of alcohol and/or illegal drugs to any degree, or who flagrantly, willfully, or deliberately disregarded safety.

Upon receiving a preventable accident report, the driver will have an opportunity to submit a written request for an appeal within ten (10) days. The request should specify whether the driver is appealing the preventability or the category of the finding. The driver should provide any additional information, which would support his/her appeal.

The written rebuttal, along with all reports, will be returned to the Fleet Safety Sergeant for a second evaluation and modification, if appropriate, after considering any new information that has been provided.

If no changes are to be made, the involved member shall be so notified and will have (10) days to submit a written request for a hearing before the Fleet Safety Committee, via the second level supervisor (Lieutenant). The written request shall contain a statement of the basis for the appeal. The member may appear in person before the Fleet Safety Committee at the member's option. The determination of the Fleet Safety Committee is final.

Once the determination of preventability and category have become final, either by agreement of the member, expiration of appeal time, or determination of the Fleet Safety Committee, the package will be returned to the member's immediate supervisor for disciplinary recommendation. The supervisor shall recommend appropriate discipline and forward the recommendation through the Regional Lieutenant to the Chief of Police.

Any disciplinary action taken will be initiated by the Chief of Police and will be processed in accordance with normal disciplinary procedures, including a Skelly hearing when required.

VIII. DISCIPLINARY GUIDELINES

- A. Preventable vehicle accidents are grounds for disciplinary action. All disciplinary action for preventable vehicle accidents shall be administered in accordance with District Rules and Procedures.
- B. The Chief of Police shall impose discipline which may include retraining, written warning or reprimand, suspension, or termination, depending on the circumstances, category of the accident and previous discipline. The Chief may also consider the member's past accident record, the number of miles regularly driven by the member, the severity of the accident, and the potential for significant injury or property damage.
- C. Generally, more severe disciplinary measures will be reserved for category 3 accidents or multiple category 1 or 2 accidents occurring within a three year period.

- D. Failure to report a police equipment accident in accordance with Department procedures is grounds for disciplinary action.

IX. SUPERVISORY GUIDELINES

- A. Supervisors are expected to monitor the driving of their subordinates, ensure the safe operation of police vehicles, and to take appropriate action when unsafe practices are observed. Supervisor are expected to:
1. Train employees who drive District vehicles in Department and District policies and procedures.
 2. Ensure that an employee knows how to safely operate each type of District vehicle the employee drives.
 3. Investigate and take appropriate action on a reported unsafe District vehicle or vehicle accident.
- B. Vehicle Code violations and/or violations of established safety procedures committed by members while on District business, not resulting in an accident, shall be addressed by supervisors and may be cause for disciplinary action when observed by a supervisor or sustained by investigation of a complaint or citation.
- C. When any supervisor believes a member has a physical impairment or deficiency, which affects his/her ability to operate any vehicle, the member's supervisor shall be notified. The supervisor will report the member's condition to the Regional Lieutenant for appropriate action and evaluation.

X. TRAINING

Sworn personnel receive on-going Emergency Vehicle Operations Center (EVOC) training through Advanced Officers Training (AOT), conducted by SDPD's In-Service Training Unit.