


LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Effective Date</i> November 11, 2015		<i>Amended Date</i>		<i>Directive</i> 4.05.1	
<i>Subject</i> Accident and Injury Prevention					
<i>Reference</i>			<i>Approved</i>  Chief of Police		
<i>Distribution</i> All Personnel City Manager City Attorney	<i>TPCA Best Practices Recognition Program Reference</i> 4.10		<i>Review Date</i>		<i>Pages</i> 4

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to provide the authority and operating procedures for review of agency motor vehicle crashes and personnel injuries.

SECTION 2 POLICY

Motor vehicle crashes involving agency vehicles present serious risks to agency personnel and the public. They also cause considerable financial loss due to injury, loss of manpower, vehicle damage, and possible tort liability. Personnel injuries result in lost time, and in the pain and suffering of our personnel. It is the department's responsibility to minimize these incidents through training, policy development, and review of incidents for compliance with policy. The department will utilize a review process for evaluating crashes and injuries in order to determine cause and to institute corrective and preventive actions where needed. The reviews and hearings concerning these crashes and injuries shall be conducted according to policy and procedures established herein.

SECTION 3 DEFINITIONS

- A. **Motor Vehicle Accident:** For purposes of this policy, a motor vehicle crash is any collision of a vehicle owned by or assigned to this agency with another vehicle, stationary object, or person that results in property damage (regardless of amount) and/or personal injury.
- B. **Personal Injury:** For purposes of this policy, a personal injury is any injury to a member of this department that results in immediate or subsequent treatment by a physician, in lost work time, or one requiring reporting under workers' compensation rules.
- C. **Non-preventable Crash or Injury:** A crash or personal injury shall be classified as non-preventable when it is concluded that the member/operator exercised reasonable caution to prevent the crash or injury from occurring and observed applicable agency policy, procedures, and training.
- 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.

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SECTION 4 PROCEDURES

A. ACCIDENT REVIEW BOARD AUTHORITY AND RESPONSIBILITIES

1. The department'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 Accident Review Board is responsible for reviewing all aspects of these incidents and identifying causative and/or contributory factors, where possible. The Accident Review Board 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 Accident Review Board may draw conclusions concerning whether the accident or injury was preventable or non-preventable but may not recommend discipline or other personnel action.

B. BOARD COMPOSITION

1. The Accident Review Board shall consist of at least three (3) and not more than five (5) voting members as determined and selected by the Chief of Police. Three (3) 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 of time 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 Accident Review Board.
3. The Accident Review Board chairperson may appoint a non-voting 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 Accident Review Board who does not feel capable of making an impartial decision in a given 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 Accident Review Board 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 Accident Review Board shall be made by a simple majority vote.

C. POLICE FLEET ACCIDENTS INVESTIGATION AND REPORTING

1. Unless incapacitated, employees are responsible for immediately notifying communications or the on-duty supervisor of any motor vehicle crash and personal injury sustained while on duty. Communications shall notify the on-duty supervisor immediately.
2. All police fleet accidents will be investigated and reported according to Directive 7.12.1, Lancaster Police Department General Order Manual.

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D. ACCIDENT REVIEW BOARD PROCEDURES

1. The Accident Review Board 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.
2. 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.
3. As soon as possible after completing its review, the Accident Review Board shall submit a preliminary written report of its findings, conclusions, and recommendations to the officer(s), through the chain of command to the Chief of Police. Such recommendations may include but are not limited to the following:
 - a. remedial or refresher training;
 - b. modifications or evaluation of equipment; and
 - c. modifications or review of agency policy, procedures, training or tactics
4. The Chief of Police may order an internal investigation if department policy or procedure were violated.

E. APPEAL PROCEDURES

1. Officers may appeal findings and recommendations of the Accident Review Board regarding preventable crashes or injuries by submitting a written appeal to the Chief of Police within five (5) 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.
2. Where uncontested within five (5) days or when otherwise unmodified, the preliminary report of findings of the Accident Review Board shall be considered final.
3. The Chief of Police will notify the employee of his or her decision by memorandum within ten (10) days of receipt of their appeal.

F. ANNUAL REVIEW

1. Annually the Operations Division Assistant Chief of Police shall conduct an analysis of all accidents and on-duty personal injuries and make any recommendations for training, equipment or policy changes that are needed to reduce employee motor vehicle accidents and on-duty personal injuries. The report with its recommendations will be forwarded to the Chief of Police for review and any action necessary.

G. TRAINING

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1. All employees will receive safety training as applicable based on the findings of the annual accident and injury review report and recommendations or upon discovery of a trend or problem requiring immediate notification.
2. All employees will complete accident and injury prevention training once every two (2) years.

H. SCOPE OF RESPONSIBILITY

1. All members of the department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.