

PALM BEACH GARDENS POLICE DEPARTMENT		
CRASHES INVOLVING CITY VEHICLES		
POLICY AND PROCEDURE 4.2.3.22		
Effective Date : 09/17/13	Accreditation Standards: CALEA 26.1.4 CFA 11.02 b, c	Review Date: 09/01/2016

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PURPOSE: To establish guidelines for handling motor vehicle crashes involving department members operating city owned vehicles, vehicles leased/rented by the city, and other vehicles operated by any member of the police department for official business, excluding personally owned vehicles.

SCOPE: This policy and procedure applies to all members.

REVIEW RESPONSIBILITY: Assistant Chiefs

POLICY: The department will fully investigate all crashes involving city vehicles, vehicles leased/rented by the city, and other vehicles operated by any member of the police department for official business, excluding personally owned vehicles (member owned vehicle crashes occurring in the city will be investigated as for any other citizen). Appropriate corrective action will be taken when a crash is caused by the negligence, carelessness or recklessness of a member.

PROCEDURES

1. INVESTIGATION AND REPORTING

- a. Any crash involving a city vehicle operated by a member of the department and occurring within the city limits shall be investigated in accordance with the requirements of applicable Florida law.
 - i. If a city vehicle is involved in a minor crash with no injuries, the shift Sergeant or his/her designee shall conduct the investigation. The designee can be a department traffic officer. The Sergeant may request PBSO or FHP to conduct the investigation when there are conflicting drivers' statements and no independent witnesses or when an independent investigation would be in the best interest of the department.
 - ii. If a city vehicle is involved in a crash involving injuries, PBSO will be requested to conduct the investigation. If PBSO is unavailable, FHP will be requested to conduct the investigation.
 - iii. In the case of a crash involving serious bodily injury and/or death, a department Traffic Homicide Investigator will conduct a parallel investigation.
 - iv. The shift Sergeant shall notify Risk Management and Public Works at the time of occurrence, and the member's immediate supervisor will be notified as soon as practical. If the crash involves injury, the appropriate Assistant Chief and Bureau Major will also be notified.
 - v. It shall be the responsibility of the member's immediate supervisor to forward a copy of the crash report through the chain of command to the appropriate Assistant Chief for review. A copy will also be

forwarded to Risk Management.

2. DISCIPLINARY GUIDELINES

- a. Crashes shall be classified by the degree of negligence/carelessness on the part of the member, if any, as minor, serious or extreme/complete-disregard.
 - i. A minor violation is a crash caused by slight negligence or carelessness on the part of the member and that does not have the potential for serious injury, e.g., backing slowly into a pole.
 - ii. A serious violation is a crash caused by greater negligence or carelessness on the part of the member and which has a potential for serious injury or damage, e.g., a crash caused by speeding or inadvertently running a red light.
 - iii. An extreme/complete-disregard violation is a crash caused by driving a vehicle in a reckless or irresponsible manner or with gross disregard for the safety of persons or property or with willful abuse of authority on the part of the member.
- b. Disciplinary action for crashes involving negligence, carelessness or recklessness/abuse of authority on the part of the member shall be cumulative for all crashes occurring within the two-year period preceding a crash. The level of discipline will be based on the number of accumulated “points” within that two year period, including the points assigned for the current incident.
 - i. One point will be assigned for each of the first two minor violations within the two-year period, two points for each subsequent minor crashes/violations during the same period.
 - ii. Three points will be assigned for each serious violation within the two year period.
 - iii. Seven points will be assigned for each extreme/complete-disregard violation occurring within the two year period.
 - iv. The actionable guidelines by total points for violations are:
 1. One point: Corrective action.
 2. Two points: Corrective action or Written reprimand.
 3. Three points: Written reprimand or 1 day suspension.
 4. Four points: 1 day suspension.
 5. Five points: 3 day suspension
 6. Six points: 5 day suspension
 7. Seven or more points: 10 day suspension up to termination.
 - v. When a range is provided in the actionable guidelines, factors that may be considered in selecting discipline within that range include, but are not limited to: the egregiousness of the current or previous violations, number of previous crashes involving the member, and the severity of the crash including actual and potential injury or property damage.
 - vi. An member may also receive a traffic citation (or citations) or may be charged with a crime for any violations involved in the crash. The receipt of a citation or being charged with a crime is a matter between the member and the courts and shall not be considered as a mitigating or aggravating factor in deciding discipline for the crash itself.
- c. The Assistant Chiefs are jointly responsible for initiating and facilitating the review of crashes involving city vehicles while being driven by department members. Upon reviewing the crash reports, facts of the incident and any prior crashes involving the member during the preceding two years, the Assistant Chiefs may make a recommendation of discipline to the Chief of Police.

3. GLOSSARY

City Vehicle: Any vehicle owned by the city, any vehicle leased or rented by the city, and any vehicle operated by a department member for official business, excluding vehicles personally owned by department members.

Corrective Action: A form used to document a problem or area of concern involving a member that is minor in nature and may be addressed through some form of training and/or policy review. The form contains a statement of the problem and steps to prevent a reoccurrence. It is non-disciplinary and the form is placed in the members training file for evaluation purposes. Subsequent violations may lead to disciplinary action.

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APPROVED:

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