

TITLE: AUTOMOBILE CRASH REVIEW

CODIFIED: 96.1
EFFECTIVE: 07/23/04
RESCINDS/AMENDS: G 28
PAGES: 3

PURPOSE

The purpose of this Directive is to establish the Crash Review Committee, to provide guidelines for administrative review of auto crashes involving Santa Fe Police Department vehicles, and to recommend non-disciplinary preventive measures intended to reduce future accidents.

DISCUSSION

The Santa Fe Police Department recognizes the value of reviewing all automobile crashes, which involve vehicles belonging to the City of Santa Fe. Review of these automobile crashes shall be accomplished to fairly evaluate the root cause of crashes and to maintain special integrity towards Department personnel and the public.

POLICY AND PROCEDURE

CRASH REVIEW COMMITTEE

96.1.01 The crash review Committee shall be comprised of the following Police Department personnel:

- A. Patrol Captain
- B. Administrative Captain
- C. Training and Recruiting Sergeant
- D. Support Services Lieutenant
- E. Department Defensive Driving Instructor

96.1.02 Any committee member that has a conflict of any kind will excuse themselves from that particular review and a replacement will be named by the Chief of Police or designee.

RESPONSIBILITY OF THE CRASH REVIEW COMMITTEE

96.1.03 The Crash Review Committee shall convene on as-needed basis, which will be determined by the number and frequency of crashes involving Santa Fe Police Department vehicles.

96.1.04 The committee is established for the purpose of review of crash information submitted by investigators, and as such, is not an investigative body. This review process may include, but is not limited to the following:

- A. Statements obtained from principals involved in the crash, witnesses to the crash, and persons charged with investigation of the crash.
- B. Reports submitted by insurance adjusters, to include findings of fact or opinions based upon areas of specific expertise.
- C. Reports submitted by other experts such as a Crash Reconstructionist or Lab Technicians.
- D. Reports submitted by mechanics based upon fact and/or specific areas of expertise.
 - 1. Expert opinion and information shall be admissible in these causes due to the possibility of facts coming to light that were not immediately apparent during the crash investigation.
- E. Committee members may seek out clarification regarding the accident or specific facts related to the crash by requesting a written response to address concerns, or through an interview to address concerns.
 - 1. Clarification will be limited to information obtained from persons who have direct knowledge of the crash, or those who have verifiable expertise in an area directly related to the facts surrounding the crash.
 - 2. The review committee shall not hear direct testimony while impaneled to review a crash case.

96.1.05 The committee shall review every auto crash, which involves a Santa Fe Police Department vehicle. **EXCEPTION:** Should a crash occur in which the employee involved, and the employee's supervisor agree on summary disciplinary/corrective

action , the crash need not be reviewed by the Crash Review Committee.

96.1.06 Upon review of the facts, reports, statements, and other available information, committee members shall rule the crash as preventable, non-preventable, and/or mitigating or aggravating factors present.

- A. The findings shall be submitted, in writing, to the Chief of Police.
- B. In the event there is no clear majority, all information will be referred to the Chief of Police for ruling on the case.

96.1.07 The Chief will review all cases submitted. He/she may concur with, or overrule the committee. The Chief of Police maintains the right of review and final decision on all cases.

DUTIES OF DEPARTMENT PERSONNEL

96.1.08 An outside agency will be required to investigate all automobile crashes involving Santa Fe Police Department vehicles.

96.1.09 The employee’s supervisor will complete the Supervisor’s Crash Report and any other required forms as outlined in the City of Santa Fe Safety Manual.

- A. All forms must be turned in to the Chief’s office within 24 hours of the crash during the regular work week, or in the case of a weekend, the following Monday for routing and dissemination of copies.
- B. Copies of the Supervisor’s Report, the outside agencies crash report and crash diagram along with all other pertinent forms must be routed to the Crash Review Committee, via the office of the Chief of Police.
- C. The immediate supervisor and employee involved in chargeable auto crashes shall develop, document, and submit a written plan to address:
 - 1. Prevention of future accidents;
 - 2. Specific instructions to assist the employee in preventing reoccurrence, and/or;
 - 3. Plan for necessary retraining.

96.1.10 Employees who are involved in a crash while in control of a Santa Fe Police Department vehicle are responsible for all duties relating to crashes, as outlined in the Safety Manual.

96.1.11 The employee’s supervisor will be responsible for recommending any corrective/disciplinary action in accordance with Directive 27.1 entitled “Disciplinary Procedures”.

RIGHTS OF DEPARTMENT PERSONNEL

96.1.12 Personnel who are involved in automobile crashes shall retain all rights and privileges as determined by the City of Santa Fe Human Resources Department, applicable Personnel Rules and Regulations, and any applicable collective Bargaining agreements.

96.1.13 Appeals made by department personnel or their supervisors must be in writing and shall be addressed to the Chief of Police. In cases where the Chief of Police rules in favor of the appeal, the Chief may direct the committee to reconvene in order to address the areas brought up on appeal.

NOTE: *For further guidance and direction relating to safety rules and regulations for operation of city owned vehicles, refer to the Safety Manual, which is provided to all City Employees during new employee orientation.*

GLOSSARY


AGGRAVATING CIRCUMSTANCES – Those circumstances which add significantly to the severity of a case such as operation of a city vehicle while under the influence of an intoxicant or narcotic; extreme negligence; disregard for state statutes which outline due regard for safety while operating an emergency vehicle; and injury to any party resulting from acts described in this paragraph.

CORRECTIVE ACTION – Action taken by a supervisor to correct behavioral or performance problems before making a recommendation for disciplinary action

DISCIPLINARY ACTION – Formal, written recommendation for negative sanctions against an employee for violation of law, ordinance, policy, procedure, rule or regulation.

MITIGATING CIRCUMSTANCES – Such that does not constitute a justification or excuse of the offense in question, but which, in fairness and mercy, may be considered an extenuating or reducing degree of moral culpability. Circumstances that tend to lighten the severity of a case such as minimal damage (dollar amount), absence of injuries, road or weather condition, safety issues, and/or conditions beyond the control of the involved employee.

DRAFTED (awm) 07/03 Revised (njb) 07/06, Revised (amb) 07/09

APPROVED: 
Aric M. Wheeler,
Chief of Police

Date: July 08, 2009