

FLAGLER COUNTY SHERIFF'S OFFICE

Sheriff James L. Manfre

Departmental Standards Directive



TITLE:	AGENCY VEHICLE CRASHES
NUMBER:	61.16
EFFECTIVE:	10/15/2011
RESCINDS/AMENDS:	08/31/2011
STANDARDS:	23.01

Discussion

The Flagler County Sheriff's Office promotes the safe operation of vehicles, whether in routine duties or when engaged in emergency operations. It is the policy of the Flagler County Sheriff's Office to convene a Traffic Crash Review Board when deputy sheriffs, detention deputies, or civilian members, authorized to operate a Sheriff's Office vehicle, are involved in any type of motor vehicle crash. The purpose of the Traffic Crash Review Board will be to review all facts and circumstances related to the crash, assess points based on the adopted crash matrix, and forward their findings to the Chief of Operations for review and recommendations to the Sheriff.

General

It shall be the responsibility of each member to operate Flagler County Sheriff's Office vehicles efficiently, maintain the vehicle, and drive the vehicle in observance of all rules of the road in order to reduce the likelihood of traffic crashes or injury.

Definitions

Safe Driving: A driver who has not had any vehicle crashes or incidents, determined to be their fault, which has caused damage to Flagler County Sheriff's Office vehicles (marked, unmarked, or leased vehicles) per calendar year.

Minor Crashes: Crashes usually described as fender benders and include parking lot crashes, crashes where your vehicle backs into fixed objects like poles or other automobiles, or crashes involving minor scrapes. Generally, a minor crash is one in which there appears to be no possibility of injury and all vehicles involved are drivable.

Moderate Crashes: Crashes that involve more substantial damage in which any involved vehicle is not drivable and there is bodily injury to any of the involved parties.

Serious Crashes: Crashes involving suspected or obvious bodily injury or complaint of injury such as bleeding laceration or broken bones, or any crash where a party had to be removed from the scene and taken to a hospital or where death resulted.

Traffic Crashes or Damage to Agency Vehicles

1. Florida Highway Patrol shall investigate all serious crashes involving Flagler County Sheriff's Office vehicles. The squad supervisor, watch commander, or their designee may investigate moderate to minor crashes. It shall be the responsibility of the on duty patrol supervisor to determine the seriousness of the crash for the purpose of this policy.
2. In cases where Florida Highway Patrol is working the crash, the supervisor will ensure that a copy of the crash report is obtained and forwarded to the Flagler County Sheriff's Office.

Crash Investigation

3. Serious crashes are to be investigated by Florida Highway Patrol.
4. Flagler County Sheriff's Office vehicle crashes that occur outside of Flagler County should be investigated by Florida Highway Patrol or the law enforcement agency having jurisdiction. The on-duty supervisor and claims adjuster will be notified immediately.
5. In the case of a minor traffic crash in which there is no noticeable damage and there are no injuries or complaints of injuries, the member's supervisor or their designee involved will complete a Crash Report and take photographs.

Actions Taken at Traffic Crash Scenes

6. Members involved in traffic crashes with a Flagler County Sheriff's Office vehicle will not issue a summons nor make an arrest of the driver of the other vehicle for a traffic violation. This will be the responsibility of the agency completing the investigation.
 - a. In cases where the driver or passenger of the Flagler County Sheriff's Office vehicle actually observes the other driver committing a traffic violation, which is a contributing factor or causes the crash, the driver/passenger of the Flagler County Sheriff's Office vehicle shall appear in court and testify as needed.
 - b. Members involved in traffic crashes shall make no statements regarding the traffic crashes to anyone including the media. The exceptions to this case are the investigating deputy, officer, trooper, or the member's immediate supervisor, and claims adjuster.

Member Reporting and Notification Requirements

7. Members shall perform the following actions when involved in an agency traffic crash:
 - Report the traffic crash immediately to Communications.
 - Check on the welfare and safety of the parties involved.
 - Notify their immediate supervisor and Watch Commander as soon as possible.

- Complete a detailed “Police Damage Report” of the facts surrounding the crash and review it with their immediate supervisor, and forward the report to Records.
- In the case of a minor traffic crash with no injury, and where the vehicles are drivable, the vehicles should be safely removed from traffic lanes and parked out of travel lanes or on the shoulder to await the on-duty supervisor.

Vehicle Crash Repairs

8. If minor vehicle damage occurs to the Flagler County Sheriff's Office vehicle, the member's supervisor will determine if it is still operative. If extensive damage is done to the Flagler County Sheriff's Office vehicle, Fleet Maintenance will arrange for repairs. Fleet Maintenance will follow-up on the status of the vehicle.

9. If an adjuster needs to see the vehicle, Fleet Maintenance will advise the deputy when to have the vehicle at Operations so it can be looked at.

10. If the vehicle is taken out of service and/or needs to be towed, the vehicle is to be delivered directly to the designated receiving facility. A key is available from Communications for after hour delivery. In this situation, Fleet Maintenance will obtain the estimate and notify the SHARP adjuster of the vehicle's location.

11. Spare vehicles, when available, will be on hand for use during the deputy's shift in the absence of their issued vehicle and may be taken home if member is scheduled to be on duty the next day.

Notifications

12. Communications will notify the following agencies/individuals, as necessary:

- Department of Emergency Services, if ambulance and/or fire trucks are needed.
- Supervisor responsible for the involved member.
- Watch Commander.
- The appropriate investigating agency.
- The Sheriff or designee, all Division Directors, and all Watch Commanders in traffic crashes involving personal injury or death.
- In the case of a moderate to serious crash, Fleet Maintenance will be called immediately.

Claims Adjuster Notification

13. Auto crashes involving major property damage, injury, or potential injury should be reported immediately.

14. Crashes involving damage to FCSO vehicles shall be reported. It is not necessary to report minor dings/dents and glass breakage unless it involves another vehicle.

- Chuck Dodd (Call all three numbers, leaving a message if there is no answer.)

- 386/673-3396
 - 386/676-0856
 - 386/843-2777
- If no response from Chuck Dodd within 15 minutes, contact George Letchford
 - 727/744-2146
 - It is the Watch Commander or the Shift Supervisor's responsibility to ensure the Claims Adjuster has been notified.

Responsibilities

15. The immediate supervisor will be responsible for the following:

- Responding to the scene.
- Checking on welfare of member and citizens.
- Checking for the possibility of any conflict of interest in the traffic crash investigation. For example, when a driver of any vehicle involved in the traffic crash is closely related to the investigator. Should such a conflict exist, the Watch Commander shall be notified immediately.
 - Obtaining Police Vehicle Damage Report from involved member.
 - Obtaining a copy of the Traffic Crash Report from the investigating agency (short form).
 - Obtaining photographs of the crash scene, including photographs of vehicle damage and the scene surroundings.
 - Reviewing the reports with the Watch Commander.
 - Making arrangements for urine/blood samples to be collected from driver of Flagler County Sheriff's Office vehicle at crashes involving personal injury, death, or significant property damage if drugs and alcohol are suspected to be involved, per Police Benevolent Association Contract and Florida State Statute 316.1933.
 - Ensuring that no conflict of interest exists in the investigation.
 - Verifying that notification of the Sheriff or designee, and the Administrative Division Director were made.
 - Ensuring the traffic crash report is received by the Flagler County Sheriff's Office.
 - Making recommendations to the Crash Review Board, if applicable.
 - Assisting Claims Adjuster on scene, if appropriate.

16. Fleet Maintenance will be responsible for the following:

- Convene the Traffic Crash Review Board.
- Notify our vehicle insurance agent (HUNT) within twenty-four (24) hours with all pertinent information concerning any traffic crash.
 - Notify member when insurance adjusters have cleared vehicle, or damage estimates received, and vehicle is ready for repairs.
 - Do any follow-up notifications that may be required through our carrier or any other party's carrier and ensure that all billing has been directed through the insurance carrier.
 - Prepare a periodic status report for administrative review reporting active and closed cases.

- Fleet Maintenance will notify the on call claims adjuster who will respond to the crash site to evaluate the scene and protect the interest of the Flagler County Sheriff's Office. (Any damage over \$1,000.00 will require an adjuster to see the vehicle prior to the vehicle being repaired.)

- Maintain all records of crashes.
- Prepare purchase orders to have repairs completed and forward them to the Finance Unit after obtaining administrative approval.

17. Records shall be responsible for forwarding copies of all Flagler County Sheriff's Office traffic crash and vehicle damage reports to Human Resources and Fleet Maintenance.

18. Finance shall be responsible for the following:

- Receipt of insurance money.
- Disbursement and maintenance of the outside vehicle reimbursement fund. The money will remain in this fund until repairs are completed.

Traffic Crash Review Board

19. The Flagler County Sheriff's Office Traffic Crash Review Board will investigate all traffic crashes and all police vehicle damage. The review board will determine the fault of the member involved and report their findings and recommendations to the Sheriff or his designee.

20. The Traffic Crash Review Board consists of three (3) members:

- A member from Fleet Maintenance
- A member of the Traffic Unit (a senior deputy or a supervisor)
- A member chosen by the member being reviewed
- An alternative member must be available, if needed.

21. The board will not have set meeting dates, but will convene within thirty (30) days of the member's crash, providing all information and reports are available to the board.

22. The recommendations by the Traffic Crash Review Board are based on the facts and circumstances of the traffic crashes.

23. Flagler County Sheriff's Office members involved in a traffic crash or incident, which causes damage to Flagler County Sheriff's Office vehicles, may be subject to disciplinary action.

Responsibilities of Crash Review Board

24. The Crash Review Board will determine if the crash was preventable or non-preventable.

- Non-preventable: The board will dismiss with no further action assigned
- Preventable: The board will assess points based on the crash matrix

25. Normally the board will assess 1-3 points per crash. The board may assess 1-8 points per

crash depending on the severity of and/or injuries that occurred at the time of the crash.

Points

26. Points will be accumulated over a period of 24 months starting on the date of the deputies, detention deputies, or civilian member's first crash after effective date of this policy. A record of all crashes will be on file with Fleet Maintenance.

Points Assessment Matrix

<u>27. Assessed Points</u>	<u>Discipline</u>
1 - 3 points	Oral consultation or written reprimand, remedial driver training.
4 - 6 points	Written reprimand, remedial driver training, 3-5 days loss of take home vehicle.
7 - 9 points	Written reprimand, remedial driver training, 6-10 days loss of take home vehicle, 1-3 day suspension without pay.
10 - 12 points	3-5 day suspension without pay, 30 day loss of take home vehicle, or up to dismissal.

Crash Matrix

28. **Single Vehicle Crash:** To include but not limited to: backing, sideswiping, running over objects, leaving roadway, driving into, off road use.

\$0 - \$500	1 point
\$501 - \$1,000	2 points
\$1,001 and over	3 points

A crash involving serious injury or death, extensive property damage, or the total loss of a patrol vehicle, the board may assess from 1-8 points per crash.

29. **Two (2) or more involved vehicles:** To include, but not limited to, backing, sideswiping, running over objects, leaving roadway, driving into, off road use. (Dollar figure for all vehicles involved.)

\$0 - \$1,500	1 point
\$1,501 - \$3,000	2 points
\$3,001 and over	3 points

a. A crash involving serious injury or death, extensive property damage, or the total loss of a patrol vehicle, the board may assess from 1-8 points per crash.

30. The board reserves the right to assess more than eight (8) points to any crash and/or recommend dismissal if it finds the Agency member at fault due to a blatant disregard for safety of the public or an act of willful wanton reckless operation of the vehicle.

Disciplinary Actions

31. Disciplinary action taken against any member must follow the guidelines of the Police Benevolent Association contract and Flagler County Sheriff's Office Policy 1.1 Oath of Office, Code of Ethics and Conduct, and Disciplinary Procedures.

32. All members are authorized to have either the Police Benevolent Association or private representation at the review board in accordance with the Police Benevolent Association contract and the policy listed in the above paragraph.

33. The recommendations may include, but not be limited to, the following disciplinary actions:

- No further action to be taken
- Memo for record
- Percentage at fault
- Letter of Reprimand
- Policy review
- Remedial training
- Suspension of take-home vehicle privileges, up to ninety days (90)
- Suspension without pay, one (1) to three (3) days
- Termination

34. The Sheriff or designee will make the final decision for disciplinary action and shall have the authority to follow or deviate from the recommendations set forth in this policy.

35. Mandatory Emergency Vehicle Operator Course (EVOC) remedial driving training will be completed for members who have at fault accidents. The review board may order this training after any number of crashes. The member will be responsible for coordinating with Training to schedule remedial training as directed.

Safe Driving Incentives

36. The Flagler County Sheriff's Office has an incentive plan available to members who have an occasion to drive or are assigned a Flagler County Sheriff's Office vehicle. Members who have completed no fault 15,000 accident free miles will receive a certificate and/or an incentive item. This program is offered through the insurance carrier.

37. Periods to be tracked for the incentive program will be 01 October through 30 September.

Equipment/Property Damage (Other Than Motor Vehicles)

38. When Flagler County Sheriff's Office equipment is damaged or destroyed due to a crash or mishap of any kind, the member will report the incident to their immediate supervisor.
39. The member will complete a Police Vehicle Damage/Incident Report documenting the facts contributing to the damaged property or equipment and forward to their immediate supervisor.
40. The supervisor will investigate the circumstances surrounding the incident and shall notify the Watch Commander or the appropriate authority.
41. When a department vehicle is damaged, a separate report headed "Police Vehicle Damage" will be completed within 24 hours of the crash. Include what kind of damage was sustained, how it occurred, and the case number, if damage occurred during another incident, i.e., Prisoner in custody (10-15), Baker Act, transport, etc.). The report will be forwarded to Fleet Maintenance via Records as soon as it is obtained.
42. The Traffic Crash Review Board will review all equipment/property damage reports.

Approved



James L. Manfre
Sheriff, Flagler County