

# IACP National Law Enforcement Policy Center VEHICLE CRASH REVIEW PROCESS

Model Policy  
October 1996

## I. PURPOSE

This policy provides the authority, and operating procedures for review of agency motor vehicle crashes.

## II. POLICY

Motor vehicle crashes involving agency vehicles present serious potential risks to agency personnel and the public as well as considerable financial loss due to injury, loss of manpower, vehicle damage, and possible tort liability. Therefore, a motor vehicle crash review process has been established for evaluating crashes involving agency motor vehicles in order to determine cause and to institute corrective and preventive actions where possible. Administrative reviews and hearings concerning these crashes shall be conducted according to policy and procedures established herein.

## III. DEFINITION

*Motor Vehicle Crash:* For purposes of this policy, a motor vehicle crash is any collision of a vehicle—with another vehicle, stationary object, or person—owned by or assigned to this agency that results in property damage or personal injury.

## IV. PROCEDURES

### A. Board Authority and Responsibilities

1. This agency's Vehicle Crash Review Board (VCRB) shall be responsible for conducting administrative reviews and/or hearings regarding motor vehicle crashes that involve members using agency motor vehicles.
2. The VCRB is responsible for reviewing all aspects of agency motor vehicle crashes and identifying causative and/or contributory factors, where possible.
3. The VCRB shall serve in an advisory capacity only, using this agency's chain of command to present findings and make recommendations to the agency chief executive or other designated officer.
4. The VCRB may draw conclusions concerning officer culpability in motor vehicle crashes but may not recommend discipline or other personnel action. All decisions and procedures in these regards are governed by other agency policy.

### B. Board Composition

1. The VCRB shall consist of at least three and not more than five voting members as determined and selected by the agency chief executive.
2. The board shall be chaired by a senior supervisor or command-level officer for a period of time designated by the agency chief executive.

- a. The chairperson shall be responsible for establishing board operating procedures, where not otherwise specified in this policy, subject to the approval of the agency chief executive.
    - b. The chairperson shall ensure that all commands of this agency are provided with current operating procedures of the VCRB.
  3. Other members of the board shall be assigned on a staggered, rotating basis from a list of eligible supervisory and line officers, with the exception of this agency's risk manager who shall serve as a permanent, nonvoting member.
    - a. Length of service of VCRB members shall be determined by the agency chief executive.
    - b. Eligibility for service on the VCRB shall be determined by the board chairperson based on the member's experience, training, and related qualifications.
  4. The VCRB chairperson may appoint a nonvoting board coordinator on a permanent or temporary basis for the purpose of processing departmental motor vehicle crash reports, scheduling cases for review or hearing, and processing disposition reports, among other tasks.
  5. Any member of the VCRB who does not feel capable of making an impartial decision in a given case because of familiarity or working relationships with individuals involved or for other reasons shall request replacement for purposes of that specific case review.
  6. The VCRB chairperson has the authority to call members of this agency to testify at board hearings or to provide written statements necessary for board review.
  7. Recommendations of the VCRB shall be made by a simple majority of at least three members present.
- C. Reporting and Investigating Motor Vehicle Crashes.
1. Unless incapacitated, officers are responsible for notifying communications of motor vehicle crashes. Communications shall notify the on-duty patrol supervisor. The watch commander shall also be informed in the event of property damage or personal injury crashes.
  2. Supervisors shall be responsible for ensuring that an investigation is conducted by persons with appropriate traffic investigation training.
  3. Where feasible and practicable, the supervisor, any on-scene motor vehicle accident investigators, and the involved officer(s) shall file reports on departmentally approved forms within 24 hours of a crash occurrence.
  4. The supervisor's report shall include a narrative memorandum on the crash, which should include the following information:
    - a. Details of events involved in and contributory to the crash.
    - b. Statements of witnesses.
    - c. Name and insurance information on involved drivers and others involved in the crash, and the nature/seriousness of injuries and/or property damage.

- d. A statement as to whether the member's crash was "preventable" or "nonpreventable"—as defined by this policy—with documentation supporting those conclusions.
- e. Any recommendations that would help prevent similar crashes in the future.

#### D. VCRB Proceedings

1. The VCRB shall convene as soon as practicable following an agency-involved motor vehicle crash for hearings and/or deliberations.
2. The board may reach conclusions based on investigative reports submitted from agency personnel and/or statements of witnesses.
3. The board's findings will be classified in one of two ways as follows:
  - a. Nonpreventable Crash  
A crash shall be classified as nonpreventable when it is concluded that the member/operator exercised reasonable caution to prevent the crash from occurring and observed applicable agency policy, procedures, and training.
  - b. Preventable Crash  
A crash shall be deemed preventable when the member/operator failed to observe agency policy, procedures, or training, and/or failed to exercise due caution or defensive driving tactics.
4. As soon as practicable after completing its review, the VCRB shall submit a preliminary written report of its findings, conclusions, and recommendations to the involved officer(s), and through the chain of command to the agency chief executive or his designate. Such recommendations may include but are not limited to the following:
  - a. remedial or refresher training of the vehicle operator,
  - b. modifications in or evaluation of equipment;
  - c. modifications in or review of agency policy, procedures, training, or tactics; and
  - d. recommendations for officer optometric, stress, or fitness-for-duty evaluations.
5. Where uncontested (See Appeal Procedures) within 10 days or when otherwise unmodified, the preliminary report of findings of the VCRB shall be considered final.
6. Finalized VCRB reports shall be forwarded through the chain of command to the agency chief executive or his designate for appropriate distribution and action considering the nature and cause of the crash and any recommendations for corrective, remedial, or preventive measures made by the board.

#### E. Appeal Procedures

1. Officers may appeal findings and recommendations of the VCRB regarding preventable crashes by submitting a written appeal to the VCRB within 10 days of the issuance of its preliminary report.
  - a. 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.

- b. All appeals shall be scheduled for review at the next VCRB meeting, and any modifications to original findings or recommendations shall be forwarded through the chain of command.

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