DOUGLAS COUNTY SHERIFF'S OFFICE		Policy and Procedure
Personnel Investigations		**P&P-I-106**
Traffic Accidents Involving Office Vehicles		
Effective Date: 11-04-25 Supersedes: 02-04-22	Approval: Sheriff	Number of Pages: 5
References: PP-L-103	Reevaluation Date: Annually or as needed	Standards: CALEA LE 26.1.4

I. POLICY

It is the policy of the Douglas County Sheriff's Office to investigate traffic collisions involving county vehicles driven by office members. Traffic Accidents involving office vehicles will be investigated by the member's chain of command. Accidents will be documented in the Blue Team software. The Internal Affairs Unit shall also determine any trends in collisions involving members and recommend changes in the training curriculum or policies for the Sheriff's Office. The Internal Affairs Unit has no disciplinary authority; their mission is fact finding.

II. Definitions

Traffic Accident or Crash

Any unintentional injury or damage caused by the movement of a motor vehicle or its load.

Preventable

The crash could reasonably have been avoided or prevented.

Non-Preventable

The member drove the vehicle appropriately and was unable to avoid the crash due to circumstances or factors beyond the member's control. Traffic accidents determined to be non-preventable shall not be held against the member in any current or future disciplinary issues or performance reviews.

III. PROCEDURES FOR ACCIDENTS

A. **Non-Injury or Minor Injury or Minor Accident:** A minor accident (less than $1000 in damage) involving minor or no injury, and where the DCSO member is not at fault will be investigated by a DCSO member (preferably a Traffic Unit deputy) and an accident report will be completed. At no time will a subordinate of the member involved complete the accident report or investigation. For a private property accident where only the Office vehicle is damaged and it is estimated to be less than $1000 in damage, a DCSO member will conduct the investigation.

B. **Serious Bodily Injury or At Fault:** When an accident occurs involving an Office vehicle where any involved person sustains serious bodily injury or the Office member is at fault, the accident will be investigated by the Colorado State Patrol or other appropriate jurisdiction. If the other agency does not or will not respond to conduct the investigation, a DCSO member (preferably a Traffic Unit deputy) may conduct the

investigation and complete the accident report. At no time will a subordinate of the member involved complete the accident report or investigation.

C. Serious Injuries or Death: The Sheriff, or his designee, will determine if the 23rd Judicial District Critical Incident Response Team should be activated to investigate the crash. A traffic supervisor as well as the Accident Investigation Team may be called out. Internal Affairs will be notified and may respond if deemed necessary. If the member is injured, comply with the requirements of P&P-L-103 – *Work Related Injuries*. Command staff will be notified immediately.

IV. MINOR ACCIDENT REVIEW PROCEDURES

A. All minor accidents will be reviewed by the involved member's immediate supervisor who will prepare a memorandum detailing the circumstances of the accident and offer a preliminary determination of whether the accident was preventable or non-preventable. The immediate supervisor will also recommend an administrative action in those cases determined to be a preventable accident. If it is within their scope of authority they will implement any disciplinary actions deemed appropriate. All documents will be uploaded into Blue Team for review by the chain of command.

B. The Blue Team Accident will be forwarded to the member's watch commander who will review the circumstances of the accident and the preliminary determination of fault. The watch commander will document their concurrence or disagreement with the recommendation of the immediate supervisor.

C. The case will then be forwarded to the involved member's division chief.

D. Upon completion the division commander will forward the case to Internal Affairs for closure.

V. ACCIDENT REVIEW BOARD RESPONSIBILITIES FOR ACCIDENTS INVOLVING SERIOUS INJURY OR DEATH

An Accident Review Board (ARB) will be convened to review any traffic accident involving an Office vehicle which results in serious injury or death.

A. The ARB will be composed of the following members:
- The board chairman will be from Internal Affairs
- The vice-chair will be a member of the Training Section
- A supervisor from the Patrol Division Traffic Section
- A certified DCSO driving instructor
- A level II or higher traffic investigator

B. The ARB members may be selected based upon multiple applicable fields of training and/or experience.

C. Each member of the ARB can only fill one role on the board and cannot act in the place of multiple members.

D. The internal affairs commander is responsible for overseeing the ARB, and they shall be the final approval authority in the selection of new board members.

E. The Accident Review Board will convene on an as-needed basis with the member(s) involved in the accident present. The involved member(s) will provide testimony to the board concerning the crash. The board members may ask questions, request supplemental information, or call additional witnesses. The involved driver may also have witnesses testify on his or her behalf.

F. All members testifying before the ARB shall be provided with a *Garrity Advisement* form or a witness admonishing form, whichever is applicable.

G. The ARB hearing is an administrative investigation, and all members shall make full, complete, and truthful statements.

H. After testifying, the involved member will be excused, and the ARB will discuss the collision. The ARB shall consider aggravating or mitigating factors and determine if the crash was preventable or non-preventable.

I. The disposition and final reports will be forwarded to Internal Affairs and included in the ARB file. The internal affairs commander and/or involved member's division chief have the authority to request additional documents or send the case back for further investigation. The ARB chair or designee will conduct any additional investigation. The internal affairs commander and/or involved member's division chief will have the authority to override the ARB ruling if evidence in the case supports it. Internal Affairs may be assigned to conduct an independent investigation at the request of the involved member's division chief.

J. After the final disposition is determined, the ARB chairman will prepare and forward a memorandum to the involved member and the appropriate division chief. The memorandum will include a brief synopsis of the collision, the involved member's prior history of preventable accidents (if any), and the total of the member's preventable accidents in the past 36 months. Disciplinary authority shall rest with the involved member's division chief or designee.

VI. Responsibilities/Duties - All Accidents

For the purposes of this policy, all accident/crash reports will include witness and involved member statements, measurements and sketches (except minor private property non-injury crashes), and photographs.

A. Driver / Office member requirement (Required in all crashes):
The Officer member who was driving the vehicle will, within 12 hours:
- Complete an internal memorandum to their supervisor containing all pertinent information related to the accident. (If the member cannot, their supervisor will.)
- This memorandum should be completed as an internal memorandum from the member involved to their supervisor after a Garrity Advisement has been provided to the member by a supervisor. Due to the fact this memorandum is a compelled

statement, a Garrity Advisement provides the member with certain protections from their statement being used against them in later criminal proceedings, with certain exceptions.
- Do not complete a damage to county property report.
- No internal documents should be forwarded to Records.

B. Supervisor duties (Required in all crashes):
The member's supervisor or on-duty supervisor will, within 12 hours:
- Ensure a traffic accident investigation is conducted and reported by the appropriate agency.
- Complete an internal memorandum detailing what occurred and what they did.
- Attach all internal documents to the Blue Team vehicle accident report and forward all internal documents to the watch commander.
- Take photos of the scene and all damage.
- Complete a Special Report.
- Advise the involved member of Garrity.
- Obtain an internal memorandum from the involved member detailing the incident. (Supervisor to complete if member cannot).
- Obtain a copy of the State of Colorado Traffic Accident Report from the investigating agency.
- Notify the fleet transportation manager.

C. Internal Affairs duties (Required in all crashes):
- The Internal Affairs staff will assign an ARB number to the Blue Team vehicle accident report.
- Internal Affairs will ensure a complete investigation is conducted by reviewing the member's Blue Team vehicle accident report to ensure that the required information is attached; to include any accident report from an outside agency.

D. Fleet Transportation Manager duties (Required in all crashes):
- Obtain damage repair estimates and final repair bill.
- Forward copy of repair estimate and final repair bill to Internal Affairs and Risk Management within 3 working days.
- The fleet manager will discuss with the division chief and decide whether or not the vehicle will be fixed

VII. REMEDIAL TRAINING <LE 26.1.4a>

A. If a crash is determined to be preventable, the involved member's division chief, or designee, may refer the member for remedial driving with an assigned driving instructor. In such event, the Training Commander, or designee, will assign the instructor and schedule the training with the involved member.

B. If the involved member has additional preventable crashes within a 36-calendar month period, it will be the responsibility of the assigned remedial driving instructor to

determine any additional training issues with the member, as well as to determine if they are responding to training.

C. The assigned remedial driving instructor shall complete a memorandum containing a synopsis of the training administered to the involved member and indicate if the member was responding to the training. The memo shall be forwarded to Internal Affairs where it will be filed with the ARB case file. A copy will also be retained in the member's electronic documentation file.

D. Any member who has 4 preventable crashes while driving a County vehicle within a 36-calendar month period may be terminated. In such an instance, the matter will be classified as a complaint and dealt with by Internal Affairs as detailed in P&P-I-101 *Complaint Handling / Investigative Procedures.*

VIII. ARB APPEAL PROCESS

The involved member will have five (5) calendar days following the date of the disposition to request, in writing, an appeal of the findings. The request will be in the form of a memorandum containing the facts and the basis for the appeal and will be emailed to the Internal Affairs general mailbox (dcsoiau@dcsheriff.net). Internal Affairs will assign the appeal to the appropriate supervisor (one level higher than the supervisor that issued the discipline). The appeal process will follow the Office discipline appeal process that is outlined in policy.

By Order of the Sheriff