

	Greenville, SC Police Department <b>GENERAL ORDER</b>		
	<b>Subject</b> Safety Review Board	<b>Number</b> 180A11	<b>Type</b> Administrative
<b>Effective Date</b> 10/28/2024	<b>Amends/ Rescinds</b> 180A10	<b>Pages</b> 1 of 7	<b>Re-evaluation</b> Annual-September
<b>References</b> CALEA N/A			<b>Notes</b> Sections 2.2, 3.5, and 4.1 cleaned up wording.

## 1.0 POLICY

The Safety Review Board serves as a reviewing and adjudicating body, for certain incident types, regarding safety related issues. The board will review operations, training and policies of the Greenville Police Department in order to ensure overall safety of all personnel.

## 2.0 RESPONSIBILITIES

- 2.1 Employees are responsible for reporting all injuries, any damage to city owned vehicles, and any vehicle collisions that occur, no matter how minor, immediately to their supervisor.
- 2.2 Recklessness, blatantly unsafe acts, or “horseplay” are prohibited and will be subject to disciplinary action.

## 3.0 SAFETY OFFICER:

- 3.1 The Professional Standards Commander will serve as the Chairperson of the Safety Review Board and as the department Safety Officer.
- 3.2 The Safety Officer will institute programs within the department to address all aspects of job performance and safety issues as needed.
- 3.3 The Safety Officer will develop, implement, and manage department-wide safety inspections.
  - Inspection sheets detailing each inspection, its scope and results, will be used and retained for evaluation.
  - Violations will be corrected when observed to maintain a safe working environment. The condition can be critiqued at a later time to determine fault or disciplinary action if warranted.

- Will make recommendations and/or forward information to the Chief, or division heads, whenever necessary to correct situations pertaining to safety within the department.

- 3.4 The Safety Officer will ensure that training related to health and safety will be provided by the Training Division.
- 3.5 The department Safety Officer will be responsible for the review of all vehicle collisions, personal injury incidents, city owned vehicle damage or any safety related incident. The Safety Officer will closely coordinate safety procedures and exchange information with the City Risk Manager.

#### 4.0 **SAFETY REVIEW BOARD**

- 4.1 The Greenville Police Department will maintain and utilize a Safety Review Board (SRB), which will have primary responsibility for reviewing the following major activities:
- Automobile collisions, injuries, damage to city owned vehicles and related safety incidents;
    - Any collision involving a fatality or serious bodily injury will not be reviewed by this board. Professional Standards will conduct an administrative investigation as laid out in GO 175 Lethal Force Procedures and Investigation.
  - Department policies and procedures dealing with safety;
  - All other safety matters as directed by the Chief of Police.
- 4.2 The intent of the review process is to identify actions, practices, training or policy which impact overall safety of employees. This will be accomplished by reviewing the following:
- Compliance to existing city policy, departmental general orders, policy, and procedures;
  - Conduct and actions of all parties involved;
  - Supervisory decisions and findings;
  - City policy, general orders and/or procedures, from a safety standpoint.



#### 4.3 Membership of the Safety Review Board:

- The board will consist of sworn members of the Greenville Police Department, excluding direct supervision of the concerned (s), or any relative of the concerned (s); a supervisor may be appointed as a substitute in certain cases as deemed appropriate by the Safety Review Board Chairperson.
- Board members will be comprised of the Safety Officer, and others appointed by the Chief. Persons appointed will serve at the discretion of the Chief. However, the chairperson or Co-chairperson will ensure that members are allowed to rotate off of the committee after three years of service or upon promotion or transfers affecting members. Members of the board are as follows:
  - Chairperson- Departmental Safety Officer
  - Co-Chairperson- Lieutenant
  - Patrol Services Representative
  - Investigative Services Representative
  - Traffic Bureau Representative
  - Administrative / Training Representative
- Representation of the SRB will always include members from the four departmental divisions. Appointed individuals may vary at the discretion of the Chief. SRB members will be appointed by the Chief and notified by written personnel orders.
- The attendance of at least three members will be necessary to constitute a quorum for the transaction of business. If a quorum is not achieved, the agenda items will be rescheduled to the next SRB review meeting.

#### 4.4 Safety Review Board Procedures:

- The Safety Review Board will meet at least quarterly to hear cases but may review cases more frequently as deemed necessary.

#### 4.5 SRB Incident Cases will be assigned through the department's administrative reporting system.



- 4.6 The Safety Review Board will review all assigned cases and will adjudicate incidents that meet the following criteria upon initial review;
- Include minor or no injuries to any party involved OR;
  - Include minor or no property damage for any party involved.
  - Any incidents that do not meet the above criteria or are determined by the Safety Officer to be significant will be adjudicated by the Chief of Police. In these incidents, the Safety Review Board will review the case and include a recommendation for adjudication to the Chief of Police through the department's administrative reporting system.
- 4.7 Employees involved in an SRB case will have a right to attend hearings in which they are involved. In some cases, the Safety Officer may require the employee's attendance.
- 4.8 Upon determination that the Safety Review Board will hear a case, the SRB will notify the concerned employee(s), in writing, at least three (3) working days in advance of the time and place of the hearing. Conversely, upon consultation with and approval by the Chief, the board may decline to hear any case which appears to be so complex or serious that criminal action against the concerned employee may be reasonably expected. These cases will be assigned to the Internal Affairs' Division for further investigation.
- 4.9 Hearings before the Safety Review Board will be informal; no attendee will be entitled to counsel including the hearing panel, the police department, or the concerned employee. Hearings will be closed to the public and the hearing panel may proceed in any manner it deems appropriate.
- 4.10 In the event the employee refuses to appear before the hearing panel when required, the employee must provide a written request to be excluded from the hearing to the Supervisor who sent the original notice (usually the chair or co-chair). However, in all cases where an employee refuses or fails to appear before the SRB when required, the hearing will continue in the employee's absence. Failing to appear before the hearing panel when required, without written approval to be excluded, may result in disciplinary actions. Alternatively, the concerned employee, unless otherwise excluded by the SRB, may be in attendance throughout the hearing except during deliberation and determining final disposition.
- 4.10.1 The SRB may call any witness it deems appropriate and, at its discretion, may call witnesses at the request of the employee or citizen complainant, if warranted. The employee shall be informed



in writing that he or she has no Fifth Amendment Constitutional right to refuse to answer questions relating to the noted administrative investigation and that statements made by them or evidence directly derived from self-incriminating statements cannot be used to prosecute the interviewed employee (United States Supreme Court decisions: *Garrity v. New Jersey*, 1967; *Uniformed Sanitation Men v. Commissioner of Sanitation*, 1970; and, *Kastigar v. United States*, 1972).

- 4.11 The hearing panel may obtain any investigative reports, documents and evidence it deems appropriate. Additionally, the hearing panel may accept the investigative reports as a full and fair statement of the facts, unless the employee presents contrary evidence. When warranted, the SRB may request additional investigative follow-up investigation.
- 4.12 At the conclusion of a hearing, and in closed session, the SRB will review each case on its merits, and verbal recommendations for disposition will be provided to the Chairperson by reverse order of rank. Considerations for disciplinary actions will follow the *Philosophy of Discipline* (GO 103) and *Internal Investigations, Adjudication and Employee Rights* (GO 167) policies. Subsequent to deliberation, the Chairperson or Co-Chairperson will summarize the case in the department's administrative reporting system, the evidence and findings of fact based on evidence presented, and,

If the SRB is adjudicating the case;

- Complete the case in the department's administrative reporting system in accordance with procedures,
- Notify the employee, in writing, of the case disposition

If the SRB is not adjudicating the case;

- Submit the summary, within the department's administrative reporting system, to the Chief of Police with a recommendation for disposition and action.

#### 4.13 Safety Review Board Case Disposition

The Safety Review Board may determine the following dispositions for department owned property damage or employee injuries:

**Non-Preventable:** After a review of all available information the board determines that the incident could not have been reasonably prevented by



actions of the employee OR if the review board cannot determine the cause of the incident.

**Preventable:** After a review of all available information the board determines that the incident could have been reasonably prevented by actions of the employee.

The Safety Review Board may determine the following dispositions for vehicle accidents:

**Non-Preventable:** After a review of all available information the board determines that the incident could not have been reasonably prevented by actions of the employee OR if the review board cannot determine the cause of the incident.

**Preventable:** After a review of all available information the board determines that the incident could have been reasonably prevented by actions of the employee.

#### 4.13.1 Disciplinary Process:

For cases determined by the review board to be Preventable, the Safety Review Board will adjudicate the case. Not all cases determined to be preventable require discipline. The SRB will have discretion to impose non-disciplinary coaching for minor cases where there was no major safety concern, or to impose either counseling or written reprimand for more serious incidents. Discipline greater than a written reprimand must be adjudicated by the Chief of Police. (*See General Order 167: "Internal Investigations, Adjudication and Employee Rights"*). The SRB will evaluate each case on its merits and determine if remedial training is appropriate. To be considered appropriate for remedial training, the SRB must find a specific action which can be corrected through training. The SRB should also evaluate significant cases for potential training value and submit appropriate cases to the training division.

In consideration of discipline, the Safety Review Board will adhere to the factors outlined in GO 103 Philosophy of Discipline. A review of the employee's vehicle accident history for three years from the incident date will be utilized to establish the employees past record.

The Chairperson or Co-Chairperson will summarize the facts of the case and provide the employee's Captain or Administrator with



the final disposition memorandum of discipline for issuance to the employee. The disciplinary process will then follow established disciplinary processes. (*See General Order 167: "Internal Investigations, Adjudication and Employee Rights"*)

Any remedial training directed by the Safety Officer and/or the Safety Review Board will be completed by the employee within 30 days or on a timeline specified in writing by the Training Lieutenant.

- The Safety Officer will consult with the Training Division to develop a recommended remedial training plan for the specific safety related incident.
- The Training Division will utilize both in-house and outside sources for corrective action as deemed appropriate.

4.13.2 An employee may appeal findings of the SRB through the appropriate appeals process.

4.13.3 The SRB will forward a summary of case findings to the command staff, and will note any vehicle collision, injury or property damage trends and any recommendations to supervisors to assist in managing vehicle collision /injury rates.

4.14 Chief's Actions:

The Chief will take into consideration the findings and/or recommendations of the Safety Review Board when adjudicating a case. The Chief, however, is not bound by the Safety Review Board's findings and/or recommendations. The Chief may accept, accept in part, or completely overturn the findings and/or recommendations of the Safety Review Board.

DocuSigned by:

*J. H. Thompson*

10/28/2024

J. H. Thompson, Chief of Police

Date

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