

	STANDARD OPERATING PROCEDURE State Form 39870 (R/S-06)	Reference Number ENF-005
	Subject Crashes Involving Department Commissions	
	Special Instructions Replaces CIU-004 dated January 15, 2015	Effective Date September 15, 2025

I. PURPOSE

Establish guidelines for the investigation and reporting of crashes involving Department commissions.

II. POLICY

Crashes involving Department commissions shall be investigated with the same degree of impartiality and thoroughness as crashes involving the general public. All required information shall be submitted electronically through #ISP Commission Crash Packets for review and classification by the Department's Fleet Safety Director.

III. DEFINITIONS

A. DEPARTMENT CRASH – A motor vehicle crash involving a Department commission when there is property damage or injury or death to any person.

B. FLEET SAFETY DIRECTOR – An individual appointed by the Superintendent to review all Department crashes, collect and maintain related statistical data, and classify the nature of all commission crashes.

C. COMMISSION – Issued vehicles or vehicles authorized for use by the Department for Department employees; including, lease vehicles, task force issued vehicles, etc.

D. PREVENTABLE CRASH – Occurs when a reasonable officer or person in a similar situation or circumstance could have employed measures or counter-measures to avoid the crash.

E. NON-PREVENTABLE CRASH – Occurs when a reasonable officer or person in a similar situation or circumstance, even if they had employed measures or counter-measures, would have been unable to avoid the crash.

IV. PROCEDURE

A. Reporting Commission Damage.

1. All damage involving a Department commission shall be immediately reported by the employee involved to the district covering the location where the damage occurred and the employee's immediate supervisor or proper chain-of command.

2. An Indiana Officer's Crash Report is required when:

a. A crash occurs and there is injury or death to a person (IC 9-26-21);

b. The total apparent damage to Department property (including other ISP equipment) exceeds \$2,500.00;

Note: Acts of “Deliberate intent” (intentional ram, legal intervention, Precision Immobilization Technique (PIT), etc.) that result in injury or death to any person or property damage will require the completion of an Initial Criminal Incident report (in lieu of a crash report) in addition to all other required reports (PD49, Crash Packet, etc.):

c. There are indications of the use of alcohol or other drugs by the involved employee

The crash involves another party or damage to property exceeds \$2,500.00; or

d. When the employee’s commanding officer or the Fleet Safety Director deems it appropriate that a crash report be completed.

Note: If none of the above circumstances are present based on an authorized written estimate for the commission and Field Support Services replacement costs for other ISP equipment, then a PD-49 may take the place of the crash report and a crash report is not required.

3. All crashes, including those reported using a “PD-49 only,” will be classified and mileage penalties will be assessed for preventable crashes.

4. Any damage to a Department commission shall be reported on a Report of Automobile Crash or Equipment Loss form (PD-49).

B. Commission Crash Investigation

1. All commission crashes shall be investigated at the scene, as soon as possible, unless an emergency or other justifiable reason causes a delay.

2. Responsibilities of assigned commission crash investigator:

a. The nearest available police employee shall be assigned by the district where the crash occurred to respond to the scene.

b. The police employee assigned to investigate the commission crash shall gather all the necessary information in order to complete a crash report and shall take photographs, even if the crash initially appears to qualify to be reported on a “PD-49 only.”

c. Department commissions shall be listed as Vehicle #1 on all reports.

d. For the crash report and related forms, the investigating officer shall list the address of the employee involved in the crash as the Department facility where the employee works, e.g. district, area, or general headquarters street address.

e. The VEHICLE USE category shall be marked as POLICE when the operator of a Department Commission is an enforcement officer (trooper, CPS, or MCI).

3. Responsibilities of supervisor or command officer related to commission crash investigation:

- a. When available, a supervisor or command officer should be assigned to respond to and investigate a commission crash, if it involves personal injury; or
 - b. A supervisor or command officer (with the assistance of an area team crash reconstructionist) shall be assigned to respond to and investigate a commission crash involving serious bodily injury, fatality or possible criminal violations (including Operating While Intoxicated (OWI)).
 - c. Supervisors or command officers assigned to investigate a commission crash may be assisted in the investigation by other officers as needed e.g. field sobriety tests, etc; however, any citations, charges, or physical arrest of the employee/driver shall be handled by the investigating supervisor/command officer.
 - d. A command officer or fleet safety officer shall be assigned to coordinate the investigation and ensure that all reports are completed, and that photographs, and evidentiary materials are submitted/uploaded in the appropriate Department system as soon as possible.
4. A crash reconstructionist shall be called to the scene of all serious personal injury or fatal crashes to assist in the investigation.

5. Commission crashes involving possible chemical tests:*

*Note: No employee can be compelled or ordered to provide a breath or blood sample for a chemical test during a criminal investigation. However, the Department may compel an employee to provide the requested sample for the purposes of an intra-departmental investigation.

- a. When an employee/driver is involved in a serious bodily injury or fatality crash (IC 9-30-7) and there is no probable cause to believe the employee/driver is under the influence of intoxicating beverages or drugs a supervisor shall offer or direct an employee/driver a portable or chemical breath test, as required under IC 9-30-7-3.
- b. If an employee is unable to give consent, the supervisor shall contact the Legal Office for further guidance.
- c. If the employee/driver tests positive for intoxicants, the supervisor/investigating officer should conduct further investigation to develop probable cause and evidence of intoxication to support the OWI.
- d. If the employee/driver refuses to submit to a portable or chemical breath test the command officer should issue a citation for violation of IC 9-30-7-5; after which, the supervisor shall proceed to and follow the instructions in sub-section "2" below.

6. Probable cause OWI investigation:

- a. If a Department member detects any evidence that the employee/driver has been consuming intoxicating beverages or is under the influence of drugs, a supervisor shall oversee the OWI (criminal) investigation in conjunction with the crash investigation. The provisions of Implied Consent shall be applied and processed in compliance with state law (IC 9-30-6-2).
- b. Any breath sample provided by an employee must comply with the requirements of IC 9-30-6-5. Blood samples provided by an employee must be taken in accordance with the procedure set out in

IC 9-30-6-6.

c. If the supervisor offers or causes the employee/driver to be offered a blood test, the supervisor shall transport or have the employee/driver transported to a state-licensed hospital* to provide the sample.

*NOTE - A “licensed hospital” is “an institution, a place, a building, or an agency that holds out to the general public that is operated for hospital purposes and that it provides care, accommodations, facilities, and equipment, in connection with the services of a physician, to individuals who may need medical or surgical services.” (IC 16-18-2-179(b)). Physicians’ offices, outpatient facilities, freestanding health facilities, or emergency care centers specializing in first aid that do not have the ability to admit and house patients on an indefinite basis are not “licensed hospitals” for the purposes of this SOP.

d. If an employee/driver refuses to provide a sample for the investigations described in sections above, the command officer shall, through channels, contact the Internal Investigations Section (IIS).

(i) The IIS shall determine if an intra-departmental (internal) investigation shall be initiated and if the employee/driver shall be ordered* to submit to a chemical test for intoxicants as part of an internal investigation.

*NOTE: Voluntary samples provided as part of a criminal investigation may be included in an inter-departmental investigation; however, compelled samples taken as part of an intra-departmental investigation may not be included in a criminal investigation.

C. Responsibility for the completion of applicable reports

a. The investigating officer shall ensure the crash investigation and report are completed and submitted within applicable Department policies.

b. The involved employee (driver) shall:

1. Ensure a [PD-49a, State Form 610](#) (including, in the employee’s own words, a description of the events leading up to the crash) is completed and if applicable a Report of Personal Injury or Illness form;
2. Obtain estimates of damage (see section D.1(b) below); and
3. Shall ensure items “a” and “b” (above) are submitted to their commanding officer or designee.

c. Commander’s review and responsibilities.

1. The employee’s commander, or designee, (section, district, division, etc.) upon receiving the report of a commission crash shall:

(i) Make the necessary notifications, through the chain of command. The level of immediate notification, through the chain of command, shall be determined by the extent of the crash.

(ii) Notify the Primary Staff and the Legal Office when an injury or death has occurred; and

(iii) Shall review and evaluate the Crash Report and all documents within the Crash Packet to ensure the crash packet is accurate and complete. The completed packet shall be emailed to CommissionCrashPackets@isp.in.gov, NO LATER THAN 10 CALENDAR DAYS AFTER THE

CRASH.

2. Review the crash investigation prior to its submission into the ARIES Crash Report system.
3. If the commander identifies any policy or training violation related to a commission crash, they shall cause a BlueTeam entry to be made.
- d. The Fleet Safety Director shall review each commission crash report and packet and has the authority to make inquiries into the crash and its review.
- (i) If the Fleet Safety Director identifies any policy or training violation related to a commission crash, they shall contact the appropriate commander to cause a BlueTeam entry to be made.

D. Electronic Crash Packet:

1. The crash packet shall consist of:
 - a. A [PD-49a, State Form 610](#) and completed crash report, if applicable;
 - b. Three (3) itemized estimates (DO NOT INCLUDE SALES TAX) from a credible auto repair shop or one (1) itemized estimate from a State IDOA or INDOT facility; and
 - c. Digital photos of the commission damage of sufficient quality to determine if used parts (from Logistics) can be used to make the necessary repairs.

NOTE: Items that are not computer templates or computer based (e.g. Word, Excel, etc.) shall be scanned into electronic form and attached to the crash packet.

2. A Statement of Justification (SOJ) to repair the commission shall be submitted in RMS as a separate file from the crash packet.
3. The entire crash packet (including a copy of the Statement of Justification) shall be forwarded electronically to CommissionCrashPackets@isp.in.gov.
4. Field Support Services will contact the involved employee's commander to discuss the most effective and efficient method for repairing the commission and notify the Fleet Safety Director of this decision.

E. Payment for the repair of commissions

1. The employee assigned the commission shall request the final receipt for services when picking up the commission from the repair facility.
2. The employee shall submit the receipt to their commanding officer.
3. The commander should sign the invoice as confirmation that the billed repairs were made and are of good quality.
4. The commander, or designee, shall forward (electronically) the invoice, including the Work Order # to #ISP Commission Crash Packets.

5. If the invoice is higher than the estimate given, the commanding officer shall request an explanation from the vendor regarding the difference in cost and then attach this information to the invoice. Commanders shall closely monitor vendors whose invoices are consistently higher than their original estimates.

F. For information regarding the Department's Fleet Safety Program or the classification of Department crashes refer to [SSU-002 Fleet Safety Program](#).

G. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies, and procedures.