



Michelle LaJoye-Young
SHERIFF

Bryan Muir
UNDERSHERIFF

Kent County Sheriff's Office Policy and Procedure

Subject: Department Vehicle Collisions and Accident Review	General Order: 2 . 1 . 4
Effective Date: 08/02/2022 Revision Date: 04/21/2025	Distribution: All Sworn Personnel

I. PURPOSE

To establish clear guidelines and procedures for preventing and managing vehicle collisions involving department-owned vehicles with the ultimate goal of reducing the risk of injury, property damage, and liability. This directive outlines a systematic approach to accident prevention, investigation, and review to promote accountability, enhance driver awareness, and facilitate continuous improvement of our driving practices.

II. POLICY

The Kent County Sheriff's Office is committed to ensuring the safety of its personnel and the public by maintaining a comprehensive directive on department vehicle collisions and accident review. It is the policy of this department to prioritize safe driving practices and implement effective procedures for the investigation and review of all vehicle collisions involving department personnel. This policy is enforceable regarding department vehicles being operated either on or off a highway, waterway, and frozen lakes and streams. In an effort to reduce the number of department vehicle crashes, members of the Accident Review Board and all other department employees are requested to forward any recommendations or constructive suggestions to the Office of the Sheriff.

III. DEFINITIONS

A. **Employee:** For purposes of this policy, the term "employee" includes any of the following:

1. All full-time and part-time persons employed in the Kent County Sheriff's Office, including seasonal and irregular employees.

2. Traffic Squad and other sworn auxiliary personnel.
 3. Any other civilian or volunteer personnel.
- B. **Department Vehicle:** Every device in, upon, or by which any person or property is or may be transported or drawn on or off a highway, including devices exclusively moved by human power which are owned, leased, or maintained by the department or any other vehicle that is assigned or being used by departmental employees for duty purposes.
- C. **Accident Review Board (the Board):** The Accident Review Board has been established to determine whether the employee driver of a department vehicle is either responsible or not responsible for a vehicle crash event. The Board will report its findings to the Office of the Sheriff and the operating employee's Division Commander for disposition.
- D. **Board Finding of "Responsible":** A determination by the Board that the vehicle crash event was a result of the employee driver's actions.
- E. **Board Finding of "Not Responsible":** A determination by the Board that the vehicle crash event was not a result of the employee driver's actions.
- F. **Point Assessment Table:** A disposition table applied by the Board when a finding of "responsible" is determined. The table may assign point values to crash variables.
- G. **UD-10 Report:** Standard traffic crash report submitted to the State of Michigan.
- H. **Official Boating Accident Report:** Standard crash report involving watercraft vessels submitted to the State of Michigan.
- I. **Kent County Driver Report of Vehicle Accident:** Internal report form to be completed by the employee driver and forwarded to the Fleet Services Supervisor. If an employee driver is unable to complete the form, it shall be the responsibility of the supervisor attending the traffic crash scene to do so.
- J. **Supervisor Supplement Report:** A fact-finding report prepared by the supervisor attending the vehicle crash scene.
- K. **Accident Review Board Report:** A Fact-finding report prepared by a member of the Accident Review Board submitted to the Office of the Sheriff and the Divisional Commander of the employee driver.
- L. **Remedial Training:** Training as determined by the Training Unit and Division Commander of the employee driver. Remedial training should be assigned to

relate to employee drivers on an individual basis.

- M. **Careless Operation:** Operating a department vehicle in a careless or negligent manner likely to endanger any person(s) or property but without wantonness or recklessness (i.e., two or more violations of the Michigan Motor Vehicle Code, local ordinance, Michigan boating and personal watercraft laws).
- N. **Reckless Operation:** Operating a department vehicle in a willful or wanton disregard for the safety of persons or property.
- O. **Parking:** Standing in a department vehicle, whether occupied or not.
- P. **Operator:** An employee in actual physical control of or who has parked a department vehicle. Employee driver is synonymous with employee operator.
- Q. **Violation of Basic Speed:** An employee driving a department vehicle, either on or off a highway, shall drive at a careful and prudent speed not greater than or less than is reasonable and proper, having due regard to the traffic, surface, and width of the traveled portion or highway as applicable, and of any other condition existing. An employee shall not drive a department vehicle upon a highway or any surface at a speed greater than that which will permit a stop within the assured clear distance ahead or while backing.

IV. PROCEDURES

A. Parking

1. Employees shall be responsible for parking a department vehicle in accordance with state law(s) or local ordinance.
2. It is the operator's responsibility to place the vehicle in "park" prior to exiting.
3. Operating personnel shall set the emergency brake when reasonably applicable (i.e., parking on a hill, grade off, or highway).

B. Vehicle Collisions

1. Employee Responsibilities

- a. Any vehicle collision involving a department vehicle shall be reported to a supervisor as soon as feasible and practical.
 - If an employee driver involved in the vehicle crash is a supervisor or above, the next rank above shall be

responsible for this section.

- b. All employees shall cooperate with the investigating supervisor and Accident Review Board.
- c. Employees shall answer all questions honestly, completely, and to the best of their ability. No employee shall, in any manner, interfere with a vehicle crash investigation or the Accident Review Board.

2. Supervisor Responsibilities

- a. Every effort should be made for a supervisor to attend the crash scene.
 - The supervisor attending the scene should be above the rank and from the same division as the employee driver.
 - A Road Patrol Division supervisor shall attend all property damage and minor personal injury crash scenes when a supervisor from another division is not on duty.
- b. It will be the attending supervisor's responsibility to interview the drivers of the vehicle (s) involved, passengers, and witnesses and to gather any other relevant and material facts relative to the crash for filing the supervisor supplement report.
- c. The supervisor attending the scene shall be responsible for assessing and recording the hazardous action code and co-signing the UD-10 or official boating accident report.
- d. Supervisors are responsible for creating a thorough and detailed fact-finding supplemental supervisor's report in the dedicated reporting system for every vehicle collision involving a department vehicle.
 - This report shall include the supervisor's opinion (i.e., responsible or not responsible) regarding the responsibility of the employee driver.
 - The supervisor shall submit their report, to include any relevant and material documents, to the Board Chairperson and Division Commander of the employee driver.

- If the vehicle crash occurs in an area where the local unit of government has adopted the Michigan Motor Vehicle Code, the supervisor shall be responsible for including the relevant section(s) of the ordinance.
- e. In the event an employee driver cites vehicle equipment malfunction or failure as the cause of a vehicle crash, the investigating supervisor shall:
- Take the vehicle out of service
 - Ensure that the appropriate vehicle equipment repair request documentation is forwarded to Fleet Services for automobile accidents or the command officer responsible for personnel operating bicycles and watercraft vessels involved in collisions.
 - Coordinate with Fleet Services or the command officer responsible for personnel operating bicycles and watercraft vessels, as applicable, an inspection and test of the equipment at issue and document the results in the Supervisor Supplemental report. Include any past vehicle maintenance and repair history that is relevant and material to the crash being investigated.

C. Accident Review Board

1. Organization and Function

- a. The board shall consist of one Road Patrol deputy, one Patrol Division supervisor, and one individual of lieutenant's rank or higher, who shall serve as the board chair.
- In the event a member of the Sheriff's command staff (i.e., lieutenant and above) is involved in a vehicle crash, the Board will consist of one member of equal rank to the driver from the Patrol Division and two members of a higher rank with one of those being from the Patrol Division.
- i. One of the two ranking members shall serve as Chair.

- b. Members of the Board shall be appointed to serve terms

determined by the Office of the Sheriff.

- c. The Board should meet bi-monthly to review any vehicle crash events that occurred during that period.
- d. The Board, in conjunction with the Fleet Services supervisor, shall file an annual report to the Office of the Sheriff and Division Commanders detailing the crash statistics and monetary cost to the County of Kent.
 - This report will be due no later than March 1st of the following year.

2. Responsibilities

- a. Employees will be allowed to appear before the Board to give witness to the vehicle crash they were involved in or have direct knowledge of through a "Notice of Hearing" issued by the Board Chair.
 - Employees may appear off-duty unless the Board determines their appearance is necessary.
 - An on-duty employee may appear with the permission of their supervisor.
- b. In its review and deliberations, the Board shall consider the concepts of defensive driving, state statutes, local ordinances, the Supervisor's Supplemental Report, State of Michigan UD-10 Traffic Crash report, Kent County Driver Report of Vehicle Accident, any witness statements, and live testimony from employees attending the hearing.
 - This section does not prohibit the Board from considering any other evidence or testimony deemed necessary and relevant.
- c. Upon concluding a hearing, the Board will render its decision. The Board is limited to making the determination that the employee driver was either "Responsible" or "Not Responsible" for the vehicle crash event.
 - If a determination of "Responsible" is made, the Accident Review Board shall apply its decision to the Vehicle Crash

Point Assessment Table for point assessment and disposition.

- Specific recommendations, when applicable, related to the incident involving potential changes to policy, equipment, training, or discipline shall be forwarded to the Office of the Sheriff.
 - The Board may waive the issuance of any points. In that event, the Board's opinion shall set forth the reason(s) as to why no points were assessed.
- d. A formal notification of disposition will be forwarded to the employee driver by the Accident Review Board, with a copy sent to the employee's Divisional Commander.

D. Vehicle Crash Point Assessment Table

Description of Responsible Action	Points Assessed
Reckless Operation of a Department Vehicle	6 Points
Employee Driver Failure to Report Vehicle Crash	6 Points
Excessive Speed Resulting in a Vehicle Crash (exceeding lawful speed limit by more than 20 MPH)	4 Points
Careless Operation of a Department Vehicle	3 Points
Violation of Basic Speed	2 Points
Improper or Unsafe Parking	2 Points
Damage to Property	2 Points
Operating While Under the Influence of an Intoxicating Liquor and/or Drugs (As defined under the Michigan Motor Vehicle Code, Michigan Penal Code, and/or Michigan Boating and Personal Watercraft Laws)	6 Points
Disobedience of a Section(s) of the Michigan Motor Vehicle Code, Local Ordinance, and/or Michigan Boating and Personal Watercraft Laws Not Specified Above	2 Points

1. The Point Assessment Table is based on an assessment of the employee driver at the time of the event.
2. Point accumulations result in a system of progressive correction that is described as follows:
 - a. An employee "Responsible" for a driver-related crash may receive assessment points and any other discipline from the Office of the Sheriff or their designee.

- b. Points assessed by the Board shall run for two years commencing from the date of the Board's decision. After two years, the points will drop off the employee's record.
 - c. An accumulation of six total assessment points shall result in a one-day suspension without pay, compounding if subsequent events occur, and any other discipline from the Office of the Sheriff or their designee.
 - d. Examples
 - 6 points assessed = One day suspension
 - 8th point assessed = Additional two-day suspension
 - 10th point assessed = Additional three-day suspension
 - e. An accumulation of more than ten points shall result in the information being forwarded to the Office of the Sheriff for review and disposition.
3. Multiple contributing factors from a shared event may be assessed points on an individual basis. However, only those factors that directly relate to the cause of the vehicle crash may be assessed points.
 4. Points can be assessed to any employee driver for failure to report a vehicle crash in addition to any points assessed that directly relate to the cause of the crash.
 5. A responsible employee driver may be ordered to attend remedial training.
- E. Notice to Employee
1. Not Responsible Finding

No points shall be assessed to the employee driver where the Board renders a decision of "not responsible." However, points can be assessed if that employee failed to report the vehicle crash.
 2. Point Accumulation

It shall be the responsibility of the Chair of the Accident Review Board to provide written notice to the employee driver's Division Commander with

a copy to the Office of the Sheriff when that driver accumulates six or more points from the Vehicle Crash Point Assessment Table.

F. Intentional Collisions

Intentional collisions shall potentially be considered deadly force as outlined in applicable use of force policy, procedure, and training.

1. Intentional Collisions shall not come under the review of the Accident Review Board.

G. Collisions during Training Functions

The Accident Review Board shall not review vehicle collisions that occur during department-authorized training.

1. All reports related to a crash during training shall be forwarded to the employee operator's Division Commander.

H. Appeal Process

1. An employee driver may appeal the Board's decision. The appeal shall be by written letter to the Office of the Sheriff within five (5) working days, excluding weekends and holidays, of the receipt of the Board's decision.
2. The appellant shall detail the issue(s) on appeal and the reasons why.
3. The appellant shall deliver a copy of the appeal to their respective Division Commander and the Commander of the Road Patrol Division.
4. The Sheriff or their designee will review the Board's disposition and the driver's letter of appeal.
5. The employee driver, their respective Division Commander, and the Commander of the Road Patrol, if different, shall receive a formal letter stating the final disposition of the appeal from the Office of the Sheriff.

I. Retention

The Commander of the Road Patrol Division shall be responsible for the retention and upkeep of the vehicle crash records in accordance with **Appendix Q1 – KCSO Retention Schedule**.

J. Annual Review of Employee Collisions

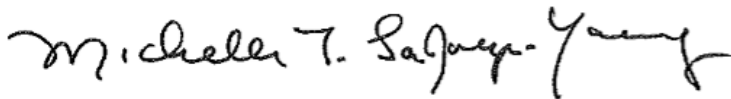
1. The Office of the Sheriff or their designee shall complete a written annual meaningful review of employee collisions. The analysis should include any recommendations for alterations in policy, equipment, training, and/or discipline, if any.
2. Recommendations for corrective action will be forwarded to the Office of the Sheriff and the Road Patrol Commander.

V. CANCELLATIONS

2.1.4 – Vehicle Crashes and Accident Review (08/02/2022)

2.1.4 – Vehicle Crashes and Accident Review (02/29/2024)

Authorized by:



Michelle LaJoye-Young, Sheriff

Index as:

Standard 2.1.4

Application: This directive constitutes department policy and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims insofar as the employer's or employee's legal duty as imposed by law.

Appendix Q1 – KCSO Retention Schedule.

KENT COUNTY SHERIFF'S OFFICE