

	POLICY & PROCEDURE	SERIES # 1004	PAGE 1 OF 3
	ACCIDENT AND ELIGIBILITY REVIEW BOARDS		EFFECTIVE DATE 01/28/10
			OVERSIGHT CHIEF'S OFFICE
DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS P&P #1004 dated 08/15/98.		

I. PURPOSE:

The purpose of this Policy and Procedure is to outline the responsibilities of the Police Division Safety and Accident Review Board and the Take Home Car Eligibility Review Board.

II. POLICY:

It is the policy of the Hampton Police Division that all motor vehicle and industrial accidents (a serious/severe job related injury to an employee not falling under the motor vehicle accident guidelines) involving Division personnel and/or equipment will be reviewed by the Safety and Accident Review Board.

III. PROCEDURE:

- A. ACCIDENT REVIEW BOARD: This board will be comprised of no less than 5 members of the Hampton Police Division of varying ranks appointed by the Chief. The senior ranking member appointed to the board will serve as chairperson. This board may not meet unless the chairperson is present (a quorum of 3 must be present).
- B. The Safety and Accident Review Board will determine the cause, responsibility, and the preventability of all industrial and police vehicle accidents.
- C. The Safety and Accident Review Board will investigate all complaints pertaining to industrial accidents and will take whatever corrective measures are deemed necessary. The Board will make itself aware of the safety environment of the Police Division and will make recommendations to the Chief of Police on what measures they view as being necessary for the safety of all employees.
- D. The Safety and Accident Review Board will review accidents involving police vehicles to determine if the accident was preventable or non-preventable.
- a. The Accident Review Board will convene monthly to review police vehicle accidents.

APPROVED:
CHIEF OF POLICE



- b. DECISION CRITERIA This review will consider whether each accident was preventable or non-preventable based on the following criteria: facts of the particular accident as they pertain to compliance with existing laws and policies, negligence, contributing factors, and if the officer(s) involved in the accident used due care and caution.
 - c. Any Member who has an accident brought before the board has the right to be present during the inquiry and to request the presence of any other member of the Division or witness to be present in order to answer inquiries relative to the facts at issue.
 - d. The Accident Review Board will not recommend disciplinary action.
 - e. ACTION OF THE BOARD Within 5 (five) days of the Accident Review Board, the Chairman will forward in writing the board's findings and reasoning to the Eligibility Review Board Chairman.
- E. ELIGIBILITY REVIEW BOARD: This board will be comprised of all Division Captains (a quorum of 3 must be present) and the Operations Branch Major who will serve as the chairperson.
- a. It is the responsibility of the Eligibility Review Board Chairman to assure that notice regarding the findings of the Accident Review Board (from "e" above) are forwarded to the officer in question within 15 (fifteen) calendar days of the date of the Accident Board reviewing the accident.
 - b. The Eligibility Review Board will review all preventable accidents for a period of the **previous three (3) years** from the date of the officer's most recent accident and make recommendations to the Chief of Police on the action to be taken in each case
 - c. DECISION CRITERIA: This review will consider each preventable accident in terms of the following criteria: if the officer used due care and caution, negligence on the part of the officer, frequency (accident history, periods between accidents and patterns of the particular officer), contributing factors, and extent of damage/injury to officer, citizen or property.
 - d. ACTION OF THE BOARD: Recommendations of the Board may be made at the following levels. However, actions taken at these decision levels will be based upon the "Decision Criteria" listed above. Nothing in this process shall preclude the Eligibility Board from taking those actions that are appropriate to the particular case with regard to the "Decision Criteria".
 - (1) First Preventable Accident – Counseling will be conducted by the officer's immediate supervisor and will include an entry on the "Supervisor's Record of Employee" card. The officer will be required to attend an eight (8) hour defensive driving course.
 - (2) Second Preventable Accident (within the 3 year period) – Letter of Reprimand and the officer will be required to attend an

eight (8) hour defensive driving course. In cases where the officer is a participant in the Take Home Car program their privilege will be removed for a period of 60 days (the vehicle will be parked at their respective Field Office). The officer will be expected to meet ALL of the requirements for initial eligibility. In the event additional preventable accidents occur during this period; extended eligibility requirements will be applied where applicable.

- (3) Third Preventable Accident (within the 3 year period) – One Working Day Suspension Without Pay and the officer will be required to attend an eight (8) hour defensive driving course. In cases where the officer is a participant in the Take Home Car program, they will be removed from the program for a period of one (1) year. The officer will be expected to meet ALL of the requirements for initial eligibility. In the event additional preventable accidents occur during this period; extended eligibility requirements will be applied where applicable.
- (4) Additional preventable accidents could result in further disciplinary action up to and including dismissal.
- (5) These findings will serve only as guidelines for recommended actions. Each accident review will be specifically applied to the particular accident.

F. In the event a preventable accident is reviewed that involves an officer who is not a participant in the Take Home Car Program, the action of the Board will also involve the extension of eligibility. In these cases the officer's ineligibility will be extended for a specified time from the date they would have become eligible.