

BOARD OF PUBLIC WORKS AND SAFETY

RESOLUTION NO. 23-07

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY
OF GREENWOOD AMENDING POLICE DEPARTMENT POLICY 501 TRAFFIC
ACCIDENTS REGARDING CITY VEHICLES AND TO ADOPT A POINTS SYSTEM
FOR OFFICERS INVOLVED IN ACCIDENTS**

WHEREAS, it is important to set written policies relating to certain aspects of the duties and responsibilities of officers and employees of the Police Department given their critical role in protecting and serving the community and the unique safety concerns regarding their employment;

WHEREAS, the Board of Public Works and Safety approved and established by Res. 21-10 a Policy Manual for the Police Department;

WHEREAS, the Police Chief recommends a revision to Policy 501 Traffic Accidents, Section 501.5.2 City Vehicle Involved, to require the administration of an alcohol test to city employees operating city owned vehicles that are involved in traffic accidents, as set forth in the underlined blue text as part of Exhibit A attached hereto;

WHEREAS, the Police Chief further recommends a revision to Policy 501 Traffic Accidents to establish and adopt Section 501.10, a Points System to determine appropriate disciplinary or corrective action for officers involved in preventable department vehicle crashes and negligent damage to police vehicles, as set forth in the underlined blue text as part of Exhibit A attached hereto;

WHEREAS, it is in the best interests of the City, the Police Department, and the citizens to approve the amendments and adopt the amended Traffic Accidents policy as recommended,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF GREENWOOD, INDIANA THAT:

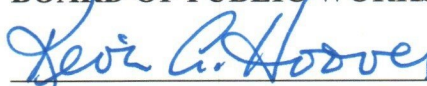
1. Amended Greenwood Police Department Traffic Accidents Policy, Section 501.5.2 City Vehicle Involved, and new section 501.10 Points System, attached hereto in underlined blue text as part of Exhibit A, are hereby approved and adopted.

2. The attached amended Traffic Accidents policy sections shall go into immediate effect upon passage of this Resolution.

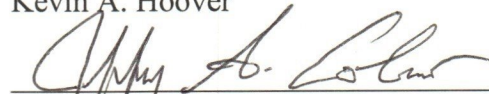
3. The Police Department shall distribute the amended Traffic Accidents policy sections to all affected employees and shall obtain a signed acknowledgment of receipt from all said individuals.

PASSED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF GREENWOOD, INDIANA this 5th day of June, 2023, by a vote of 3 ayes, 0 nays.

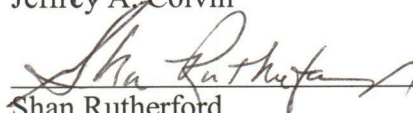
BOARD OF PUBLIC WORKS AND SAFETY



Kevin A. Hoover



Jeffrey A. Colvin



Shan Rutherford

ATTEST:


Amanda Leach, Board Clerk

Traffic Accidents

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic accidents.

501.2 POLICY

It is the policy of the Greenwood Police Department to respond to traffic accidents and render or summon aid to injured victims as needed. The Agency will investigate and prepare reports according to the established minimum reporting requirements with the goal of reducing the occurrence of accidents by attempting to identify the cause of the accident and through enforcing applicable laws. Unless restricted by law, traffic accident reports will be made available to the public upon request.

501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a supervisor.

A supervisor should be called to the scene when the incident:

- (a) Is within the jurisdiction of this agency and there is:
 - 1. A life-threatening injury.
 - 2. A fatality.
 - 3. A City vehicle involved.
 - 4. A City official or employee involved.
 - 5. Involvement of an on- or off-duty member of this agency.
- (b) Is within another jurisdiction and there is:
 - 1. A City of Greenwood vehicle involved.
 - 2. A City of Greenwood official involved.
 - 3. Involvement of an on-duty member of this agency.

501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.
- (d) The potential for involvement of hazardous materials.

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- (e) The need for additional support as necessary (e.g., traffic control, fire department, hazardous materials response, tow vehicles).
- (f) Clearance and cleanup of the roadway.

501.4 NOTIFICATION

If a traffic accident involves a life-threatening injury or fatality, the responding officer shall notify a supervisor. The supervisor may assign a traffic investigator or other appropriate personnel to investigate the incident. The supervisor will ensure notification is made to the Deputy Chief of Uniform Division.

501.4.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Coroner, agency chaplain or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic accident should not be released until notification is made to the victim's immediate family.

501.5 MINIMUM REPORTING REQUIREMENTS

An accident report should be taken when:

- (a) A fatality, any injury (including complaint of pain), operating while intoxicated, or a hit-and-run is involved (I.C. § 9-26-2-1).
- (b) The accident results in a collision with an unattended vehicle and/or damage to property other than a vehicle and the owner of that vehicle or property cannot be located.
- (c) An on-duty member of the City of Greenwood is involved.
- (d) The accident results in any damage to any City-owned or leased vehicle.
- (e) The accident involves any other public agency driver or vehicle.
- (f) There is damage to public property.
- (g) There is damage to any vehicle to the extent that towing is required.
- (h) There is property damage of at least \$2,500 (I.C. § 9-26-2-1).
- (i) Prosecution or follow-up investigation is contemplated.
- (j) Directed by a supervisor.

501.5.1 PRIVATE PROPERTY

Generally, reports should not be taken when a traffic accident occurs on private property unless the accident occurs on property that is open to the public and involves personal injury or death or property damage of at least \$2,500 (I.C. § 9-26-2-4).

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501.5.2 CITY VEHICLE INVOLVED

A traffic accident report shall be taken when a City vehicle is involved in a traffic accident that results in property damage or injury.

Whenever a city owned vehicle is involved in a traffic accident, the investigating officer is responsible for administering a portable breath test to the operator of the city vehicle. Should a city employee operating a city owned vehicle test positive for alcohol, appropriate enforcement actions shall be taken and the Chief of Police shall be notified.

A general information report may be taken in lieu of a traffic accident report at the direction of a supervisor when the incident does not involve another vehicle.

Whenever there is damage to a City vehicle, a vehicle damage report shall be completed and forwarded to the appropriate Division Commander. The traffic investigator or supervisor at the scene should determine what photographs should be taken of the scene and the vehicle damage.

501.5.3 INJURED ANIMALS

Agency members should refer to the Animal Control Policy when a traffic accident involves the disposition of an injured animal.

501.6 INVESTIGATION

When a traffic accident meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on the appropriate forms.

501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Deputy Chief of Uniform Division or on-duty Shift Commander should request that the Indiana State Police or other outside law enforcement agency investigate and complete a traffic accident investigation when a life-threatening injury or fatal traffic accident occurs within the jurisdiction of the Greenwood Police Department and involves:

- (a) An on- or off-duty member of the Agency.
- (b) An on- or off-duty official or employee of the City of Greenwood.

Agency members shall promptly notify a supervisor when any agency vehicle is involved in a traffic accident. The accident investigation and report shall be completed by the agency having jurisdiction.

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501.6.2 REMOVAL FROM LINE DUTY ASSIGNMENT

When an on-duty member is involved in a traffic accident that involves a life-threatening injury or fatality, the member should be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

501.7 ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the accident, authorized members should issue a summons or arrest the offending driver, as appropriate.

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

501.8 REPORTS

Agency members shall utilize forms approved by the Indiana State Police as required for the reporting of traffic accidents. All such reports shall be forwarded to the Records Division for approval and filing (I.C. § 9-26-2-2).

501.8.1 REPORT MODIFICATION

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member.

501.8.2 RECORDS DIVISION SUPERVISOR RESPONSIBILITIES

The responsibilities of the Records Division supervisor include, but are not limited to:

- (a) Ensuring the monthly and quarterly reports on traffic accident information and statistics are forwarded to the Uniform Division Commander or other persons as required.
- (b) Ensuring that the accident report is filed with the Indiana State Police within 24 hours after the investigation is complete (I.C. § 9-26-2-2).

501.9 ACCIDENT REVIEW BOARD

The Accident Review Board is established under the direct authority of the City of Greenwood as outlined in the policies of the City of Greenwood and applicable law. The Board is an administrative body responsible for the review of all crashes and incidents involving motor vehicles under the control of the City. The Board will review all cases of damage to department vehicles.

- (a) Employees with a history of vehicle related disciplinary problems may be provided with counseling and training designed to correct the situation. Employees not responding to this instruction may be determined to be substandard in performance of their duty and subject to additional disciplinary action by the Chief of police, their Commander,

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or the Merit Board. All such discipline shall be documented in writing and a copy of which shall be placed in the personnel file.

501.10 POINTS SYSTEM

To ensure consistency and fairness, the following point system will be used to determine the appropriate disciplinary or corrective action for preventable department vehicle crashes and negligent damage to police vehicles.

- a. The accident review board will assess a point value from 0 to 10 for each accident involving a department vehicle.
- b. Determination of points assessed will be based on a review of all circumstances surrounding the incident, with an emphasis on the driving behavior that led to the crash or damage.
- c. An involved member's history of prior preventable crashes or negligent damage to police vehicle incidents may also be considered when board members assign points to an accident.
- d. Point values will accumulate on a rolling 24 month cycle.
- e. No points will be assessed for accidents in which the involved members actions did not cause or contribute to the accident.
- f. Point values range from zero points for minor violations with mitigating circumstances to ten points for flagrant and/or reckless violations.
- g. The following guide will serve to assist the Board in assigning point values to each incident.
 - 1. **1-2 points:** Minor damage to vehicle or other property and/or no injury to officer or others.
 - 2. **3-5 points:** Significant damage (\$5,000 to \$10,000) to vehicle or other property and/or minor injury to officer or others.
 - 3. **6-8 points:** Major damage (exceeding \$10,000) to vehicle or other property and/or significant injury to officer or others.
 - 4. **9-10 points:** Major damage to vehicle or other property and/or severe injury to officer or others

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501.11 DISCIPLINARY AND CORRECTIVE ACTION

Preventable crashes and negligent damage to police vehicles will result in the following sanctions:

a. 1-2 points:

1. Counseling

b. 3-5 points:

1. Written reprimand
2. Mandatory remedial training

c. 6-8 points:

1. Minimum one day suspension
2. Mandatory remedial training
3. Loss of off-duty use of city owned vehicle for 30 days

d. 9-10 points:

1. Minimum two-day suspension
2. Mandatory remedial training
3. Loss of off-duty use of city owned vehicle for 60 days.

Members who exceed 10 points in a 24 month period may be determined to be substandard in the performance of their duty and subject to additional disciplinary action up to and including termination.

501.12 ACTION WHEN A REPORT IS NOT REQUIRED

When a traffic accident does not meet the minimum reporting requirements, a responding member should verify that each involved driver present has complied with the requirements of I.C. § 9-26-1-1.1 (I.C. § 9-26-2-1; I.C. § 9-26-2-4).