

Oakland County Sheriff's Office
General Order # 2.1



SUBJECT: Employee Collision Review Process		NUMBER: 2.1
EFFECTIVE DATE: 3/6/2024 REVIEW DATE: Annually		MACP Standard Impact: 2.1.4
REPLACES AND RESCINDS: GO 2.1 dated 11/29/2022	DISTRIBUTION: All Personnel	NUMBER OF PAGES: 4

This order replaces and rescinds all previously issued orders, procedures, rules and regulations, notices and/or practices in conflict with this general order.

I. PURPOSE

The purpose of this General Order is to inform all members of the Oakland County Sheriff's Office of the process for administrative review, training and where appropriate, disciplinary action for Sheriff's Office personnel involved in crashes while operating duty vehicles.

II. POLICY

It shall be the policy of the Oakland County Sheriff's Office to review all vehicle collisions involving members of the Oakland County Sheriff's Office that occur while operating county vehicles.

III. RESPONSIBILITIES

- A. Traffic Unit: Should the Crash Review Board determine that a crash was avoidable, the Traffic Sergeant or representative shall immediately provide the Crash Disciplinary Review Board Captain/Chairperson with a complete record of any crashes in which the deputy/employee has been involved within the last three (3) years.
- B. Crash Review Board: Any damage precipitated by the operation of a county, or state vehicle by Sheriff's Office personnel shall be reviewed by the Crash Review Board to determine if the crash was avoidable. All avoidable crashes shall be forwarded to the Crash Disciplinary Review Board Captain/Chairperson for review.
- C. Crash Disciplinary Review Board: Shall review all avoidable crashes to determine if the crash involved negligence, a failure to conform or issues with existing Sheriff's Office Orders, a lack of training, equipment issues or any combination of these circumstances.
- D. Training Unit: If requested, the Training Unit is responsible for forwarding a copy of the responsible deputy/employee training record to the Crash Disciplinary Review Board Captain/ Chairperson. Based on the Crash Disciplinary Review Boards decision, they shall provide remedial and additional training as directed.

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IV. PROCEDURES

A. Reporting Crashes

1. Deputy/employee Responsibility (**MACP Standard 2.1.4a**)
 - a. The deputy/employee involved shall ensure that the Oakland County Emergency Communications and Operations (ECO) is notified of the incident immediately.
 - b. The deputy/employee involved shall report immediately any crash incident precipitated by the operation of a duty vehicle whether or not damage is apparent.
 - c. Written reports - the deputy/employee involved as driver, barring exigent circumstances, shall not write his/her own Traffic Crash Report.
 - d. The deputy/employee involved shall, if uninjured, make sure that all of the following reports are completed and submitted before the end of his/her tour of duty.
 - i. Witness Forms
 - ii. Injury Forms, if needed
 - iii. Garage Damage Vehicle Report
 - e. If the driver is injured, our responding Command Officer shall see that the above forms are completed.
2. Oakland County Emergency Communications and Operations Responsibilities
 - a. The ECO Center shall notify the deputy's/employee's Command Officer when advised that an on-duty deputy/employee is involved in a crash, or that a duty vehicle is involved. The Command Officer shall immediately respond to the scene.
 - b. If the deputy's and/or employee's Command Officer is unavailable the ECO Command Sergeant shall be notified who will respond to the scene. The ECO Center shall dispatch the closest available Command Officer to take the Traffic Crash Report and review the incident unless another police department is responding to take the report. (**MACP Standard 2.1.4c**)
3. Command Responsibilities (**MACP Standard 2.1.4b**)
 - a. Responding to the scene - the deputy's/employee's immediate supervisor shall respond to the scene upon receiving notification that a crash has occurred.
 - b. Written report - the responding Command Officer shall write a brief synopsis of the incident and submit it to the appropriate Major for transmittal to the Sheriff, through channels, prior to the end of the shift. The on-scene Command Officer may call for a Crash Investigator, as needed, for incidents involving serious injury or exigent circumstances. (**MACP Standard 2.1.4c**)
 - c. Injury notification - the on-scene Command Officer shall see that the deputy's/employee's family is notified should a Sheriff's Office member be seriously injured and require hospitalization. Immediate family shall be notified in person, when possible. Transportation for the family to the medical facility may be provided, if necessary. The on-scene Command Officer shall, also, see that the deputy's/employee's Division Commander and Duty Captain are notified of the incident and the nature of the injury.
 - d. Dual jurisdiction - barring exigent circumstances, the Sheriff's Office shall respond to all crashes involving on-duty personnel and/or duty vehicles. Reports of such crashes which occur outside the Oakland County Sheriff's Office contracted patrol area should be written by the venue in which the crash occurs. Only if requested by the responding jurisdiction, shall this agency take the official Traffic Crash Report. The Command Sergeant shall ensure that a copy of the Traffic Crash Report is requested from the agency taking the report. The appropriate Major shall ensure that such reports are received and forwarded.

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4. Traffic Sergeant Responsibilities
 - a. All Traffic Crash Reports involving a deputy/employee operating county or duty vehicles shall be scheduled for the Crash Review Board by the Traffic Sergeant or his designee. **(MACP Standard 2.1.4d)**

- B. Crash Review (MACP Standards 2.1.4e)
 1. Crash Review Board
 - a. The Crash Review Board shall review all crashes involving Sheriff's Office personnel in accordance with established orders.
 - b. Any crash deemed avoidable shall be forwarded to the Crash Disciplinary Review Board.
 - c. The names of the deputy/employee currently involved in avoidable crashes shall be forwarded to both the Traffic Unit and Training Unit.
 - d. **A monthly and annual meaningful review of employee collisions is required and shall be forwarded to the Sheriff or his designee. (MACP Standards 2.1.4f)**

 2. Traffic Unit-Crash History
 - a. The Traffic Sergeant or designee shall prepare copies of Traffic Crash Reports pertaining to previous avoidable accidents by a Sheriff's Office employee named by the Crash Review Board. If the individual has had no previous avoidable accidents, the Traffic Unit shall prepare a memo indicating same. The file or memo shall be forwarded immediately to the Captain/Chairperson of the Crash Disciplinary Review Board.

 3. Training Unit-Training Record
 - a. If requested, the Training Unit shall forward a copy of the deputy's/employee's training record to the Captain/Chairperson of the Crash Disciplinary Review Board.

 4. Crash Disciplinary Review Board
 - a. Discipline - the Crash Disciplinary Review Board shall review all avoidable crashes to determine if the crash involved negligence, a failure to conform or issues with existing Sheriff's Office Orders, a lack of training, equipment issues or any combination of these circumstances. Should any of the above-mentioned criteria exist, the Board shall recommend policy changes, training, equipment enhancements or corrective disciplinary action within the guidelines of the Vehicle Crash General Order and forward the recommendation to the appropriate Major.
 - b. Hearing Date - the Crash Disciplinary Review Board shall meet following the Crash Review Board session to review each avoidable crash. The Captain/Chairperson of the Crash Disciplinary Review Board will set the meeting date, if necessary, and shall notify the other Board members of the new date and time.
 - c. Retraining - upon notification from the Crash Disciplinary Review Board that retraining is required, the Training Unit shall schedule the training as soon as possible. If in-house training is not available, the training may be done by approved, outside sources. The Training Unit shall also document that a review of the Sheriff's Office General Orders on vehicle operation is included in the deputy's/employee's retraining.

- C. Crash Disciplinary Review Board
 1. Duties - the Crash Disciplinary Review Board shall review all avoidable crashes submitted by the Crash Review Board. The Crash Disciplinary Review Board shall determine if the actions or conduct of the deputy/employee warrant disciplinary action and, if so, the level of discipline to be recommended. All Board findings shall be reported to the appropriate Major.

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2. Staffing - the Crash Disciplinary Review Board shall be comprised of the Captain of Patrol Services or his/her designee, Traffic Sergeant, a union representative, and the Major who acts as the Judge.
3. Meeting Date - the Crash Disciplinary Review Board shall convene following any Crash Review Board decision of "avoidable" at the discretion of the Crash Disciplinary Review Board Chairperson.

D. Discipline

1. The Crash Disciplinary Review Board shall use the following guidelines to determine the level of discipline for avoidable crashes. The application of progressive discipline for repeat offenses shall be calculated from the date of the latest occurrence backward for three (3) calendar years. Only those crashes in which discipline was issued shall be used in the three (3) year progressive disciplinary process.
 - a. First Crash:
 - i. Minor: Damage Under \$1000.00
Discipline: Barring any operational or exigent circumstance the deputy/employee shall receive a verbal reprimand by his/her immediate supervisor.
 - ii. Major: Damage over \$1000.00
Discipline: Barring any operational or exigent circumstance the deputy/employee shall receive a written reprimand.
 - b. Second Crash in a Three (3) year Period
 - i. Minor: Damage under \$1000.00
Discipline: Barring any operational or exigent circumstance, retraining and discipline up to and including a suspension.
 - ii. Major: Damage over \$1000.00
Discipline: Barring any operational or exigent circumstance, retraining and discipline up to and including a suspension.
 - c. Third Crash in a Three (3) year Period
 - i. Minor: Damage under \$1000.00
Discipline: Barring any operational or exigent circumstance, up to and including suspension and/or financial responsibility for repair of county vehicle.
 - ii. Major: Damage over \$1000.00
Discipline: Barring any operational or exigent circumstance, up to and including termination and/or financial responsibility for the repair of county vehicles. The deputy shall, also, be subject to an assignment which does not require operating a vehicle as a primary part of the job.



ISSUED BY: Sheriff Michael J. Bouchard