

GENERAL ORDER



DISTRICT OF COLUMBIA

Title		
Crash Review Board		
Topic	Series	Number
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GO-SPT-401.02 [Crash Review Board (CRB)], Effective Date April 22, 2002		
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TT-03-035-13 (Relocation of Crash Review Board), Issue Date March 8, 2013		
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GO-SPT-401.03 (Traffic Crash Reports)		

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I. PURPOSE

When a crash involving a Metropolitan Police Department (MPD) vehicle occurs, MPD has a responsibility to the public to fully investigate, bring resolution to, and hold members accountable for actions involving negligence or violations of traffic and Department regulations. The MPD Crash Review Board (CRB) provides command-level review and oversight of all MPD traffic crashes. The purpose of this directive is to provide CRB procedures.

II. PROCEDURES

A. Reducing MPD Traffic Crashes

The policy of the MPD is to reduce the number of MPD traffic crashes by:

1. Conducting high quality, professional, impartial, timely and fact-based assessments of crash cases involving members of the Department.
2. Holding operators accountable for the safe operation of Department vehicles.
3. Providing consistent application of Department guidelines while ensuring that MPD policies have been followed.

4. Fostering the confidence, trust, and support of the community and Department members by sustaining internal and external credibility related to police vehicle operation.
5. Maintaining a risk-based approach to provide intervention and reduce liability associated with MPD traffic crashes.
6. Identifying training needs and recommending new standards in police vehicle operations and accountability.
7. Making police vehicle operation policy recommendations that promote safety for Department members and members of the public.

B. Crash Review Board Membership

1. CRB shall consist of the following members.

CRB Membership
a. Special Operations Division (SOD) commander (CRB chairperson)
b. Captain or above (appointed by the Chief of Police or his or her designee on a rotating basis)
c. Fleet Services Division director
d. Metropolitan Police Academy (MPA) commander
e. One non-voting member selected by the Fraternal Order of Police consistent with the current Labor Agreement between the Government of the District of Columbia, Metropolitan Police Department and the Fraternal Order of Police, MPD Labor Committee

2. A member assigned to SOD shall serve as the CRB recorder. The CRB recorder shall be responsible for the following tasks.

CRB Recorder Responsibilities
a. Schedule CRB meetings and notify members of meeting dates, times, and locations
b. Attend all CRB meetings
c. Handle administrative and clerical tasks related to CRB activities
d. Obtain prior crash report information on involved members for CRB consideration
e. Provide all pertinent reports, records, and items to be considered and assess documents for completeness
f. Prepare a summary of CRB findings and recommendations for each CRB review
g. Notify respective elements of CRB findings and recommendations
h. Maintain statistical information of all crashes reviewed by CRB
i. Maintain a complete file of CRB records

C. MPD Traffic Crash Reviews

1. In accordance with the Labor Agreement between the Government of the District of Columbia, Metropolitan Police Department and the Fraternal Order of Police, MPD Labor Committee, CRB shall institute final action for all CRB cases. In no case shall a commanding officer institute any type of corrective or disciplinary action.

2. CRB shall meet regularly to ensure that all cases are heard in a timely manner.
3. CRB, when determining responsibility and making recommendations, shall consider, but is not limited by, the following:

CRB Considerations	
a.	The manner in which the vehicle was being operated (e.g., code one, routine patrol)
b.	The existence and extent of negligence on the part of the Department operator
c.	Deficiencies on the part of supervisory personnel
d.	Operating conditions of the vehicle
e.	Adequacy of vehicle maintenance
f.	Adequacy of location of installed equipment

4. CRB has the authority to render the following actions:

CRB Actions	
a.	Remand case back to the commanding officer for further investigation.
b.	Classify crash as preventable or non-preventable.
c.	In preventable cases, where negligence or violation of traffic or Department guidelines occurred, make recommendations for education-based development, corrective action, or adverse action.

5. A majority vote must determine the final decision. If a majority vote cannot be obtained after discussion and votes, the chairperson shall make the final decision. Dissenting members may submit a minority report addressing their findings with recommendations.
6. CRB shall use a point value system to determine the appropriate penalty for all preventable accidents. The point value system considers contributing circumstances and the severity of the crash and CRB calculates the total point assessment for the member when considering the penalty for preventable accidents. Point assessments are based upon the following criteria:

Point Assessments	
	One point is assessed if the operator violated Department policies and guidelines that were a primary or secondary factor in the crash.
	One point is assessed if the operator committed a moving traffic violation that was a primary or secondary factor in the crash, whether cited or not.

7. Additional points are assessed based upon the severity of the crash:

Additional Point Assessments	
One Additional Point	<ol style="list-style-type: none"> a. Injury to any party less than serious physical injury to include complaints of pain or injury, without visible injury b. Property damage that is not classified as substantial property damage
Three Additional Points	<ol style="list-style-type: none"> a. Death or serious physical injury b. Substantial property damage

8. Based upon the member’s total point assessment, CRB shall recommend disciplinary action as follows:

Points Assessed	Disciplinary Action
Less than four points	Education-based development or corrective action
Four points or more	Education-based development or adverse action


9. CRB shall prepare a final report, documenting CRB's findings and recommendations, no later than 10 business days from the conclusion of the review.
- a. In cases classified as non-preventable, the report shall be emailed to the member’s element via the element’s admin email address. The member shall receive one copy of the findings.
 - b. In cases classified as preventable, members shall be contacted by Disciplinary Review Division (DRD) director and provided with instructions.
10. DRD shall implement education-based development or disciplinary action, when applicable. Upon resolution of the sanctions associated with the crash, DRD shall update the Personnel Performance Management System (PPMS) and electronically forward the information to the respective command and CRB.
11. CRB shall forward copies of all preventable crash cases and other training recommendations to the MPA director. The MPA director shall determine the appropriate level of driver re-certification or remedial training, schedule members for training, and maintain corresponding training records.

III. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated.

	Term	Definition
1.	Department vehicle	Department-owned vehicle, vehicle rented by and used for Department purposes, privately owned vehicle authorized for official business, and any other vehicle used for official Department purposes.
2.	MPD traffic crash	Collision involving an MPD motor vehicle, bicycle, or Segway and another vehicle, pedestrian, bicyclist, animal or fixed object whether or not there is damage or injury. <u>NOTE:</u> This term does not include instances where MPD vehicles are damaged by intentional or unintentional means not caused by a collision (e.g., damage to property by natural causes or destruction by intentional means which do not result in a traffic crash report). Damage in these instances is reported using the PD Form 43 (Report of Damage To or Loss of District Property) and is not reviewed by CRB.

3.	Non-preventable crash	Collision involving a member who exercised the level of reasonable care and caution that would be exercised by any ordinary and prudent person in the same circumstances, and who took reasonable precautions to prevent or minimize the effect of the crash.
4.	Preventable crash	Collision involving a member who failed to exercise reasonable care in the operation of a Department vehicle, failed to take reasonable action which could have avoided or prevented the crash, violated a Department rule, policy or procedure which contributed to the crash, or committed a moving violation, whether cited or not.
5.	Serious physical injury	Injury or illness that results in admission to the hospital or that creates a substantial risk of death, serious disfigurement, loss of consciousness, disability, a broken bone, or protracted loss or impairment of the functioning of any body part or organ.
6.	Substantial property damage	Total property damage to vehicles or other property resulting from a crash that exceeds \$5000 in value as determined by the Director of the Fleet Services Division or his or her designee.



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PN:KDO:MOC:SMM