

MISSOULA POLICE DEPARTMENT POLICY MANUAL



<i>Subject:</i> CRASHES INVOLVING POLICE DEPARTMENT VEHICLES		
<i>Effective Date:</i> 6/8/2017	<i>Original Date:</i> 12/4/2006	<i>Next Review:</i> 6/8/2019
<i>Chapter</i> 9	<i>Policy #</i> 9.30	<i>Distribution:</i>
<i>References:</i>		

I. Purpose

The purpose of this policy is to provide members and employees of this agency with guidelines if involved in a crash of a department vehicle, incidental damage or malicious damage to a Department Vehicle.

II. Policy

The nature of the employees work creates an obligation to be attentive to the safe operation of the Department's motor vehicles and alert to any changes in road, weather or traffic conditions. When a crash occurs involving a department vehicle, it becomes the organizations obligation to ensure public trust in the investigation and determination of fault. To accomplish this, the department shall regularly ask an outside agency to investigate using the procedures in this policy.

III. Definitions

Department Vehicle – Includes any police vehicle or specialty vehicle (lease car, city vehicle, special use vehicle) used by a department member or employee for official use.

Motor Vehicle Crash – An unintentional collision between two motor vehicles or a motor vehicle and another object.

Vehicle Crash Damage – Any vehicle damage which results from a motor vehicle crash.

Incidental Damage – Vehicle damage resulting from the routine operation so slight that it would not affect the operation of the vehicle (small scratch, dented hub cap, paint transfer, etc.) and would not normally be repaired. Safety operation items, such as broken headlight or taillight, can be included under incidental damage, but obviously should be repaired. All incidental damage will be reported to the Division Captain by use of a Desk Report (DR).

Malicious Damage – Any vehicle damage which is willfully caused by the operator or other person and does not meet the conditions for motor vehicle crash or incidental damage.

IV. Procedures

- A. All crashes or damage involving a Department vehicle will be reported to the on duty Shift Commander.
- B. If a crash results in damage to any vehicle or injury to any persons, the Shift Commander shall immediately request an investigation by the Montana Highway Patrol or appropriate agency having jurisdiction for the location of the crash
 - 1. If all vehicles involved are city vehicles or the property is city owned, the shift commander will be responsible for the investigation of the incident
 - 2. A police report will be completed by the officer/driver of the vehicle on all reports of damage or a crash no matter how minor the damage. The report will be completed before leaving the shift when the damage occurred unless it involves an officer-involved critical incident.
 - a. A copy of this report will be forwarded to the division Captain immediately.
 - b. The shift commander shall request a copy of the investigating agencies report and findings be forwarded to the Division Captain.
 - c. A City of Missoula Incident Form will be filled out if a department owned vehicle is in a crash.
 - 3. Incidents involving high stress to a vehicle will be reported to the Shift Commander and a decision will be made in regard to removing the vehicle from service.
 - 4. An officer involved in a crash shall make no accusations or statements concerning the cause of liability of the crash to the public.
 - 5. If there is excessive vehicle damage or officer injury, the Shift Commander shall notify the Division Captain or call the On-Call Staff Officer. In event of serious injury or death the Chief of Police shall be notified immediately of the officer-involved critical incident.
 - 6. A vehicle involved in a crash shall be removed from service until it can be inspected by vehicle maintenance personnel and deemed fit for duty.
 - a. If the damage is cosmetic only the vehicle maybe left in service at the discretion of the shift commander.
 - b. A damage condition report shall be completed and left with the vehicle when taken out of service.
 - 7. Whenever a Missoula Police Department vehicle is involved in a crash or is damaged and the total monetary damage is one thousand dollars

(\$1,000) or more the incident shall be reviewed by the Crash Review Board.

8. If the damage to the vehicle is less than one thousand dollars (\$1,000) the incident will be reviewed by the employee's immediate supervisor and a report forwarded to their Lieutenant and division Commander.
9. All crash or damage reports shall include a determination of the investigating supervisor as to one of the following;
 - a. Preventable
 - b. Non preventable (third party responsibility)

V. Accountability

If the report from the Crash Review Board indicates the incident to have been preventable, the Division Commander may use any of the disciplinary procedures regarding the unsatisfactory performance by the employee per the City Employee Handbook (Section 9 -02).

Subsequent incidents involving preventable crashes or damage to a department vehicle shall be governed by the progressive disciplinary procedures. It should be understood that depending on the nature and circumstances regarding the damage and seriousness of the incident the Division Commander may use any disciplinary measures appropriate within their judgment.