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<b>Fleet Safety Committee Manual</b>		



## I. Introduction

- A. This manual provides guidelines for the disposition of vehicle traffic crashes involving sworn personnel **by the Fleet Safety Committee**. Additional information may be found in the "Traffic Crashes Involving Division Personnel and Vehicles" directive.
- B. Division personnel may attend Fleet Safety Committee meetings as non-voting observers.

## II. Responsibilities of Fleet Safety Committee Members

### A. Assigned Traffic Bureau Officer

1. Prepare traffic crash summaries and diagrams for all cases under review at the meeting.
2. Read the prepared summaries for all appeals and traffic crashes, omitting any information that would disclose the identity of the vehicle's **driver**.
3. Present all cases involving **sworn personnel** being considered for **Defensive Driver Training (DDT)**.

### B. Recording Secretary

1. Provide the original traffic crash reports with the chain of command comments to the Chairperson at the meeting. The reports shall be numbered to correspond with the numbers on the assigned Traffic Bureau Officer's diagrams.
2. Record the vote of the committee on each case.
3. Prepare and send a Disposition Notification, form F-10.100, and a copy of the routing sheet **via email to the chain of command of** the involved **sworn personnel**.
4. Prepare and forward a report of the disposition of the cases heard by the Fleet Safety Committee to the following:
  - a. General Staff
  - b. Director **of Public Safety**
  - c. Legal Advisor
  - d. Accident Records
  - e. Accident Investigation Unit
5. Notify **sworn personnel** appealing Fleet Safety Committee decisions of the date, time, and location of the appeal hearing.

6. ***Upon receipt of the signed Disposition Notification form and issued discipline or citation, attach the documentation to the traffic crash package and forward to the Human Resources Bureau for entry into the Discipline Tracking System and placement in the involved officer's Master Personnel File.***

C. Chairperson

1. Schedule a review of all traffic crashes before the Fleet Safety Committee at its next regular monthly meeting.
2. Call a special meeting as necessary.
3. Inform the Committee **members** of recommendations of the involved **officer's** chain of command, identified by rank only, following the reading of the facts on new cases.
4. Call for the vote. The Chairperson is not entitled to vote except to break a deadlock on a second ballot.
5. Announce the results of the vote.
6. Enter the majority decision on the routing sheet. A notation shall be made on the routing sheet whenever the decision of the Fleet Safety Committee is in conflict with the chain of command recommendation. The applicable traffic crash disposition guideline shall be noted on the routing sheet.

D. Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall preside, retaining voting status only in second consideration votes. In these instances the Traffic Bureau Commander shall be replaced by a Traffic Bureau Lieutenant, who shall serve as a voting member.

### III. Fleet Safety Committee Meeting Agenda

A. The Fleet Safety Committee shall hear cases in the following order:

1. Appeals of old cases
2. Vehicle traffic crashes
3. DDT recommendations

B. The following format shall be used on each new case:

1. Excerpts from the investigating supervisor's letter shall be read.
2. Recommendations of the involved **officer's** chain of command shall be provided.
3. The floor shall be opened for questions and discussion.
4. The vote is called, accomplished by each member displaying a placard indicating one of the available dispositions. A majority vote is required to establish a disposition. In the event a majority vote is lacking, the floor shall be reopened for discussion and a second vote called.

#### IV. Traffic Crash Disposition Guidelines

The Fleet Safety Committee Chairperson may recommend to deviate from progressive discipline when critical or mitigating circumstances exist.

##### A. Citation

1. **The vehicle was** illegally parked.
2. **The driver of the** vehicle **was** in violation of a traffic ordinance.

##### B. Written Reprimand

1. **The driver was** at fault and violated the law, but was involved in police work of an urgent nature.
2. **The driver was** at fault with no violation of law, and a written reprimand is the appropriate progressive disciplinary action.

##### C. Documented Constructive Counseling (DCC)

1. **The vehicle was** illegally parked due to official business, but without due regard to existing traffic conditions.
2. **The driver was** operating under urgent conditions without violating the law, but **was** not taking all necessary precautions.
3. **The other driver was** at fault, but better defensive driving by the **driver** of the Division vehicle may have prevented or lessened the severity of the traffic crash.
4. **There was no** violation of the law, but there is **an** indication that the **driver** of the Division vehicle was careless or evidence of contributory negligence on the part of the driver.
5. **A violation of the** Division Directives **occurred**, and a DCC is the appropriate progressive disciplinary action.

##### D. No Fault

1. **The vehicle was** legally parked.
2. **The other driver** was found at-fault, and **there was** no contributory negligence on the part of the Division vehicle's **driver**.
3. **There was a** sudden, verified mechanical failure of vehicle. The vehicle must be taken out of service at the time of the traffic crash and inspected by the City's Fleet Management Division personnel to substantiate this claim. A written report from the Fleet Management Division Administrator regarding the claim shall be sent to the **Evidence, Facilities, and Fleet (EF&F)** Section Lieutenant of the Support Operations Bureau. The **EF&F** Section Lieutenant shall forward a copy of the report to the Fleet Safety Committee Chairperson and the original to the investigating supervisor.
4. **The vehicle was** illegally parked due to police work, and all reasonable precautions **were** taken by driver.
5. **The driver of the vehicle was** operating under urgent conditions **without violating the law and** with no carelessness or poor judgement on the part of the **driver**.

6. **The** vehicle sustained damage while **being** operated under normal conditions with no carelessness on the part of the **driver**.
- E. Two-Officer Vehicles – Backing Into Objects or Vehicles
- Although the driver of a two-officer vehicle is primarily responsible for the operation of the vehicle, the Committee may vote to issue a DCC to the second officer in circumstances when the driver's view is restricted. Except in emergency situations, the second officer should exit the vehicle to assist by guiding the driver out of tight spaces, etc.

## V. Recommendation for DDT

### A. Traffic **Crash-Prone Drivers**

1. A traffic crash-prone pattern is considered to be developing if an officer is involved in three traffic crashes within any 12-month period.
2. The assigned Traffic Bureau Officer shall provide the **Fleet Safety Committee members** with a history of the traffic crashes in which the officer has been involved. The history shall include all on-duty traffic crashes and any off-duty traffic crashes that occurred within three years of the most recent on-duty traffic crash.
3. Fault is not the single determining factor.
4. The Committee, after consideration of the items listed in Section V,B, shall make a decision whether to require DDT.
5. The Committee may also recommend that the officer's bureau commander **or deputy chief** conduct a personal interview to ascertain if circumstances merit removing the officer from duties which involve driving a City vehicle. Any recommendation from a bureau commander **or deputy chief** to remove an officer from such duties shall be forwarded to the Chairperson, who shall forward it with any comments related to the removal to the Chief of Police for approval.

### B. Considerations in **Recommending DDT**

1. Type of traffic crashes involved.
  - a. Was the vehicle being driven or was it parked?
  - b. Was the officer in the vehicle?
  - c. Was police work being performed?
  - d. Were mechanical problems involved?
2. Traffic crash fault  
Did the officer cause the traffic crash?
3. Weather conditions
  - a. What were the conditions of the streets?
  - b. Was poor visibility a factor?
4. Type of assignment  
Does the officer work on the street, in a plainclothes assignment, in an office, etc.?

5. Physical condition  
Does the officer have any physical conditions, such as poor eyesight or hearing, which may have affected his or her operation of the vehicle?
6. Mental condition  
The officer's mental condition may be taken into consideration if brought to the attention of the Committee and could include things such as mental stress from job or family.
7. Other factors  
Members should consider any other factors brought to the attention of the Committee.

## VI. Procedures for Sworn Personnel Sent to DDT

- A. Fleet Safety Committee Chairperson
  1. Upon determination by the **Fleet Safety** Committee that an **officer** is to attend DDT, notify:
    - a. The involved **officer's** bureau commander **or deputy chief**.
    - b. The Training Bureau Commander.
- B. Involved **Officer's Bureau Commander or Deputy Chief**
  1. Forward a copy of the notification to the involved **officer** through the chain of command.
  2. Upon notification from the Training Bureau Commander of the date and time for the DDT:
    - a. Forward the original notification through the chain of command for immediate personal service to the involved **officer**.
    - b. Retain a file copy of the notification.
- C. Training Bureau Commander
  1. Schedule the training **to be completed within six months if possible**.
  2. A minimum of 30 days prior to the date of training, notify the involved **officer's** bureau commander **or deputy chief** of the date and time of the DDT.
  3. Upon completion, summarize the **officer's** performance in the DDT. Include whether the **officer** passed or failed and any pertinent observations by the instructor, and forward as follows:
    - a. One copy to the **officer**, to be delivered by personal service, through the chain of command.
    - b. The original to the **Recording Secretary, who** shall forward it to the **Human Resources Bureau** for **placement in** the **officer's** Master Personnel File after noting the disposition.

## VII. Disposition Notification Forms Without an Appeal

### A. Chain of Command

1. **Issue the appropriate discipline.**
2. **Forward the signed Disposition Notification form and the issued discipline (Citation, Written Reprimand, or DCC) for review through the chain of command to the Recording Secretary within seven days from the date notification was received.**

**Note: The signed Disposition Notification form and issued discipline can be scanned and sent electronically to the chain of command and Recording Secretary to meet the timeline, but the original documents must also be forwarded.**

### B. Involved Sworn Personnel

1. **Sworn personnel requesting a court hearing or a hearing before a Traffic Court Referee after receiving a citation shall notify the Recording Secretary in writing of the time and date of the court appearance. The notification shall be direct, not through the chain of command.**
2. **The Recording Secretary must receive the written notice at least two court days prior to the court appearance.**

### C. Recording Secretary

1. **Document receipt of the discipline in the Fleet Safety Log.**
2. **Send the package to the Human Resources Bureau.**

### D. Human Resources Bureau Personnel

1. **Enter the discipline in the Discipline Tracking System.**
2. **File the traffic crash package in the involved officer's Master Personnel File.**

## VIII. Right to Appeal Fleet Safety Committee Decisions

- A. Sworn personnel may appeal the decision of the Fleet Safety Committee, as explained on the Disposition Notification. Failure to make notifications of appeal within the specified times waives all right to appeal.
- B. The Committee must receive any Disposition Notification **form** indicating appeal within seven days from the date notification was received. For "At Fault" cases, the **signed** Disposition Notification form will be **scanned and** sent electronically to the **Recording Secretary**.
  1. The traffic crash packages on all "**At Fault**" decisions (Citation, Written Reprimand, and DCC) shall be held by the Recording Secretary until the Disposition Notification is signed and returned **with the appropriate documentation attached**.
  2. If appealed, the traffic crash package shall be held in the office of the **deputy chief** appointed as the Chairperson until the next Committee meeting.

### **C. Sworn Personnel Appealing Fleet Safety Committee Decisions**

1. **Forward** the original letter of appeal to the investigating supervisor **within 14 days of notification of the Committee's decision**.
  - a. **The letter shall specify the precise evidence, error, mitigating circumstances, or other information that may alter the Committee's initial determination. If a basis for the appeal is a claim of faulty Division equipment, the vehicle must be checked by Fleet Management Division personnel. The letter of appeal must indicate that an opinion of the Fleet Management Division Administrator has been requested.**
  - b. The investigating supervisor shall review and comment on the letter of appeal and return the letter to the appellant's immediate supervisor for comments from the chain of command before being forwarded to the Fleet Safety Committee.
2. **Forward a** copy of the letter of appeal directly to the Legal Advisor's Office **and the Recording Secretary**.
- D. The Recording Secretary must receive a copy of the letter of appeal within 14 days of the **officer's** notification with or without the opinion **of the Fleet Management Division Administrator** attached.
- E. The Recording Secretary shall notify the appellant of the date, time, and location of the Committee's reconsideration of their decision. The appellant may attend the Committee meeting, but **he or she** is not required to appear in person. No overtime shall be paid for attending the meeting.
- F. The Recording Secretary shall send the Disposition Notification form out electronically to **the chain of command of** sworn personnel involved in an on-duty traffic crash after the case and any subsequent appeal has been reviewed by the Committee and a final decision has been rendered. This will speed up the notification process and ensure that timelines, especially for traffic citations, are met.