

## Traffic Collision Review Board (TCRB)

### 501.1 PURPOSE AND SCOPE

1. The TCRB will review all incidents involving an unintended event that produces damage, injury or death involving a Department Member and a Department assigned motor vehicle or watercraft; regardless of whether the vehicle is owned by the county, a city, or leased.
2. The TCRB does not review incidents involving damage to Department assigned motor vehicles or watercraft caused by acts of nature, legal intervention, or criminal actions (i.e. arrestee kicks out window to patrol vehicle).
  - (a) Legal intervention is defined as injury or damage caused by enforcement intervention (e.g., Pursuit Intervention Technique).
  - (b) If during the course of legal intervention injury or damage occurs outside of the original intent this would then be considered accidental and meet the criteria for a motor vehicle collision (see policy 502 – Traffic Collision Reporting).
3. In all situations involving damage to county property, a D.R. shall be requested and a County of Orange Vehicle Collision/Incident Report shall be completed. Supplemental reports may include a traffic collision report, initial crime report, or follow up report.

### 501.2 NOTIFICATIONS

1. If a Member is involved in a collision, the Member shall immediately notify his/her supervisor. The local law enforcement agency should be notified of the collision and asked to respond to the scene. A traffic collision investigation should be conducted and the appropriate reports should be completed by the investigating agency. In addition, the Member shall request a D.R. from ECB.
2. All supervisors investigating a Department related collision shall notify the on-duty Department Commander (DC) and ensure that the following information is given for the Department Commander's log:
  - (a) D.R. Number
  - (b) Outside Agency D. R. / Officer ID (if applicable)
  - (c) Type of Collision (e.g. Fatal, Injury, and Property Damage)
  - (d) Date & Time of Incident
  - (e) Parties Involved / Department Operator
  - (f) Unit Number
  - (g) Damage Description (e.g. Minor, Moderate, Major)
  - (h) Disposition of Vehicle
  - (i) Responding Supervisor
  - (j) Summary of Incident

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- (k) Handling Deputy / CSO / Agency
3. In addition to notifying the Department Commander, the supervisor shall document the incident in the automated Supervisors Log under the classification of (Traffic Collision Emp. Involved). The following information should be entered as a minimum:
  - (a) D.R. Number
  - (b) Outside Agency D. R. / Officer ID (if applicable)
  - (c) Type of Collision (e.g. Fatal, Injury, Property Damage)
  - (d) Date & Time of Incident
  - (e) Parties Involved / Department Operator
  - (f) Unit Number
  - (g) Damage Description (e.g. Minor, Moderate, Major)
  - (h) Disposition of Vehicle
  - (i) Responding Supervisor
  - (j) Summary of Incident
  - (k) Handling Deputy / CSO / Agency
  - (l) OC Crime Lab notified / responded
4. Finally, the supervisor shall complete a Supervisor Synopsis for Member Involved Collision report (this report can be found in the Department intra-net document center). This report shall include the supervisor's opinion as to whether the collision was preventable or non-preventable. The Supervisor Synopsis report, County of Orange Vehicle Collision/Incident Report, and the traffic collision report shall be forwarded through the supervisor's chain of command for approval. Once approved, the originals of these reports shall be forwarded to the S.A.F.E. Division so that they may be evaluated and prepared prior to being submitted to the TCRB for review.

### **501.3 TRAFFIC COLLISION REVIEW BOARD COMPOSITION**

1. Chair of the Board - Assistant Sheriff of Professional Services Command
2. Member - S.A.F.E. Division Commander
3. Member - Risk Management Bureau Commander
4. Member - North Operations Captain
5. Member - Southeast Chief of Police Services
6. Member - Southwest Chief of Police Services
7. Member – Investigations Captain
8. Member - Training Sergeant
9. Member - Regional Traffic Bureau Sergeant
10. Member - S.A.F.E. Division Administrative Manager

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11. Member - S.A.F.E. Division Professional Staff Member
12. Member - R&D Fleet Management Manager
13. Associate – Transportation Sergeant (Optional)
14. Associate - Department Safety / Training Officer (Optional)
15. Associate - Harbor Patrol Bureau Captain (Optional)

To ensure the Board has access to all pertinent information, subject matter experts may be invited or required to attend Board meetings. Members may designate an alternate in their place.

### **501.4 DUTIES AND RESPONSIBILITIES**

1. The S.A.F.E. Division shall compile, track, and log all incidents to be reviewed by the Board. This shall be accomplished through reviewing the DC log and CAD system. The S.A.F.E. Division will ensure that all necessary traffic collision information is forwarded to the CEO/Risk Management office.
2. The S.A.F.E. Division will schedule quarterly Board meetings regardless of the number of cases to be reviewed. Additionally, the S.A.F.E. Division will notify Board members of unscheduled meetings at the direction of the Chair of Board (Assistant Sheriff of Professional Services Command). Incidents that may require unscheduled Board meetings may involve, but are not limited to, serious injury or death to a Member or citizen, or substantial county or city liability.
3. During the meeting the Board will render the following decisions:
  - (a) Non-preventable
  - (b) Preventable
  - (c) Follow-up required
  - (d) Damage only\*
  - (e) Unknown
  - (f) Legal intervention
  - (g) Other
4. If the collision is determined to be non-preventable, no further action will be taken. If the collision is determined to be preventable, the Board will determine the appropriate preventable cause factors related to the incident.

\* Damage only indicates that the vehicle/vessel was unoccupied when the damage occurred.

### **501.5 PREVENTABLE CAUSE FACTORS**

1. Unsafe Speed for Prevailing Conditions
2. Failure to Signal

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3. Failure to Stop
4. Failure to Yield Right of Way
5. Following too Closely
6. Failure to Set Parking Brake
7. Improper Lane Change
8. Unsafe Starting Maneuver
9. Unsafe Turning Movement
10. Unsafe Passing
11. Unsafe Parking Maneuver
12. Driving Under the Influence (alcohol/drugs/prescription medication)
13. Mechanical Defect Unreported
14. Failure to Secure (load, doors, tailgates, trailer hitch)
15. Distracted Driver
16. Improper Loading
17. Driver fatigue
18. Unsafe backing
19. Other

### **501.6 PREVENTABLE COLLISION CORRECTIVE MEASURES**

1. The TCRB Chair Person shall assign each preventable collision a corrective measure. Corrective measures include, but are not limited to, the following:
  - (a) Review tactical driving for law enforcement DVD
  - (b) Complete driving simulator course (sworn)
  - (c) Complete an approved defensive driving course (professional staff)
  - (d) Driving in reverse course at Training Division
  - (e) Refer to Commander for review
  - (f) Refer to immediate supervisor for additional specialty training
  - (g) Other

Corrective measures shall be assigned based on the circumstances surrounding each specific collision. This is meant to ensure the Member involved receives the most appropriate training to assist in preventing future traffic collisions.

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Furthermore, the TCRB Chair Person may refer **any** preventable collision(s) to the Member's Commander based on the totality of the circumstances surrounding the collision (e.g., policy violations, multiple preventable collisions within a 12 month period, etc.).

A Member shall complete their assigned corrective measure within 60 days of receiving notification unless an extension is authorized by their Commander.

A Member shall be granted an extension to complete their assigned corrective measure if they file a written appeal to the S.A.F.E. Division as outlined in section 501.7 of this policy.

### **501.7 APPEAL PROCESS OF PREVENTABLE COLLISIONS**

#### **501.7.1 RIGHT TO APPEAL**

All Department Members shall have the opportunity to appeal the decision of a preventable traffic collision.

#### **501.7.2 TIME FRAME TO APPEAL**

In order to process all appeals in a timely manner, all requests must be made in writing to the TCRB / S.A.F.E. Division no later than 30 days after receipt of the TCRB finding.

#### **501.7.3 COMPOSITION OF APPEALS BOARD / APPEAL HEARING**

The composition of the Board shall consist of the regular traffic collision review board members. The appeal shall be heard at the next scheduled TCRB meeting. In the event the appeal cannot be heard, it shall be scheduled for the following quarterly meeting.

#### **501.7.4 PRESENTATION OF ADDITIONAL EVIDENCE**

During the appeal, the appellant may present additional evidence (written and/or oral) to the Board that they feel is relevant to support their appeal. The appeal meeting itself is relatively informal in nature and is intended to provide a relatively relaxed environment for the appellant to present their perspective on the contested vehicle collision.

#### **501.7.5 BOARD DECISION**

The TCRB shall take into consideration the following when making its decision:

1. The original vehicle collision report and other supporting information that formed the basis of the initial findings of a preventable vehicle collision.
2. Mitigating information the Member may have presented at the appeal meeting.

The appellant and their supervisor shall be notified in writing of the Board's decision within 30 days of the appeal meeting.

### **501.8 ADDITIONAL BOARD FINDINGS**

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### 501.8.1 BOARD FINDINGS UNRELATED TO TRAFFIC COLLISIONS

Any policy violations or other Departmental issues identified during the course of the TCRB process unrelated to the traffic collision shall be referred to the involved Members command by the TCRB Chair Person at the conclusion of the TCRB.