

## Safety Program

### 219.1 PURPOSE AND SCOPE

It is the policy of the Newark Police Department that every member and employee is to conduct his work with the care and skill necessary to preclude accidents and shall avoid work habits that are detrimental to safety. Supervisors shall continuously attempt to improve the working habits of subordinates and shall take action to correct acts of indifference, misconduct, carelessness, or negligence that may result in accidents or abuse of Police Department equipment and property. The purpose of this Order is to reduce the number and severity of vehicular and nonvehicular accidents and to provide for the proper review of accidents that occur.

### 219.2 INVESTIGATION OF ACCIDENT CAUSES

Investigating to determine the causes of accidents is the responsibility of the immediate supervisor, the Safety Coordinator, Departmental Safety Committee, the traffic Accident Review Board, and the Police Chief.

The purpose of investigating accidents is to determine the causes, identify violations of statutory law or Police Department directives, provide for correction, and determine methods of preventing further occurrences.

### 219.3 DEPARTMENT SAFETY COORDINATOR

- (a) The Safety Coordinator of Police Department shall be the Administrative Commander and shall be responsible to assist in the development of the Police Department's Safety Education and Training Program and to serve as Chairman of the Safety Committee.
- (b) The Safety Coordinator shall secure or cause to be prepared any training aids deemed by him/her, the Safety Committee or the Accident Review Board, to be necessary in the dissemination of safety education information. Such training aids may include, but are not limited to, the following:
  - 1. Safety Posters
  - 2. Bulletin Board displays
  - 3. Daily Bulletin messages
  - 4. Video Tapes
  - 5. Film slides
  - 6. Safety demonstrations
- (c) The Safety Coordinator shall consult with other Managers and Police Supervisors when necessary for the purpose of reviewing safety needs and assisting in providing for safe work conditions and safe work habits.

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- (d) The Safety Coordinator shall keep a record of accident experience for each individual in the Police Department. This record shall include vehicle accidents, medical waivers, and lost time injuries, as well as other records deemed necessary.

#### **219.4 SAFETY COMMITTEE**

- (a) The Safety Coordinator, the Training Sergeant and/or Training Officer, one Field Operations Sergeant, a representative of the Newark Police Association and at least one Police Officer shall be members of the Police Department Safety Committee.
- (b) A Safety Subcommittee will consist of the Traffic Sergeant, Field Operations Commander, and one other Commander. The duty of the Traffic Sergeant will be to set the date and times for the review board and provide technical knowledge related to the collision investigation. In cases involving discipline, the Chief or designee shall make recommendations consistent with policy. It will be referred to as the Accident Review Board and will meet for the purpose of investigating the causes of traffic accidents. This subcommittee is deemed necessary due to the expertise required for the investigation of traffic accidents. Findings will be submitted to the Safety Coordinator for the presentation and further consideration of the Safety Committee.
- (c) A member of the Safety Committee shall attend Citywide Safety and Health Committee meetings.

##### **219.4.1 OBJECTIVE OF SAFETY COMMITTEE**

The objectives of the Safety Committee are to provide an appropriate review of incidents involving the Police Department personnel or equipment and which results in either damage to the equipment or injury to the personnel. To facilitate this review, the Safety Coordinator shall act in an advisory capacity to the Chief of Police. The following procedures are set forth as guidelines for the Safety Committee:

- (a) The function of the Safety Committee is to make recommendations that will lessen accidents, preserve staffing levels and protect Department equipment. Within the scope of the Committee's authority, it shall make recommendations deemed necessary to ensure personnel and equipment safety. It further has a responsibility to make recommendations on new procedures or the acquisition of equipment which may enhance our Safety Program. This is to be turned in to the Safety Coordinator with final approval made by the Chief of Police.
- (b) The scope of authority delegated to the Safety Committee shall encompass the gathering of safety suggestions, the determination of Department accident causes, the solutions that will lead to accident prevention and the processing of all safety suggestions. This Committee is not to perform as a disciplinary recommending or review board. Disciplinary recommendations shall be performed by supervisory personnel consistent with the Department's organizational structure. The recommendations from this Committee shall reflect the original objective of the

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Committee and be generally directed toward improvements in individual employee's operational attitudes and procedures or improvements in equipment or deployment practices.

- (c) All personnel are encouraged to submit suggestions for the improvement of our Safety Program directly to the Police Department's Safety Coordinator.
- (d) The Safety Committee shall meet on a periodic basis but not less than quarterly.
- (e) The Safety Committee shall review all accidents referred to it by the Chief of Police or Safety Coordinator for the purpose of determining preventive measures so that all Officers can learn from the experience. Any person involved in an accident may attend the next scheduled Safety Meeting. They may take this opportunity to present information they feel is pertinent for the Committee to develop its recommendation.
- (f) The Safety Committee shall review the circumstances attending each referred accident and interview persons who appear before it to determine whether the accident was preventable with justification or non-preventable. In the case of traffic accidents, the Traffic Accident Review Board will conduct the investigation and present findings to the Safety Committee.

#### 219.4.2 DEFINITIONS

- (a) A PREVENTABLE ACCIDENT is any accident involving Department Personnel that results in property damage or personal injury, regardless of who is injured, what property is damaged, when the member or employee involved has failed to do everything he/she reasonably could have done to prevent the accident.
- (b) A PREVENTABLE ACCIDENT WITH JUSTIFICATION is an accident that is preventable (in that the employee or member failed to do everything reasonable to prevent the accident), but his/her actions were taken purposely in order to accomplish a Police or Police mission using acceptable procedures.
- (c) NON-PREVENTABLE ACCIDENT is one in which the member or employee has done everything reasonable to prevent the accident.

#### 219.4.3 SAFETY COMMITTEE PROCEDURES

- (a) The Safety Committee may order a member to appear before it or prepare a written report concerning an incident. If the Safety Committee orders a member to appear, the member is entitled to representation.
- (b) The Committee shall present its findings in its minutes of the meeting that discusses the accident. Notification of the findings will be delivered to the Supervisor of the person involved, and the person involved will be personally notified by the Supervisor. The findings will include any pertinent facts concerning the accident developed during the course of the meeting.

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- (c) A copy of the findings will also be directed to the Chief of Police.
- (d) Recommendations from committees will require action at various levels. To standardize and assure proper consideration, recommendations are to be summarized with an indication as to what action is intended to be taken and at what level. As Safety Committees are advisory to the various Command levels, recommendations generally are to the specific Supervisor for consideration and possible implementation, though some should be considered at higher levels.
- (e) The Field Operations Commander or designee shall initiate action on recommendations directly from the Committee.

#### **219.5 SAFETY ENFORCEMENT PROGRAM**

- (a) As a member of the Police Department Safety Committee, the Safety Coordinator and Supervisors shall conduct periodic inspections of areas under the Police Department's control. The purpose of the inspections is to detect unsafe housekeeping, working practices, and hazardous conditions.
- (b) Supervisors shall review and evaluate every accident involving their personnel for the purpose of tentatively determining whether an accident is preventable or nonpreventable and to make referral of accidents to the Safety Coordinator. This referral will be submitted separately from the "Accident Investigation Report" to our insurance carrier. The referrals will be discussed with the Chief of Police.
- (c) Accidents shall be referred to the Safety Coordinator by the Supervisor when there is an indication that they resulted from poor judgment, violation of City policies, negligence, violation of the law or Departmental Regulations, or when property damage or injury are involved.
- (d) As a member of the Department Safety Committee, the Safety Coordinator shall prepare all reports and records resulting from the activities of the Committee. He/She may delegate the actual writing of the report or records to another Committee member.

#### **219.6 RESPONSIBILITIES OF THE FIELD OPERATIONS COMMANDER**

- (a) The Field Operations Commander or designee shall, upon notification that an accident involving a member under his/her supervision has been ruled Non-Preventable, notify the person of the finding.
- (b) The Field Operations Commander or designee shall, upon notification that an accident involving a member under his/her supervision has been ruled Preventable with Justification, notify the person of the finding.
- (c) Upon notification that an accident involving a member under his/her supervision has been determined to be preventable by the Department Safety Committee, the Field Operations Commander or designee shall notify the member of the finding and shall

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interview him/her for the purpose of ascertaining his/her attitude on the matter. The Field Operations Commander or designee shall also solicit from the person involved any recommendations concerning remedial measures which may be taken to avoid future accidents.

- (d) The Field Operations Commander or designee shall make a recommendation concerning the action which should be taken with the member involved. The recommendation shall be based upon the person's past accident record, his/her attitude regarding the accident, and the degree of his/her carelessness. The Field Operations Commander or designee shall recommend one or more of the following forms of corrective or disciplinary action as may be appropriate.
1. Counseling
  2. Training
  3. Oral reprimand/note
  4. Sanctions
  5. Vision and reaction tests
  6. Driving tests
  7. Written examination involving Departmental Driving Rules and Regulations and Vehicle Code Laws.
  8. Any other action which may be considered pertinent under the circumstances of the accident, taking into consideration the individual's past safety record and individual needs.