

## RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a specific standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Jason Soto/s/		
Approving Deputy Chief: Tom Robinson /s/		
General Order No: P-380-17	Issued: August 29, 2011	Reviewed: October 24, 2017
General Order Title: <b>TRAFFIC CRASH/INCIDENTS INVOLVING GOVERNMENT EMPLOYEES</b>		

### I. POLICY

It is the policy of the Reno Police Department to ensure that fair, efficient and thorough investigations of traffic crashes or incidents involving City of Reno employees, takes place in a manner that is impartial and transparent.

### II. DEFINITIONS

**Administrative Crash Investigation (ACC)** – internal investigation, conducted by an employee's supervisor, reported up the employee's chain of command, which could result in discipline.

**Traffic Crash** –when a vehicle collides with or is in any manner involved in a crash with another vehicle or property, on a highway or on premises to which the public has access, if the crash results in bodily injury to or the death of any person or total damage to any vehicle or item of property to an apparent extent of \$750 or more

**Traffic Crash Investigation** – investigation by law enforcement reported on state approved forms, which could result in criminal charges.

**Traffic Incident** – when a vehicle collides with or is in any manner involved in a crash with another vehicle or property and the incident does not occur on a highway or premises to which the public has access, or the damage caused to property does not exceed \$750, or the incident does not otherwise fit the definition of a Traffic Crash.

### III. PROCEDURES

#### **RPD Employees Involved in a Traffic Crash or Incident**

RPD employees involved in traffic crashes or incidents, while on-duty, or while driving city owned vehicles, will follow the "Traffic Crash Investigation Procedures" delineated in the Traffic Enforcement G.O.

Additionally, on-duty RPD employees, or RPD employees driving city owned vehicles, must immediately notify a supervisor of the crash or incident, unless they are incapacitated and unable to do so.

## **Supervisors of an RPD Employee Involved in a Traffic Crash or Incident**

When notified that their employee has been involved in a traffic crash or incident, the supervisor will respond to the scene unless mitigating circumstances prevent them from doing so. The supervisor will evaluate the circumstances of the crash and determine what level of response is necessary under the below listed categories.

For all on duty RPD employee involved traffic crashes or incidents, or when a city owned vehicle is driven by an RPD employee and is involved in a traffic crash or incident, a supervisor must conduct an administrative investigation and forward his or her findings through their chain of command to Internal Affairs.

### **Internal Affairs**

Internal Affairs will review and track all employee-involved crashes and incident investigations. Internal Affairs will ensure that these investigations are adjudicated appropriately either through the disciplinary process or through the Employee Performance Process.

## **VI. TRAFFIC CRASH OR INCIDENTS INVESTIGATED BY OTHER AGENCIES**

Whenever any of the following categories of traffic crashes or traffic incidents occur, another law enforcement agency will be requested to respond and investigate:

- Any city employee, whether on duty or off duty, involved in a traffic crash involving serious injuries.
- Any city employee, whether on duty or off duty, involved in a traffic crash involving death.
- Any city employee, whether on duty or off duty, involved in a traffic crash or traffic incident when the arrest of the employee is likely.
- Any on-duty Reno Police sworn employee involved in a traffic crash that involves any injury.
- Any on-duty Reno Police sworn employee involved in a traffic crash or traffic incident that causes major damage to another person's property.
- Any other traffic crash or traffic incident in which, in the opinion of the on-scene supervisor, a significant conflict of interest exists.

Once a supervisor is made aware of a traffic crash or incident involving any of the above listed circumstances, the supervisor will make every effort to notify the investigating agency as soon as reasonably practicable to allow the investigating agency enough time to respond and initiate their investigation

RPD personnel may conduct any of the above traffic crash or traffic incident investigations when other agencies are unable to respond, however NRS 289.095 requires another agency to investigate any traffic crash involving a peace officer that results in death.

### **Requests by Other Agencies**

RPD officers will respond whenever practicable upon request by any other law enforcement agency to conduct traffic crash or traffic incident investigations involving the other agency's sworn personnel. Requests to investigate traffic crashes or traffic incidents involving the other agency's non-sworn personnel will be evaluated on a case by case basis.

## **V. TRAFFIC CRASHS OR INCIDENTS INVESTIGATED BY RPD PERSONNEL**

The following categories of traffic crashes or incidents, involving City of Reno employees, occurring within the City of Reno's jurisdiction, may be investigated by RPD personnel and reported on the state approved forms:

- Any on-duty Reno Police Officer, involved in a traffic crash or traffic incident that causes minor damage to another person's property.
- Any City of Reno employee, whether on-duty or off-duty, involved in any traffic crash or traffic incident with a fixed object, that results in property damage only.
- Any off-duty City of Reno employee, involved in an traffic crash that does not result in serious injury, death or the arrest of the employee.
- A parked, unoccupied City of Reno vehicle, involved in a traffic crash or incident with another vehicle.

Any traffic crash/incident involving city employees, occurring in another jurisdiction, will be investigated by the agency having jurisdiction.

## **VI. ADMINISTRATIVE CRASH INVESTIGATION (ACC) OF RENO PD EMPLOYEES**

Only an administrative crash investigation is required for traffic crashes or incidents involving on duty RPD employee, in a City of Reno vehicle, that only result in damage to city property. They do not require a traffic crash investigation nor must they be reported on state approved forms.

## **VII. CRIMINAL INVESTIGATION**

Sworn employees do not have statutory exemption to criminal sanctions for any violation of State or City laws pertaining to on-duty traffic crashes or traffic incidents. For traffic crashes or traffic incident investigations involving governmental employees resulting in death, the investigating agency will normally submit cases to the Washoe County District Attorney's Office for prosecutorial review.

For all other cases, the agency investigating the traffic crash or incident will make a determination, based on the facts of the case, whether to submit the case for prosecutorial review, or to handle the case administratively through the agency's internal disciplinary and/or risk management processes.