



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



240.03 CIVIL LIABILITY (RED BORDER/BLUE BORDER FORMS) 08-20-12

PURPOSE

The purpose of this order is to establish procedures for the documentation and investigation of incidents involving City liability for damages/injuries due to the actions of City employees or the condition of City property.

POLICY

It shall be the policy of the Sacramento Police Department to gather, in an objective and uniform manner, all facts and circumstances relating to an incident where City may be held liable for damages/injuries due to the acts of its employees or the condition of its property.

PROCEDURE

A. GENERAL

1. Property damage caused accidentally, intentionally, directly, or indirectly by actions of employees shall be immediately brought to the attention of a supervisor.
2. Supervisors shall ensure incidents are fully investigated and documented.
3. An employee or supervisor shall not assume responsibility or place the City under obligation to repair damaged property.

B. DAMAGED PRIVATE PROPERTY – CITY INVOLVEMENT (NON-VEHICULAR)

1. In the absence of an emergency, employees shall confer with their supervisor prior to damaging private property. Example: Forcing a door or window to conduct a welfare check. Supervisors shall consider the availability of equipment such as door rams, etc.
2. If a citizen's property is damaged by a Department employee, or the City may be held liable for the damaged property, employees shall:
 - a. notify their immediate supervisor.
 - b. document the extent of the damages, the contact information for all parties/witnesses involved, and all pertinent information in a General Offense Report in Versadex.
 - c. complete Section 1 of Form RM 3, City of Sacramento Incident/Loss Report (Red Border) form, and forward it electronically through the chain of command for signature.
3. The supervisor shall digitally sign, and e-mail the approved red border to PSU.
4. PSU shall forward a copy of the red border to City Risk Management and all appropriate Divisions within the Department as necessary.
5. Employees shall make a reasonable effort to locate the owner of the damaged property.
 - a. If the attempt is unsuccessful, employees shall notify their immediate supervisor and leave an SPD 558 (SPD Information card) with their contact information and the case number.
 - b. Supervisors concluding a danger to individuals or the potential loss of property exists, shall authorize the Communications Division to contact the appropriate entity to secure the building or eliminate the hazard. (See GO. 527.05, Securing Open/Damaged Structures.)
6. Persons whose property has been damaged shall be advised to contact the City's Risk Management Division.

C. DAMAGED OR LOST CITY PROPERTY AND EQUIPMENT

1. Whenever City property or equipment is damaged or lost the individual employee or the person to responsible for the equipment shall
 - a. complete all necessary and appropriate reports documenting the incident, routing reports in the usual manner.
 - b. complete Section II of the Red Border form and forward it electronically to their supervisor.
2. The supervisor shall digitally sign, and e-mail the approved red border to PSU.
3. PSU shall forward a copy of the red border to City Risk Management and all appropriate Divisions within the Department as necessary.



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D. CITY EQUIPMENT COLLISION/NON COLLISION OF VEHICLE DAMAGES

1. Any Department employee involved in a vehicle collision while driving a City vehicle on or off duty shall:
 - a. notify the Communications center as soon as possible.
 - b. notify their immediate supervisor as soon as possible.
 - c. complete Form RM 2, City of Sacramento Driver's Report of Accident (blue border form) within 24 hours, or immediately upon the employee's return to work if off duty and submit it to their supervisor either via e-mail or hard copy. **Note: When submitting a blue border electronically, all drawings and photos (if applicable) of the collision shall be scanned and e-mailed with the form.**
 - d. In the event the employee's return to work is delayed past the next scheduled work shift, the completion of the blue border form shall be the responsibility of the employee's immediate supervisor.
2. Officers responding to collisions involving City vehicles shall:
 - a. complete a General Offense report in Versadex regarding the incident.
 - b. complete all necessary forms (i.e., Motor Vehicle Collision report CHP 555, casualty reports, etc.).
 - c. ensure photographs of the damage and the scene are taken as necessary (Refer to G.O 510.11, Deployment of CSI). All City vehicle collision reports shall be investigated according to the procedures described in GO 537.04, Collision Reporting.
3. Employees shall not prepare collision reports of vehicle collisions in which they are involved, however they may write their own statement to be included with the report.
4. Employees shall not give any information regarding the collision to any person other than their supervisors, investigating officers, Internal Affairs Division, PSU, representatives of the City Attorney's Office, Risk Management Division, or properly authorized representatives of the City's liability insurance carrier and/or claims administrator.
5. If and when a City vehicle sustains non-collision damage such as a broken window, bullet hole, etc., employees shall:
 - a. complete all necessary and appropriate reports documenting the incident, routing reports in the usual manner.
 - b. complete Section II of the Red Border form and forward it electronically to their supervisor.
6. The supervisor shall digitally sign, and e-mail the approved red border to PSU.
7. PSU shall forward a copy of the red border to City Risk Management and all appropriate Divisions.

E. PHYSICAL INJURY ACCIDENTS ON CITY PROPERTY

Officers investigating injury accidents on City property, including structural failures in a city facility, an injured citizen as a result of employee action, or other types of incidents in which City property is involved, shall:

1. complete Versadex General Offense and supplements reports (as appropriate), and a Red Border form.
2. document in the General Offense report and all supplemental reports the:
 - a. name, address, telephone number, and age of injured.
 - b. date, time, and exact location of the accident. CSI may be requested to take photographs of the scene where the accident occurred and of the injured party as outlined in G.O 510.11 Deployment of CSI.
 - c. cause of the accident: carelessness on the part of the injured; sobriety of the injured; type of shoes worn; surface condition of the ground (i.e., oily, wet, dry, foreign matter, paved, etc.)
 - d. extent of the injuries, location of medical treatment or hospitalization.
 - e. all pertinent information that may be helpful for settling a dispute of the incident from a citizen.

F. DOCUMENTATION ROUTING

1. PSU shall forward the red and blue border forms to City Risk Management or other appropriate divisions within the Department.
2. Fleet Management shall assist the City Safety Officer to obtain all necessary documents for the Department Safety Committee meetings.