

**SAN DIEGO POLICE DEPARTMENT  
PROCEDURE**

**DATE:** NOVEMBER 29, 2018  
**NUMBER:** 2.09 – COMMUNICATIONS  
**SUBJECT:** INDUSTRIAL ACCIDENTS  
**RELATED POLICY:** N/A  
**ORIGINATING DIVISION:** SUPPORT OPERATIONS  
**COMMAND:** COMMUNICATIONS  
**NEW PROCEDURE:**   
**PROCEDURAL CHANGE:**  **NO CHANGES**  
**SUPERSEDES:** DP 2.09 – 07/24/2015

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**I. PURPOSE**

This Department procedure establishes guidelines for the proper response to, and reporting of, industrial accidents.

**II. SCOPE**

This procedure applies to all members of the Department.

**III. BACKGROUND**

The California Occupational Safety and Health Act of 1973 was enacted to assure safe and healthful working conditions for all California working men and women. (Cal. Lab. Code § 6300 et seq.)

California Labor Code section 6409.2 requires that whenever a police or fire department is called to a job-related accident in which a serious injury, illness, or death occurs, or when a patient is transported for the same, the California Division of Occupational Safety and Health Administration (Cal-OSHA) shall be notified immediately by telephone.

The reporting requirements pertain to injured employees of privately-owned companies, as well as those employees who are police personnel and civilians employed by the City of San Diego. Accidents resulting in injury or death, that occur on public or private property, including those that involve work vehicles (or mobile machinery), in use as industrial equipment (such as graders, backhoes, and water trucks), are classified as industrial accidents and must be reported.

Traffic collisions occurring on dedicated highways, streets, or alleys will be excluded from this reporting procedure when the vehicles involved are not in use as industrial equipment at the time of the accident.

#### **IV. PROCEDURES**

The San Diego Fire-Rescue Department is the agency primarily responsible for handling industrial accidents. The Police Department will assist the Fire-Rescue Department on industrial incidents that result in death, are caused by criminal activity, or are suspicious in nature.

- A. In the event that an industrial accident results in a death, the Fire-Rescue Incident Commander will request a Police Department response, as the Police Department will retain responsibility for death investigations. Fire-Rescue will retain responsibility for reporting to Cal-OSHA.
  1. Responding police personnel will be responsible for the investigation and reporting of industrial deaths that are accidental, suspicious, or criminal in nature. Industrial deaths involving accidental or suspicious circumstances require the investigating officer to contact Communications Division and/or the Watch Commander's Office to ensure that the District Attorney's Office Economic Crimes Division-Environmental Crimes Unit, has been notified, via the District Attorney's 24-hour answering service at (619) 234-4148. Industrial deaths involving criminal circumstances should be handled as any other homicide investigation. See Section IV.B. for further information. If Fire-Rescue is cancelled while en route to the incident, the investigating officer is required to contact Communications Division and/or the Watch Commander's Office to ensure that Cal-OSHA has been notified by calling (619) 767-2280.
  2. Police personnel should thoroughly document the nature of the industrial accident, which resulted in a death, by utilizing the Department's Crime Incident Report form (ARJIS-2) and the Supplemental Death Report form (PD-576). When completing the report, officers should note in the code section description of the Crime Incident Report "920000ZZ Death Report – Industrial." This notation will assist the Records Division in properly categorizing these cases.

3. If, during the investigation of a death resulting from an industrial accident, it becomes apparent to the reporting officer that suspicious circumstances exist to warrant further in-depth investigation, contact should be made with a field homicide evaluator or the on-call Homicide Lieutenant. Officers should discuss the nature of their concerns regarding the incident with the appropriate Homicide Unit representative to determine if a Homicide team should be called to do a more in-depth investigation. If the officer determines that the death is actually a homicide, the officer should follow the same protocols in place for all homicide investigations.
- B. Industrial accidents that are the result of criminal activity will be investigated by police personnel.
1. If Fire-Rescue Department personnel suspect that an industrial injury was potentially caused by criminal activity, a police officer will be requested to respond to the scene to conduct a criminal investigation.
  2. The investigating officer will follow all Department protocols that relate to that particular crime investigation (i.e., obtaining witness statements, evidence collection, hospital follow-up, and detective call-out, if appropriate).
  3. The investigating officer will complete and submit all required paperwork related to the crime case.
  4. Industrial accident injuries that occur as a result of criminal activity do not require Cal-OSHA notification.
- C. Police Department personnel will also investigate industrial accidents that are suspicious in nature.
1. When the primary responders at the scene of an industrial accident believe that the cause of the injury is suspicious, a police officer will be requested to respond to the scene to conduct the appropriate investigation.
  2. The investigating officer will follow all Department protocols to conduct a thorough investigation and determine if the injury was the result of criminal activity, negligence or merely an accident.
  3. The investigating officer will complete and submit all required paperwork related to the investigation (i.e., Crime Report, ARJIS-9).

4. Industrial accidents that are suspicious in nature must immediately be reported to both Cal-OSHA and the District Attorney's Office Economic Crimes Division-Environmental Crimes Unit. Should Fire-Rescue be cancelled prior to arriving on scene, the investigating officer will notify Communications Division and/or the Watch Commander's Office to ensure that these notifications have taken place.
  
5. The Lead Dispatcher at Communications Division, and/or the Watch Commander's Office, will be responsible for ensuring that Cal-OSHA is notified of the injury. The investigating officer shall be prepared to provide the following information about the event:
  - a. Business name and contact person;
  - b. Business address;
  - c. Business telephone number;
  - d. Location of accident;
  - e. Date and time of event;
  - f. Name, address, phone number, and date of birth of the injured person;
  - g. Nature of the injury;
  - h. Accident description;
  - i. Where the injured person was transported; and,
  - j. Other public agencies at the site.

Once Cal-OSHA and the District Attorney's Office Economic Crimes Division-Environmental Crimes Unit is properly notified, the Lead Dispatcher and/or the Watch Commander will document the fact on the CAD event.