



University of Pennsylvania Police Department 4040 Chestnut Street, Philadelphia, Pa 19104		 
Directive: 16	Subject: Civil Suits	Effective Date: 05/02/1996
Order of: Maureen S. Rush, Superintendent of Police		Amended Date: 02/01/2015

I. Purpose

The purpose of this directive is to establish guidelines for the proper notification of the pertinent University offices when a University of Pennsylvania Police Department (UPPD) employee is involved in a civil suit.

II. Policy

It is the policy of the UPPD that any employee involved in a civil suit or claim as a result of an incident or event that occurred while the employee was on duty must notify the University's Office of General Counsel. The responsibility of notifying the Office of General Counsel cannot be delegated to an attorney or any second party.

III. Scope

This directive shall affect all UPPD employees.

IV. Procedures

A. Notification

1. Prior notification must be given to the Office of the General Counsel when a department employee initiates, or is named a defendant in a civil suit or claim against or by a private party as a result of an incident or event that occurred while the employee was on duty.

B. Method Of Notification

1. Prepare an Interoffice Memorandum (UPPD-28) addressed to the Office of the General Counsel. The memorandum shall contain the following information:
 - a. name, job title or rank, badge number (if applicable) and home address of the employee;

- b. shift and/or unit of assignment;
 - c. employee ID number;
 - d. date and time of incident;
 - e. location of incident and UPPD Control/Case numbers;
 - f. name and address of person or party against whom the suit or claim will be made or the name and address of the person or party initiating the suit, whichever is applicable;
 - g. name and business address of attorneys retained by both parties, if known;
 - h. name of insurance company, if known; and
 - i. all pertinent facts pertaining to the incident.
2. If additional information is obtained, prepare an additional memorandum and submit as outlined in Section IV. B., 1, above.
 3. Submit the original memorandum through the chain of command to the Superintendent of Police for distribution.
 - a. After review, the Superintendent will forward all documentation to the department's Records Unit.

C. Distribution

1. Claims or suits involving injuries to employees on duty, along with other pertinent documents, will be forwarded via the Records Unit to the Office of Risk Management.
2. All other claims or suits involving actions by employees on duty, along with other pertinent documents, will be forwarded via the Records Unit to the Office of the General Counsel.

D. Compliance

Violations of this directive, or portions thereof, may result in disciplinary action.

E. Officers Assigned To Other Agencies

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this directive.

F. Application

This directive constitutes departmental policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law. Violations of policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.