

## **GENERAL ORDER 61.4.1**

### **Traffic Accident Investigation**

**GENERAL ORDER CROSS-REFERENCE: 61.5.1**

#### **SUMMARY**

Establishes a procedure for investigating and reporting of traffic accidents by the Springfield Police Department

#### **DISCUSSION**

Accident investigations represent an important function of the Department. The public expects officers to conduct a fair and thorough investigation of accidents as well as care for the injured, provide protection of the scene, and protect the rights and property of those involved. An accident can be and often is an emotional experience to all parties. Officers should understand these requirements and conduct themselves and the investigation in an impartial and professional manner. Traffic accidents are investigated to determine the cause of accidents so methods of prevention can be developed and to determine if evidence to support criminal prosecution exists.

#### **POLICY**

##### **I**

The Springfield Police Department shall respond to motor vehicle accidents involving:

1. Death or injury.
2. Hit and run.
3. Impairment of an operator due to alcohol or drugs.
4. Damage to public vehicles or property.
5. Hazardous materials.
6. Disturbances between principals (occupants.)
7. Major traffic congestion as a result of the accident.
8. Damage to vehicles to the extent towing is required, or

9. When directed by a supervisor.

If none of the above conditions apply an officer shall respond if workload permits. The involved drivers shall be encouraged to exchange the necessary information and file the required reports with their insurance and Department of Motor Vehicles.

Two or more officers shall respond to the scene of a serious or complex accident to provide emergency services, investigate the accident, record short-lived evidence, and restore the normal flow of traffic.

In the event adverse weather conditions (i.e., snow, ice) make response too hazardous, or if an emergency situation is in progress which requires immediate attention, the shift watch commander or supervisor may suspend response and/or investigation of minor accidents. A minor accident is an accident involving property damage only. This policy should be announced to the public via the Department's public information system.

## II

The major responsibility of an accident investigation rests with the first officer to respond. Even if the first officer is not the officer who completes the report, the responsibilities are the same. The officer assigned the call by Dispatch shall be in charge at the scene until relieved by a supervisor, the Major Accident Investigation Team or another law enforcement agency. The responsibilities of the first officer are as follows:

1. Arrive safely at the scene. Respond in accordance with Departmental guidelines regarding the operation of an emergency vehicle.

2. Position the patrol vehicle so that it is easily seen, easily accessible by the officer, provides protection of the accident scene (injured persons, evidence, etc.) and aids the flow of traffic around the accident scene. Care should be taken to insure that the vehicle is not parked in a manner which would create an additional hazard.

3. Check for injured persons, fire hazards and hazardous materials. If any are located, notify dispatch and request response by the appropriate agencies. Officers shall provide emergency medical aid and/or fire suppression services until fire and/or medical personnel arrive. (Injured persons shall not be transported in Department vehicles unless authorized by the watch commander.) In the case of hazardous materials incidents, the officer shall isolate the hazardous area, evacuate non-essential personnel and identify the involved vehicle, container placards and, if possible, the hazardous product name and/or identification number. At no time is the officer to enter an area possibly contaminated by a hazardous material without first being trained in the handling of hazardous material incidents and without proper protective clothing.

4. The officer shall take whatever steps necessary to protect the accident scene and establish a smooth flow of traffic around the accident. If assistance is necessary, the officer shall notify dispatch of the type of assistance needed, the amount of assistance, and the appropriate code response. If the officer chooses to use civilian personnel in traffic control, the officer shall

ensure that those persons directing traffic have a basic understanding of traffic direction before their use.

5. The officer shall determine if the accident is a hit and run. If the incident is a hit and run, the officer shall notify dispatch of the following information as soon as possible.

A. Suspect vehicle description

- 1) license, color, year, make, model and accessories
- 2) damage degree and location

B. Suspect description

C. Last known direction of travel

6. The officer shall locate, identify and interview witnesses and drivers.

7. Examine the accident scene carefully. Examine all evidence to include all roadway marks, damage to vehicles and record the location of any pertinent evidence. Any evidence requiring collection, photographing or measuring should be processed following Department guidelines.

8. Clear the scene. The roadway shall be cleared as soon as is practical. In case of minor property damage only accidents, the roadway shall be cleared as rapidly as possible to prevent congestion or further accidents.

9. If the officer finds probable cause to believe that physical evidence and/or statements of witnesses and/or drivers support traffic violations and/or criminal violations, the officer shall take any appropriate enforcement steps. Officers may issue citations at the scene of a traffic accident, however, when there is some doubt concerning the violation or who is at fault, officers may complete the investigation and review the report prior to issuing any citation and/or making an arrest.

10. When the accident involves injuries and the injured person is transported to a hospital, the officer shall contact the hospital to determine the condition of the injured.

11. The officer shall complete the reports required by Departmental policy and State law. In the event that more than one officer responds to an accident, it is the responsibility of the officer assigned the call by dispatch to complete the required reports unless assignment is changed by a supervisor. In the event of a vehicular assault, vehicular homicide or fatality accident, it shall be the responsibility of the major accident investigator to make certain that the required reports are completed. In the case of a serious accident, each officer involved in the investigation may be required to complete reports regarding his activity. It is important that the primary officer insures that the drivers involved in the accident exchange appropriate identifying information.

12. In the event a subject is injured, incapacitated due to intoxication, is under arrest, or otherwise unable to care for his property, the officer shall take the appropriate steps consistent with Department guidelines to protect the property of the individual from theft, loss or damage.

13. The responsibility for the investigation of an accident rests with the officer assigned the call by dispatch. This applies until such point as the responsibility is reassigned at the discretion of a shift supervisor. A supervisor shall be notified if an accident:

- A. Involves a City owned vehicle,
- B. Involves an injury where there is a likelihood of death,
- C. Involves the certainty of death to an individual, or
- D. Involves the possible filing of any related felony charge.

The shift supervisor shall be notified immediately if an accident involves the possibility or certainty of death to an individual, and the Major Accident Investigation Team shall also be contacted.

If an accident involves a Department-owned vehicle the watch commander shall contact another police agency to investigate the accident. If another agency is unable to provide assistance, the investigation shall be handled by Department personnel.

In minor, non-injury accidents where the cause of the accident is clear, the watch commander may have the accident investigation performed by a member of this Department. In this case the watch commander shall contact the Division Commander as soon as possible and explain the rationale for such decision. Officers shall also be assigned to investigate all reportable traffic accidents involving other City vehicles or vehicles owned by other governmental agencies occurring within the City limits of Springfield.

### III

Any accident requiring the collection of off-scene data, obtaining formal statements, technical assistance or reconstruction shall be brought to the attention of the watch commander. The use of expert or technical assistance in accident investigation shall be at the discretion of the watch commander and/or the major accident investigator. The use of expert and technical assistance will be based on an evaluation by the supervisor or investigator of: the severity of the accident; the need of such assistance to further criminal prosecutions; the cost of obtaining the necessary assistance; and the availability of the necessary assistance. Supervisors and investigators should utilize the expertise of other members prior to obtaining assistance from outside the Department. Supervisors or investigators should consult the District Attorney if in doubt of the need for assistance to further prosecution. Any officer involved in the investigation of an accident which may result in the filing of formal criminal charges shall complete the appropriate reports consistent with Department policy.

## IV

An officer shall be dispatched to investigate traffic accidents occurring on private property and/or premises open to the public when the following conditions exist:

1. Hit and run accidents,
2. Fatal accidents,
3. Accidents involving serious physical injury,
4. Accidents involving City owned vehicles,
5. Accidents involving intoxicated drivers, or
6. Accidents involving hazardous material.

In circumstances that warrant an investigation, the responding officer shall prepare an incident report providing a description of the event. The investigating officer shall take the appropriate enforcement and/or prosecution action for the type of accident under investigation.

## V

The state traffic crash report form shall be used for accident investigations. The form shall be filled out completely. Two important segments of the report are the diagram and the narrative. Information obtained in an accident investigation shall be chronologically presented. A diagram is used to visually depict the accident scene and shall be included for fatal or serious physical injury accidents, accidents where City or other government vehicles are involved, or when directed by a supervisor.

When an officer responds to the scene of an accident that involves property damage only, a Collision Information Form may be completed in lieu of the Oregon Police Traffic Crash Report. Any motor vehicle accident involving any injury or an accident in which enforcement action for DUII, reckless driving, hit and run, or eluding requires a complete standard State traffic accident report.

When the Collision Information Form is completed, it shall be routed to the Watch Commander and to Records for processing. A copy of the form shall be forwarded to the traffic division in the Public Works Department for traffic engineering purposes.

## VI

The driver of any vehicle involved in an accident resulting in the following circumstances shall forward a complete written report to the Oregon Department of Motor Vehicles within 72 hours.

1. Damage to the vehicle is over \$2,500, or
2. Damage to any vehicle is over \$2,500 and any vehicle is towed from the scene as a result of damages from this accident, or
3. Injury or death resulted from this accident, or
4. Damages to any one person's property other than a vehicle involved in this accident is over\$2,500.

Officers investigating a traffic accident shall inform the persons involved of the report requirement.

## VII

Department members involved in an accident while operating a City vehicle shall request a supervisor to respond to the scene if the accident occurs within the Springfield City limits, or the local law enforcement agency to respond and take a report if the accident occurs outside Springfield.

Members shall write a report on the accident and fill out any other reports required by law as soon as possible. If the employee is unable to write the necessary reports, the on-duty supervisor shall be responsible for their completion in a timely manner. The on-duty supervisor shall inform a command officer as soon as possible.

Accidents that involve members shall be reviewed by the member's supervisor and information forwarded via chain of command to the Chief of Police.

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Richard L. Lewis  
Chief of Police