

NEW CANAAN POLICE DEPARTMENT

SUBJECT: TRAFFIC ACCIDENT INVESTIGATION

GENERAL ORDER NUMBER: 90-9-85

FILE: OPS 8

TRAFFIC OPERATIONS

I PURPOSE/POLICY

The New Canaan Police Department recognizes the importance of its accident reporting and investigative responsibilities. It is necessary, not only to determine traffic law violations, but also to obtain engineering data, to protect the rights of the individuals involved, and to assist in traffic education. The purpose of this general order is to establish the guidelines necessary to ensure that these functions are performed safely, effectively and efficiently.

II RESPONSIBILITY

It is the responsibility of all departmental personnel to adhere to this general order. It is the additional responsibility of the Commander of the Operations Division and Patrol Supervisors to ensure its compliance.

III PROCEDURES (ACCIDENT REPORTING AND INVESTIGATION)

A When a traffic accident is reported to the police department it will be investigated/reported by uniformed patrol officers in a thorough and professional manner.

- 1.** The types of accidents which require a complete investigation include those that involve:
 - a. Death or injury
 - b. Substantial property damage
 - c. Hit and Run
 - d. Impairment due to alcohol and/or drugs
 - e. Hazardous materials
- 2.** The severity and circumstances surrounding an accident will determine the extent of the officer's investigation.
 - a. Accidents resulting in death, injury or substantial property damage will require a comprehensive investigation which may include:
 - 1) Measurements
 - 2) Photographs/Video Recording
 - 3) Collection of Physical Evidence

- 4) Inspection of vehicle(s)
 - 5) Assistance from technical experts.
- b. Certain circumstances may arise when an officer will not be required to conduct an accident investigation when called to the accident scene. In order for this to occur, all of the following conditions must exist:
- 1) The principals/operators, all of whom are responsible adults, must request that no investigation be conducted and;
 - a) No injuries were sustained
 - b) Property damage was minimal
 - c) Operator, vehicle and insurance (if applicable) information are in proper order.
 - d) There are no extenuating circumstances which would dictate that a complete accident investigation be conducted. Such circumstances may include a serious offense being committed or the involvement of police, town, state vehicles or school bus.
 - 2) In such cases, the desk officer/dispatcher shall record in Computer Aided Dispatch that the operators settled the accident among themselves.
- c. Motor vehicle accidents which are reported after the fact, and there is no opportunity for an officer to conduct a proper investigation at the scene, will be documented using the Accident Report Form. The report will be for informational purposes only.
- 1) In such cases, enforcement action will generally not be taken unless there are extenuating circumstances (i.e. serious offense committed, injuries sustained, etc.).
- d. Motor vehicle accidents which occur on private property may be investigated by officer(s) at the request of any of the operators involved.
- 1) As per Connecticut General Statutes no enforcement action shall be taken for such accidents except where statutory exceptions exist.

B Each request for police to respond to a traffic accident will be evaluated by the desk officer/dispatcher as to its seriousness. This evaluation will be based upon the information received from the complainant. Once evaluated, the desk officer/dispatcher shall dispatch a patrol unit to the scene and notify the responding officer of the proper response code.

1. A Code I response may be appropriate when it can be reasonably assured that such a response will not jeopardize the safety of the principals/operators, other motorists or general public.
2. A Code II response will be the primary response to an accident where there is no report of serious or life threatening injury or fire. Situations where this type of response is appropriate include:

- a. Hit and Run
 - b. Impairment of an operator due to alcohol and/or drugs.
 - c. Damage to public vehicles or property
 - d. Hazardous materials (minor, non-serious nature)
 - e. Disturbances between operators
 - f. Major traffic congestion as a result of an accident.
 - g. Damage to vehicles to the extent that towing is needed.
3. A Code III response will be initiated for all accidents where there is a report of serious injury or death.
 4. The desk officer/dispatcher or shift supervisor may upgrade or downgrade a response code as necessary.
 5. Situations may arise when it is necessary for the responding officer(s) to up-grade or down-grade the response code. This will generally be the result of conditions which exist in the field that the desk officer/dispatcher is unaware of (ie. heavy traffic conditions, receipt of additional information etc.). In these instances, the responding officer(s) must request and receive approval from the desk officer/dispatcher prior to initiating a change in their response.

C The first officer to arrive at the scene of a traffic accident must evaluate the situation and determine the appropriate course of action so that the situation does not deteriorate. This responsibility becomes increasingly important and complex when injuries, fire hazards and hazardous materials are present at the scene. Officers will be called upon to perform certain functions and to coordinate these functions with assisting agencies. The following procedures have been established in order to assist the officer during that process.

1. Upon arrival at the scene, the officer will check for injuries, fire hazards, hazardous materials, etc. and notify the desk officer/dispatcher of the situation so that the appropriate external services may be contacted.
 - a. If damage to a vehicle requires that it be towed, the tow service on call will be summoned as soon as practicable so that normal traffic flow may be resumed.
 - 1) Whenever possible and/or practical, officers should direct motorists to move vehicles involved, (in property damage-only accidents), off to the side of the roadway in order to eliminate unnecessary blockage of the roadway.
2. The officer will secure the scene by establishing a safe traffic pattern around the scene and if necessary, provide assistance to include:
 - a. Injury - provide basic life support and first-aid until relieved by qualified emergency medical personnel.

- b. Fire Hazards - provide fire suppression services until relieved by fire department personnel. Officers primary concern shall be to ensure the safety of those at the scene. Officers should only attempt to extinguish a fire if it can be reasonably assured that such action will not endanger themselves or others.
 - c. Hazardous Materials - isolate the hazard area, evacuate non-essential personnel and attempt to identify the vehicle and placards in accordance with General Order 90-3-79, Traffic Ancillary Services, Section 66.1.7.
 - 1) Only properly trained and equipped personnel should attempt to enter areas where hazardous materials may be encountered.
3. Once the accident scene has been stabilized, the officer's responsibilities should include preserving short-lived evidence, locating/interviewing witnesses and recording accident information.
- a. When additional officers or supervisory personnel arrive at the scene, they will assume the responsibility of support for the investigating officer, unless said officer is officially relieved of control.
4. Officers shall park their patrol vehicles in such a manner as to protect the scene, preserve evidence and protect the public, but not so it would create an additional hazard. The patrol vehicle's overhead lights will be utilized while blocking the roadway.
- D** As a general policy, the officer assigned to a sector where an accident has been reported will be responsible for the investigation of said accident. If the officer is unavailable, the investigation may be assigned to another officer dependent upon it's seriousness and the availability of an officer.
1. The desk officer/dispatcher or shift supervisor may, at their discretion and for good cause, deviate from this policy if it is in the best interest of the police department or public to do so. Such a deviation would be appropriate when:
- a. The circumstances and/or severity of an accident dictate that those officer(s) in the department with a high level of training in accident investigation be utilized. In such cases the shift supervisor shall immediately respond to and take command of the scene until the arrival of said officer(s).
 - 1) Such officers will be promptly relieved of other duties or called in to duty as necessary in order to assume command of said accident investigation.
- E** A successful accident investigation requires a thorough investigation of all facts and circumstances so that the investigating officer can accurately reconstruct the accident and support prosecution for violation of traffic laws. Information regarding an accident may be obtained from a variety of sources which may include:

1. Interviewing principals and witnesses - Interviews may be critical to an investigation. Individuals who are to be interviewed should be separated as soon as possible so they do not discuss details of the accident. Although not always practical, the preferred method of interviewing includes the use of written voluntary statements that are signed and notarized.
2. Examining/Recording vehicle damage - The examination of the damage to vehicles involved in an accident may be instrumental in determining the contributing factors. The investigating officer should inspect the damage carefully and make sure that this information is accurately reflected in the accident report.
 - a. Situations may require that outside expertise be utilized. If so, the results must be included with the accident report.
3. Examining/Recording effects of accident on roadway - Any effects on the roadway resulting from an accident should be documented as they may assist in the determination of contributing factors. This may best be accomplished through diagrams, photographs and video recordings.
4. Taking Measurements - Appropriate measurements will be taken of the accident scene using the tape reels/wheel, located in each patrol vehicle. The taking of these measurements should be done so as to have a minimal impact on traffic flow.
5. Taking Photographs - Photographs will be taken of all accidents involving serious injuries, death or involve town owned vehicles. The police photographer on call will be responsible for performing this function.
 - a. Investigative personnel will be responsible for this function, when a police photographer is unavailable, or circumstances require that additional photographs be taken.
 - b. A video camera is available for use by the investigating officer, with supervisory approval, to videotape the accident scene. As a general policy, video recordings should supplement, and not be used in lieu of photographs.
6. Collecting and preserving evidence - All evidence will be properly tagged and submitted to property management, pursuant to General Order 88-4-44, Property Management.
7. Exchanging of information among principals/operators - Each principal/operator will receive a copy of the Courtesy Form which contains preliminary accident information. Principals/operators are encouraged to exchange information among themselves.

F In some instances accident investigation follow-up activities may be necessary. This will be determined by the investigating officer(s) and shift supervisor on a case by case basis. When appropriate, the follow-up investigation may include:

1. Collecting off-scene data
2. Obtaining/recording formal statements from witnesses
3. Reconstructing Accidents

4. Preparing formal reports to support any criminal charges arising from an accident
5. Vehicle safety inspections
6. Video recording scene

G In certain instances, expert or technical assistance beyond the capabilities of the police department's personnel will be needed. Should this be necessary, it will be arranged with the approval of the Commander of the Operations Division. This technical assistance may include:

1. Mechanics
2. Physicians
3. Surveyors
4. Accident reconstructionists
5. Other specialists as necessary

H Patrol vehicles will be equipped with basic accident investigation equipment and emergency medical supplies.

1. This equipment includes:
 - a. First-aid Kit, containing assorted medical supplies
 - b. Oxygen tank with non-rebreather mask
 - c. Bag Valve Mask (BVM)
 - d. Fire extinguisher (10 lb.)
 - e. Flares
 - f. Wrecking bar or tire iron
 - g. Measuring tape (100 Ft.) and/or measuring wheel
 - h. Marking crayon
 - i. Heavy duty gloves (Heat Resistant)

2. Each officer shall be responsible for having all of the necessary report forms and access to accident templates.

I Whenever the officer investigating an accident determines that a violation of the law has occurred, enforcement action should be taken (Re: General Order 89-15-68, Traffic Law Enforcement)

IV PROCEDURES (AT-SCENE STABILIZATION ACTIVITIES)

- A** Uniformed officers shall have the primary responsibility for the direction and control of traffic at motor vehicle accident scenes. This is generally best accomplished by setting up perimeter traffic control points using the patrol vehicles overhead lights, flares, cones and other temporary traffic control devices as necessary.
1. Officers should set up perimeter traffic control points to:
 - a. Allow for the ingress and egress of police, fire and rescue equipment.
 - b. Halt or divert approaching traffic away from or around the accident scene.
 - c. Provide for alternate routes to move traffic around the accident.
 2. When it becomes necessary to close or restrict the flow of traffic, it may be necessary to contact police maintenance or public works personnel to provide certain temporary traffic control devices. The following means of control may be used:
 - a. Flares - may be used except when hazardous materials are present.
 - b. Barricades - are appropriate when an entire roadway or intersection must be closed.
 - c. Traffic Cones - often more appropriate than flares to divert traffic from one lane to the next.
 3. Once the accident has been cleared of all vehicles and debris, the officer will arrange for the prompt removal of flares and other warning devices from the travel portion of the roadway.
- B** The investigating officer is responsible for ensuring that valuables belonging to accident victims is protected from theft or tampering. Therefore, officers shall conduct a cursory check of the interior of all vehicles for valuables. If valuables are present, officers will:
1. Attempt to turn valuables over to the victim, relatives or friends at the scene if possible. If this is not possible, the officer will take possession of said property; list it on a Property Report/Receipt and turn it into property management (Re: General Order 88-1-44, Property Management).
 - a. Property of little or no value may remain in the vehicle.
 - b. When conducting an inventory, officers will open only those closed containers whose contents cannot be determined from merely examining the exterior of the container. When a container is secured and cannot be opened without being damaged, it shall remain closed. In such cases a notation will be made on the Property Report/Receipt when listing the property.
 2. Complete the receipt section of the Property Receipt form and obtain the signature of the tow truck operator accepting responsibility for the vehicle and property remaining in the vehicle.

V PROCEDURES (ACCIDENT REPORTS AND RECORDS)

A All accidents that occur on public or private property that are investigated by this department will be documented using the Accident Report Form.

1. When diagraming an accident, the diagram box on the Accident Report Form may be used when a scale diagram is not required. This type of diagram is permissible when one of the following conditions exist;

- a. There are no injuries and property damage is minor.
- b. All vehicles are removed from the accident scene, prior to initiating an investigation.

2. Accidents which do not meet the conditions outlined in A,1 will require a detailed diagram.

3. Additional forms/reports may be necessary when investigating certain types of accidents, these include;

- a. Fatal Accident Supplement
- b. Case / Incident Report
- c. Property Report / Inventory Receipt
- d. Voluntary Written Statement
- e. Consent / Refusal Form
- f. Per-Se Revocation / Suspension Form
- g. Victims of Crimes / Notice of Rights Card

1) This card will be given to persons who have sustained an injury as a result of a motor vehicle accident involving; DWI, a vehicle being used as a weapon or questionable circumstances. The intent of the card is to direct victims to the many assistance programs and organizations available.

VI DISTRIBUTION

This general order will be reproduced in electronic and traditional media. All sworn personnel shall have access to Department general orders through a read-only file on their individual domain of the Department's computer network. Printed copies and/or CD's will also be placed in locations throughout headquarters so that they are easily accessible to all personnel.

VII EFFECTIVE DATE

This general order approved by the Police Commission on December 17, 1990 and is effective February 22, 1991.

Reviewed April 2000

Reviewed July 2009

Per Order,

Edward J. Nadriczny
Chief of Police