

<b>Directive</b>	<b>Traffic Crash Investigations</b>	<b>600-5</b>	<b>1 of 6</b>
<b>Effective Date</b>	<b>January 1, 2010</b>		



## Wilkesboro Police Department

### Electronic Written Directives Document

#### I. PURPOSE

To establish the guidelines for the investigation of traffic crashes and charges related to those crashes.

#### II. POLICY

The Wilkesboro Police Department will report and investigate crashes occurring within the department's jurisdiction that are required to be reported to the North Carolina Division of Motor Vehicles. Officers at the scene of crashes will provide other assistance including care for the injured and protection of the scene.

#### III. DEFINITIONS

- A. Crash: An incident involving a motor vehicle that produces injury or damage. Injury includes fatal injury.
- B. DMV-349: The identifying number of the *Collision Report Form* used by all law enforcement agencies in North Carolina for reporting motor vehicle crashes to the North Carolina Department of Transportation, Division of Motor Vehicles.

#### IV. PROCEDURES

##### A. Crashes Required to be Reported

The following crashes are required to be investigated and reported to the North Carolina Department of Motor Vehicles using the DMV-349 form:

1. Crashes resulting in property damage to an apparent extent of 1,000 or more.
2. Crashes resulting in property damage to an apparent extent of less than \$1,000, if one of the involved drivers or vehicle owners requests that a crash report be completed and filed, including cases where damage is minimal or there is no obvious sign of damage.
3. Crashes that cause personal injury or death.

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4. Impaired operation due to alcohol, drugs, or other impairing substances.
5. All hit-and-run crashes.
6. Crashes that involve hazardous materials, spills, or leaks.
7. Crashes on private property will be reported in the same manner as crashes that occur on a street or highway or public vehicular area.

Wilkesboro Police Department shall complete a DMV-349 report for all crashes to which they respond. This includes all crashes that are not reported immediately after the occurrence of the incident (Reported late).

#### B. Charges

Officers will charge drivers with infractions or criminal violations when crashes result in property damage, minor injury, serious injury, hit-and-run, impaired driving, driving while license revoked, no driver's license, and violations of financial responsibility laws. Officers shall also charge violators in any crash where they believe there has been a clear cut violation of the law. In crashes involving death or life threatening injuries, officers may consult with the District Attorney before filing charges.

#### C. Reporting

DMV-349 Collision Report forms will be completed in accordance with the instructions found in the *North Carolina Collision Report Instruction Document* published by the North Carolina Department of Transportation, Division of Motor Vehicles.

### V. REPONSE PROCEDURES

#### A. Officers will respond to any crash involving the following circumstances:

1. Death or serious injury;
2. Hit-and-run;
3. Impaired operation due to alcohol, drugs, or other impairing substances;
4. Damage to public property;
5. Hazardous materials spills;

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6. Disturbances between parties involved in a crash;
7. Major traffic congestion as a result of a crash;
8. Damage to vehicles that require towing.

Officers will respond to crashes in a manner that complies with all state, local, and departmental directives.

#### B. Responsibility of First Officer

The first responding officer is in charge of the crash scene until relieved by a supervisor, incident commander, or the investigating officer. The first responding officer will:

1. Activate emergency warning lights; Bright head lamps and/or alternating head lamps should not be used unless visibility is reduced to fog, snow, rain, etc.
2. Park his/her marked patrol vehicle in a location that offers the greatest visibility of the emergency lighting equipment to motorists approaching the crash location;
3. Immediately determine if there are injuries requiring emergency medical attention; Officers will evaluate the scene and determine if additional officers, equipment, or emergency services are needed. Any additional services will be requested through the Communications Center;
4. Maintain traffic control to prevent further crashes or injury; request additional officers as needed;
5. Protect evidence at the scene and identify witnesses as soon as possible;
6. As soon as practical, have the vehicles, persons, and debris removed from the roadway to ease congestion and further reduce the possibility of subsequent crashes. Crashes requiring more extensive investigation, nothing should be moved until its location has been recorded;
7. If the vehicles are inoperable, make reasonable efforts to allow the drivers or vehicle owners to have the vehicles removed by a towing service of their choice. Do not recommend a towing service; if the driver does not have a preference, have a towing service summoned using the rotation list in the Communications Center. The towing service should be limited to a 20 minute response time;

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8. Immediately report disruption in any utility service to Communications Center so the appropriate authority can be notified;

C. Responsibility of Assigned Officer

1. The reporting of each crash will be the responsibility of the closest officer unless the supervisor assigns the crash to another officer. The assigned officer may not be the same as the first responding officer. Crashes involving serious personal injury, felony hit-and-run, or fatalities will be assigned to a Crash Reconstructionist. If one is not on duty then one should be called in to investigate the crash.
2. The use of experts should be limited to crash investigations involving fatalities, hit-and-run, and/or serious personal injuries where the investigating officer does not have the training or resources necessary to conduct that portion of the investigation. Experts may include mechanics, photographers, reconstructionists, metallurgists, etc.
3. Crashes involving fatalities will be reported by the assigned officer to the highest-ranking supervisor on duty. The chain-of-command will also be notified.
4. The reporting officer must collect all necessary data to accurately complete the North Carolina Collision Report Form (DMV-349). All reported crashes occurring within the jurisdiction must be documented using this form. Private property crashes will be reported with the same detail and accuracy as those on public highways. Measurements of tire marks and distance traveled after impact should be taken for all reports when evidence is available.
5. In circumstances where the crash is not reported at the time it occurs the investigating Officer shall still complete the DMV-349. The officer may charge the parties involved for failure to report the crash if a violation has occurred.
6. Crashes involving fatalities, felony hit-and-run, hazardous materials, impaired driving, and serious personal injury require follow-up activities and should be investigated to the greatest extent possible.
7. Measurements for scale drawing shall be obtained in all fatalities and other major accidents when ordered by a supervisor or officer of higher rank. Tangible reference points, such as fire hydrants, utility poles,

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manhole covers, and building shall be used to locate items at the scene and will be included on the drawing.

8. Photographs of injuries and vehicle damage should be completed at the scene when possible or at the medical facility or the location where the vehicle is stored if additional photographs are needed. Photographs not taken at the scene should be taken as soon as possible and documented in accordance with department policy.
9. The identification and collection of evidence that may not be at the actual scene of the crash, such as in a hit-and-run accident, may require gathering of information from additional sources. On scene examination of the scene and vehicle may produce evidence such as parts from the hit and run vehicle and paint transfers that can be matched back to that vehicle and assist in identifying other characteristics of the vehicle. A police radio broadcast to other officers and agencies with suspect and suspect information shall be made as soon as possible to include description of the driver and any occupants, the make, model, color, registration number and any damage and location of the damages, if known. Request for news media coverage to disseminate information in serious hit and run crashes should be considered and used if sufficient information is available.
10. Written statements will be obtained from drivers and witnesses and included with the report if the person is capable of providing a written statement.
11. Vehicle examinations should be completed at the scene of the crash but in the case of reconstruction additional information that may assist in determining cause of a crash, such as mechanical fires, may be obtained by close examination by a trained mechanic, which shall be documented by the investigating officer. Examination of damages may also assist in determining minimum speeds at the time of impact.
12. The investigating officer will prepare all reports required to document the incident and support formal charges and file appropriate charges in these crashes.

## VI. PROPERTY OF CRASH VICTIMS

- A. When a vehicle involved in a crash must be removed from the scene, the reporting officer will advise the driver, owner, and other occupants of the vehicle to recover any personal property that they do not wish to leave with the vehicle.

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- B. If the officer must handle personal belongings for identification purposes, he/she should attempt to do so in the presence of witnesses.
- C. When it is necessary to recover personal belongings for safekeeping, the officer will complete an electronic evidence system form and place the property in the Department's evidence holding facility.

**VII. FIRE HAZARDS/HAZARDOUS MATERIAL**

- A. Officers should recognize fire hazards and inform the Communications Center to dispatch fire units when needed. If an officer is unsure whether a fire unit is needed, one should be requested. The Fire Department will assess the situation.
- B. Officers responding to the scene of a motor vehicle crash involving or suspected to involve hazardous materials will follow the appropriate departmental directives pertaining to hazardous materials incidents. The investigation of a crash involving hazardous materials will be suspended until conditions will allow for the safe resumption of investigative activities.

**VIII. CRASHES INVOLVING TOWN VEHICLES**

- A. In the event of a traffic crash involving an officer operating a Town vehicle, resulting in serious injury or death, a Division Commander and an Crash Reconstructionist shall be notified, and conduct the investigation.
- B. When death or serious bodily injury occurs, the officer involved in the crash will be assigned to a Modified Duty assignment under the direction of the Chief of Police. This assignment does not imply or indicate that the officer acted improperly.
- C. The on duty Patrol Lieutenant and an Crash Reconstructionist will investigate police officer crashes involving property damage only. If the Lieutenant is unavailable then the chain of command will be followed.

**IX. REFERENCES**

CALEA 61.2.1, 61.2.2, 61.2.3 and 61.2.4