

	POLICY & PROCEDURE	SERIES # 1010	PAGE 1 OF 8
	TRAFFIC ACCIDENT: INVESTIGATING & REPORTING		EFFECTIVE DATE 10/08/2020
			OVERSIGHT Operations
	DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS P&P # 1010 dated 08/30/18.	

I. PURPOSE

To establish the guidelines governing the investigation of traffic accidents and the reporting of “late” reported traffic accidents.

II. POLICY

It shall be the policy of the Hampton Police Division to thoroughly investigate and document traffic accidents reported to the Division pursuant to legal standards.

III. DEFINITIONS

- a. Traffic Accident – An unintended collision involving a motor vehicle in motion that resulted in property damage, injury, or death.
- b. State Reportable – Any traffic accident that occurred on public streets or properties in or maintained by the City of Hampton that resulted in the following either at the time of and at the scene of the accident or thereafter and elsewhere (§ 46.2-373.)
 - i. Injury to or death of any person or,
 - ii. Total property damage to an apparent extent of \$1,500 or more
- c. Non-State Reportable – Any traffic accident that does not meet the criteria set forth for state reportable accidents.
- d. Traffic Accident Investigation – Collection of factual information identifying and describing people, roads and vehicles involved; describing the results of the accident in terms of damage to vehicle and roadside objects, injuries to people, marks and residue on the road at final resting positions of vehicle and bodies; interpretation of these facts in terms of behavior of road users involved; an attempt to specify the combination of factors required to produce the particular accident.

APPROVED:
CHIEF OF POLICE



- e. Traffic Accident Reporting – Basic data collection to identify and classify a traffic accident and the persons, vehicles, time/location, movements involved and possible contributing factors such as traffic law violations.

IV. PROCEDURE

a. Report Documentation

i. Virginia Police Crash Report (FR300)

- 1. Required to be completed for all state reportable traffic accidents and non-reportable accidents as defined below.. Refer to the FR300M Crash Report Manual regarding report completion requirements.

ii. Citizen's Reported Accident Form (420-142)

- 1. If a citizen wishes to come to Headquarters, non-state reportable traffic accidents and hit and run accidents with no investigative leads that occurred on private property may be reported by having an involved driver / reporting party (for private property hit and runs) complete a Citizen's Reported Accident Form (420-142).
- 2. Whenever possible, Form 420-142 shall be issued by a member of the Records Section. If this is not possible, the complainant shall be directed to a patrol officer.
- 3. The following incidents require investigation and reporting via Police Crash Report (FR300) and cannot be reported on a Citizen's Reported Accident Form (420-142.)
 - a. When injury or death has occurred as the result of an accident.
 - b. When an accident results in total damages exceeding state reportable amounts.
 - c. When the accident is a hit and run and there is evidence which may lead to a perpetrator.
 - d. When the accident occurs on a city street and at least one party remains at the scene.

The information for Form 420-142 may be taken by an officer over the telephone. However, complainants should be

encouraged to come to headquarters and obtain the report form. If the complainant does not wish to, or cannot come to Headquarters, an officer shall be dispatched to his/her location.

b. Reporting Requirements

- i. Traffic accidents reported to the Division will be investigated and documented on either the Virginia Police Crash Report (FR300) or the Citizen's Accident Report Form (420-142).
- ii. State reportable accidents require officer response, on-scene accident investigation, and documentation on the Police Crash Report (FR300) to include:
 1. Interviewing drivers, other involved parties, and witnesses
 2. Examining and recording vehicle damage
 3. Examining and recording effects of the accident on the roadway
 4. Taking measurements, as appropriate
 5. Taking photographs, as appropriate
 6. Collecting and preserving evidence
 7. Exchanging information among drivers and other involved parties as necessary.
- iii. Non-state reportable accidents
 1. Officers responding to traffic accidents meeting non-state reportable criteria may complete and provide involved parties with the Division's Citizen's Accident Report Form (420-142) if the following conditions are met:
 - a. The estimated combined damage between both vehicles is obviously minor and therefore significantly below state reporting requirements.
 - b. All required reporting information for all involved parties is confirmed.
 - c. All involved parties agree to damage estimates and the Citizen's Accident Report Form process.
 - 1) Recorded pursuant to P&P 1137 Mobile Audio / Visual recordings.
 2. Officers responding to traffic accidents meeting non-state reportable criteria will investigate and document the accident on

the Police Crash Report (FR300) if the following circumstances exist:

- a. Any of the involved parties' information cannot be verified.
- b. The estimated combined damage between both vehicles is questioned by any of the involved parties.
- c. The involved parties do not agree to the Citizen Accident Report Form process.

iv. Private Property Accidents

- 1. Private property accidents resulting in the following require officer response for investigation and documentation on the Police Crash Report (FR300):
 - a. Death
 - b. Injury
 - c. Total property damage in excess of state reportable amounts
 - d. Hit and run with investigative leads
 - e. DUI in parking lot
 - f. Involvement of hazardous material
- 2. All other private property accidents will be documented by having those involved complete a Citizen Accident Report Form.

c. Response

- i. Dispatch of officers to traffic accident scenes reported to the Division.
 - 1. When directed to respond to a traffic accident, officers will be informed of the exact location, severity of the accident, traffic conditions and other units assigned (including ambulance, wrecker or fire apparatus), to the extent that this information is available to the Division.
 - 2. Officers directed to respond to an accident scene should choose the best possible approach route, considering traffic flow and congestion problems, based upon their knowledge of conditions normally existing in the area.
 - 3. While enroute to the scene, officers should be alert for vehicles which give an indication of involvement in the accident.

4. Upon approaching the accident scene, officers should remain alert for and avoid obliterating or destroying evidence (e.g., tire marks, debris, etc.)
 5. During the approach to the scene, officers should be alert for specific conditions or factors that may have contributed to the accident (e.g., visibility/view obstructions, inoperative traffic control devices, road hazards, etc.).
- ii. Notification by officers of traffic accidents encountered by them.
1. As soon as possible upon encountering an unreported accident, officers shall notify headquarters of the accident location, probable severity, assistance required and any other pertinent information.
 2. The officer discovering the unreported accident shall be the investigating officer/officer-in-charge, unless otherwise advised.
- iii. Upon arrival at the accident scene:
1. Officers should park their police vehicle in such a manner as to provide maximum protection of the scene without jeopardizing their patrol vehicles or endangering the public.
 2. Officers should assess the scene to determine need for assistance in protecting the scene, controlling traffic and summoning appropriate assistance (e.g., emergency medical care, ambulance, firefighting personnel and equipment, etc.).
 3. The control of traffic should be such that the situation at the accident scene is kept from becoming worse. This may require the use of flares, traffic cones, manual control of traffic signaling devices and use of additional personnel for traffic point control.
 4. In general, the first officer arriving at the scene is expected to take charge and shall retain charge of the scene until completion of operations.
 - a. Exceptions to this may include the subsequent arrival of a supervisor or assigned investigating officer.
 - b. Notwithstanding that officers should retain charge of the accident scene, when authorized emergency medical

personnel arrive; authority for the care of injured persons should be entrusted to them.

- iv. Officers will conduct such on-scene traffic investigative and reporting activities as are necessary and appropriate, given the nature and circumstances of the accident.
 1. The Police Crash Report will contain all available information relevant to the accident and include:
 - a. The exact location, time and date of the accident
 - b. The insertion of information in each appropriate block and space
 - c. Drivers statements form each driver involved
 - d. A clear, accurate diagram detailing how the accident occurred
 - e. A brief, concise statement describing the events of the accident
 - f. Which driver was charged and what charges were placed.
 2. If information is unknown to the officer, he shall place a “U” in the appropriate block or space.
- v. Officers will take enforcement action based upon the evidence obtained from their investigative and reporting activities.
- vi. Consistent with the need to deal with injuries and actual or potential hazards, and with the need to obtain and preserve evidence, officers will arrange for the prompt and safe removal from the scene of all involved vehicles and debris.
- vii. Development of follow-up information on traffic accidents is undertaken in support of possible prosecution. This follow-up information may include but not be limited to:
 1. Collecting “off-scene” data
 - a. Additional photographs and measurements
 - b. Physicians reports on nature and extent of injuries
 - c. Further examination of vehicles

- d. Analysis and collection of paint or glass for matching purposes.
 2. Obtaining/recording formal statements of witnesses.
 - a. The purpose of a formal statement is to obtain a written record of exactly what a particular person says about the accident. These statements may not include everything that the person knows if he is willing to tell all he knows. It may include things he has imagined but does not know and it may include lies. For these reasons it is imperative to record statements accurately in the event he does not remember and changes his statement at a later time. All statements must be documented on addendums or additional standard paper and attached to the original report.
 - b. Generally, statements should be obtained in the following manner:
 - i. Find out what he will or will not say about the accident
 - ii. Reduce this to writing
 - iii. Attempt to get the individual to agree to what has been written
 - iv. Attempt to obtain statements in each driver's presence.
 3. If the accident is such that it may result in the placement of felony charges, the investigating officer shall follow the same procedural guidelines established for other felony criminal matters.
- viii. The reconstruction of an accident may include two levels of reconstruction. The level will be determined by the degree of expertise required in reconstructing the particular accident.
 1. Reconstruction by the investigating officer.
 - a. Make measurements to prepare the accident diagram
 - b. Measure grades, sight distances, view obstructions, and determine surface friction of the road
 - c. Observe visibility of vehicles, pedestrians and traffic control under specified conditions.
 - d. Discover and record what participants and other witnesses say about the accident.
 - e. Examine in detail lamps, tires and occupant restraints.
 - f. Examine in detail damage to the vehicles.

- g. Examine skids, yaws and other evidence in an effort to determine speeds.
- ix. Other Expert Testimony
 1. Professional reconstruction is an effort to determine from available information, how the accident happened. Professional reconstruction usually involves data collection beyond the competence of Division personnel and experiments conducted for specific purposes.
 2. On those occasions when follow-up investigations may require special skills and technical assistance beyond that available from divisional personnel, the Police Division will use the Division of Consolidated Laboratory Services or other resources as deemed necessary and appropriate.
- x. The preparation of formal reports to support charges arising from the accident.
 1. Accident investigations will be recorded on state accident form as directed in the Division of Motor Vehicle Police Officer Instruction Manual. An exception to this will be the reporting process, established in this policy for handling parking lot/private property accidents.
 2. In all felony accident investigation, case files and the appropriate reports will be completed and included as part of the case file.
 3. In the event the accident involves a fatality, additional reporting requirements will be followed.
- xi. Supervisors will review for completeness and accuracy and sign-off on all accident reports prior to them being turned in at the end of the shift.
- xii. At the end of each duty tour, every officer who has investigated a traffic accident shall forward the field notes to records by placing them in the basket labeled "Traffic Records" in the Information Section (NOTE: Community Policing Center Patrol Officers turn their reports in to a supervisor, who then makes the distribution).

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