

# La Plata Police Department – General Order

	Title: <b>Traffic Collision Investigation</b>	Order #: <b>708</b>		
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## 1. INVESTIGATIVE RESPONSIBILITY:

### a. Collision Reconstruction Unit (future):

- i. All fatal accidents and accidents resulting in injuries to any party which can reasonably be presumed to be incompatible with life will be investigated by the Collision Reconstruction Unit (CRU). The commander of the Operations Division or designee, will decide whether a collision analyst will investigate, after considering the information relayed from the scene. In cases where a collision analyst does not respond, the responsibility for investigation rests with the patrol officer.

NOTE: Until the CRU is fully function, the Charles County Sheriff’s Office will be requested to reconstruct collisions in the Town on county and town roadways. The Maryland State Police will be requested to reconstruct collisions on state highways.

- ii. An allied law enforcement agency, either the Charles County Sheriff’s Office or the Maryland State Police, will investigate departmental accidents involving death or serious personal injury. The commander of the Operations Commander or his/her designee will be consulted prior to the request being made to an allied law enforcement partner.

### b. Patrol Division:

- i. In the case of traffic accidents not meeting the criteria stated in paragraph I.A, the officer assigned to the patrol beat where the accident occurred is responsible for the accident investigation and report and is in charge of the accident scene, unless relieved by a field supervisor or an accident investigation specialist. Each patrol district will maintain a number of personnel who possess advanced accident investigation training (an accident investigation specialist). If an accident investigation specialist is assigned to an investigation, he or she is responsible for the accident

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investigation and report, and is in charge of the accident scene unless relieved by a supervisor.

- ii. If the beat officer is unavailable, the Communications Section will dispatch the nearest and/or next available officer to assume the responsibility. A patrol supervisor has the authority to countermand dispatch decisions as well as the authority to assume total responsibility for the accident investigation.

## 2. ACCIDENT RESPONSE:

a. It is the department's policy that a uniformed police officer will respond to all known or reported motor vehicle traffic accidents. The closest available officer will be dispatched, regardless of assignment. Responsibility for conducting the investigation will be assigned after the accident scene has been stabilized.

b. Accidents with any of the following conditions will receive priority:

- i. Death or injury;
- ii. Hit and run;
- iii. Impairment of an operator due to alcohol or drugs;
- iv. Damage to public vehicles or property;
- v. Hazardous materials;
- vi. Disturbances between principals;
- vii. Major traffic congestion as a result of the accident; or
- viii. Damage to vehicles to the extent towing is required.

However, it is emphasized that officers will respond to all accidents that are known or reported to the department.

c. Field supervisors may authorize alternative responses to minor property damage accidents during periods of intensely inclement weather, patrol personnel shortages, or high volumes of calls for service. However, officers will eventually respond to the scene of any accident upon the request of a driver or owner.

## 3. FIRST OFFICER ON THE SCENE:

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- a. All Accidents The first officer at the scene of an accident is responsible for:
  - i. Administering emergency medical care and providing basic life support;
  - ii. Summoning ambulance and/or additional assistance (e.g., officers, rescue squad, tow truck, etc.);
  - iii. Protecting the accident scene;
  - iv. Preserving short-lived evidence;
  - v. Establishing a safe traffic pattern around the scene;
  - vi. Locating witnesses and recording accident information; and
  - vii. Expediting the removal from the roadway of vehicles, persons, and debris.

Flares, reflectors, or traffic cones will be used as available to protect the scene and detour traffic. Every effort will be made to restore the free flow of traffic expeditiously, especially in cases of minor property damage only.

- b. Accidents Involving Injuries, Fire Hazards or Hazardous Materials If the accident involves injuries, fire hazards or hazardous materials, the officer will:
  - i. Notify Communications of the:
    - 1. Exact location of accident/incident
    - 2. Extent, nature and number of injuries
    - 3. Type and number of vehicles involved
    - 4. Type, number and characteristics of the hazardous materials, if any
    - 5. Special equipment or personnel requirements; need for expert or technical assistance
    - 6. Unsafe or impassable roads
  - ii. Initiate basic life support/emergency medical care until relieved by fire/rescue personnel

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- iii. Evacuate nonessential personnel
- iv. Restrict access to hazardous materials by establishing safety lines at a radius of at least 1500 feet; only properly trained and equipped officers may attempt to enter areas where hazardous materials may be encountered.

## 4. ACCIDENT INVESTIGATION & REPORTING:

- a. On Public Highways or Private Property Open to the Public Officers will investigate and complete an ACRS (Automated Crash Reporting System) report, in addition to any other required reports for any traffic accidents occurring on public thoroughfares (i.e., state or county highways, streets, roads, alleys) or on private property open to the public (i.e., shopping centers, parking lots, schools, etc.), when any of the following conditions exist:
  - i. Death or injury is expected, imminent, or known to exist;
  - ii. Hit and run, as explained in the next paragraph;
  - iii. An involved driver is believed to be intoxicated or under the influence of alcohol or drugs;
  - iv. Damage to government vehicles or property;
  - v. Accidents involving hazardous materials;
  - vi. Any vehicle is damaged to the extent that towing is required;
  - vii. In any accident where the investigating officer charges any party with a violation.
- b. Hit and Run Accidents Involving Property Damage Hit and run accidents involving property damage will be investigated and reported as follows:
  - i. All hit-and-run accidents involving property damage where there is information regarding a suspect vehicle will be fully investigated and reported.
  - ii. In hit-and-run accidents involving property damage where there is no suspect vehicle information, the officer will advise the complainant that Maryland motor vehicle law requires a report to be submitted only in cases

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involving death and bodily injury. The officer will provide the complainant with an Incident Number for insurance purposes.

- c. Hit and Run Accident Involving Injury or Death Hit and run accidents involving injury or death will be investigated and reported as follows:
  - i. All hit-and-run accidents involving injury or death will be fully investigated and reported.
  - ii. In hit-and-run accidents involving serious bodily injury or death, investigating officers will determine if there is a need to issue a “Yellow Alert” described below:
    1. Maryland’s Yellow Alert Program A system for rapid dissemination of information to assist in locating and apprehending a missing suspect who fails to remain at the scene of a traffic accident that might result in serious bodily injury or death.
      - a. Missing Suspect: an individual whose whereabouts are unknown; who is suspected of a violation of the Transportation Article relating to failing to remain at the scene of a traffic accident that might result in serious bodily injury or death; and whose vehicle the reporting law enforcement agency is able to describe, including any information about the vehicle’s registration plate.
      - b. Serious Bodily Injury: an injury that creates a substantial risk of death; causes serious permanent or serious protracted disfigurement; causes serious permanent or serious protracted loss of the function of any body part, organ, or mental faculty; or causes serious permanent or serious protracted impairment of the function of any bodily member or organ.
    2. Where there is enough descriptive information about a suspect vehicle, the investigating officer(s) will take the following actions, if releasing the information does not compromise the integrity of the investigation:
      - a. Request a Yellow Alert activation through the Maryland State Police Headquarters Duty Officer (410-653-4200).

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- b. Immediately notify the Maryland State Police Headquarters Duty Officer when the suspect or vehicle is located. Note: If a missing suspect or vehicle has not been located within 24 hours, the alert is self-canceling.
- d. Private Property Accidents occurring on privately owned property not open to the general public, which result in death or personal injury will be investigated in the same manner as a "suspicious death" or "injured subject" case and documented on an incident report. Parties involved in property damage accidents on private property will be advised to file the appropriate reports with the MVA, if applicable, or with their insurance companies. If probable cause to believe a crime other than a traffic violation caused the death or injury of any party, the investigator will notify the Criminal Investigation Division for investigative assistance.

## 5. REPORTING METHODS:

- a. Accidents requiring an investigation and written report will be documented on ACRS with supplement reports completed on ARS (Automated Reporting System) as necessary.
- b. Officers dispatched to minor property damage accidents which do not require an investigative report will ensure the exchange of information via e-tix, or on department form, PD 382 (Revised 08/09/16) and will advise the dispatcher, "No report - information exchanged." The dispatcher will record this information in the CAD system. Officers clearing accident calls with "No Report," in any case other than when information is exchanged, must advise the dispatcher as to why no report is being submitted. Examples of "No Report" dispositions include: unfounded, investigated by another agency, or unable to locate. The dispatcher will record this information in the CAD system. In all accidents, including those where information is exchanged with no report, the investigating officer will attempt to verify that the operators involved have valid driver's licenses, and that the involved vehicles are properly registered. If the complainant still wishes to file an accident report, one will be completed by the officer.

## 6. AT-SCENE ACCIDENT INFORMATION COLLECTION: The following procedures will be accomplished during all accident investigations for which a written report is required.

- a. Interview principals and witnesses, and record accident information;
- b. Examine and record vehicle and property damage;

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- c. Examine and record the effects of the accident on the roadway;
  - d. Take measurements; (accidents involving death, serious injury or extensive property damage)
  - e. Take photographs; (accidents involving death, serious injury or extensive property damage)
  - f. Collect and preserve evidence; (accidents involving death, serious injury or extensive property damage)
  - g. List all occupants of the vehicles involved and the injuries (if any) sustained;
  - h. Ensure the exchange of information among principals of the accident;
  - i. Attempt to verify that the operators involved have valid driver's licenses, and that the involved vehicles are properly registered.
7. **FOLLOW-UP PROCEDURES:** The investigator is responsible for preparing as complete an investigative report as possible, with consideration given to the severity of the accident. Accidents resulting in death, serious injury, or extensive property damage require the following follow-up actions:
- a. Obtaining and recording formal statements from drivers and witnesses;
  - b. Preparing and submitting formal reports to the State's Attorney's office to support criminal charges;
  - c. Accident reconstruction and/or vehicle mechanical inspection services; such services can be arranged through Traffic Safety;
  - d. Off-scene data collection, if necessary.
8. **SAFEGUARD OF PERSONAL PROPERTY:** The officer in charge of the investigation will ensure that all vehicles towed from the accident scene are inventoried before being removed. Valuables or items of personal property requiring added protection, such as money, jewelry, precious metals, or weapons, will be taken into police custody and stored, until the owner is able to reclaim them.
9. **ENFORCEMENT ACTION:**
- a. Fatal Accidents:

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- i. It is the responsibility of the State's Attorney to review fatal accidents and place or authorize the placement of criminal and traffic charges against involved drivers. Therefore, except in cases of driving while intoxicated/driving under the influence of alcohol and or drugs, officers will not file charges in fatal accident cases.
  - ii. In cases of fatal accidents involving DWI/DUI, officers may place the alcohol-related charge only, in order to arrest the violator and conduct the chemical test and related paperwork. All procedures in Index Code 1905.1 will be followed. The State's Attorney will then be informed to Nolle Pros the charge and re-charge after their review.
  - iii. If a person in a personal injury accident dies after citations are issued, the investigating officer will notify the State's Attorney's Office to Nolle Pros the charges and review the accident per their fatal accident review policy.
- b. **Nonfatal Reportable Accidents:** In nonfatal reportable accident investigations, whenever an investigating officer discovers or detects a violation of traffic law and all the elements of a particular violation are discernible, enforcement action should be taken. Enforcement discretion is discouraged when it is evident that a deliberate or flagrant violation of the traffic law caused or contributed to the accident. Supervisors will ensure that investigating officers are conducting thorough accident investigations and taking appropriate enforcement action.