

City of Johns Creek Police Department

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PURPOSE:

Establish procedures to determine the factors causing an automobile accident and utilizing these factors to develop enforcement that will reduce the incidence of accidents.

DEFINITIONS:

Traffic Accident Reporting: Basic data collection intended to identify and classify a traffic accident, persons, property, time/location, and planned movements involving possible contributing factors such as traffic law violations.

Traffic Accident Investigation: Collection of factual information identifying and describing people, roads and property involved; describing the results of the accident in relation to marks on the road, debris, damage to vehicles/objects, final positions of vehicles and bodies; collection and organization of evidence for study and interpretation to tell how the accident happened.

Public Property: Any highway, roadway, street, or public parking lot maintained by the state, county, or city; or any structure, sign or conveyance owned by a government entity.

Certain Private Property: Any property, privately owned, on which an accident occurs that involves a violation of an applicable Georgia traffic law as defined in OCGA 40-6-3.

City Owned or Leased Vehicles: Any vehicle owned by the City and used for Police business or operated by JCPD personnel.

POLICY: (02-21)

The Department performs a variety of traffic accident investigation functions including providing emergency service to the injured, protecting the accident scene, conducting accident investigations and follow-ups, preparing reports and taking proper enforcement action relative to incidents.

The Johns Creek Police Department will respond to all reported motor vehicle accidents and in accordance with state law, shall prepare and submit the State of Georgia accident reporting documentation.

PROCEDURES:

Investigation and Reporting of Accidents (02-21-01)

The officer assigned to the zone in which an accident occurs shall be responsible for the investigation of any accident which occurs during his/her shift. He/she shall respond and prepare a report of accidents involving any of the following:

- A. Death or injury
- B. Any property damage
- C. Hit and run
- D. DUI
- E. Hazardous materials

When the above cases occur on public streets or highways, a Georgia Uniform Motor Vehicle Accident Report shall be completed as mandated by the Georgia Department of Public Safety.

Enforcement action will be taken when the officer has detected a violation of a traffic law and when evidence exists to satisfy all the elements of that particular violation. An officer may choose to take exceptive action on any violation discovered during the accident investigation.

When an accident occurs on private property, the responding officer will complete a Private Property Accident Exchange Form for each party involved. The officer will fill in the CAD Event Number, sign and date each form and exchange the forms with each party. In addition, the reporting officer shall document in the CAD notes the name(s), driver's license number and license plate information for each driver and vehicle involved in the crash. If the private property crash involves injuries, DUI, Reckless Driving or Vehicular Homicide the officer will complete a Uniform Motor Vehicle Accident Report.

In order to investigate particularly serious accidents involving near death injuries, fatalities, or otherwise complex accidents, it may be necessary to summon expert or technical advice or assistance from the Traffic Safety Unit (TSU). Such assistance will be requested through a supervisor. As a matter of policy, the TSU will respond and investigate all confirmed fatality accidents. TSU and/or the Shift Supervisor will respond and investigate accidents involving city owned or leased police vehicles. If a police department vehicle is involved in an accident with serious injury or significant damage the TSU should be notified. Accidents occurring outside our jurisdiction and involving Department owned vehicles will be investigated by the Georgia State Patrol or officers from the jurisdiction where the accident occurred.

If a supervisor requests the presence of a Traffic Safety Officer, the on-scene units will not alter the accident scene or move any evidence until the Traffic Safety Officer arrives. The Traffic Safety Officer will assume incident command, will assume charge and responsibility of the investigation, and will complete the Georgia Uniform Motor Vehicle Accident Report, and any applicable Incident Reports required. The officer receiving the call or officer(s) designated will assist.

Scene Stabilization Activities (02-21-02)

Upon receiving a report of a motor vehicle accident, the officer assigned will proceed as expeditiously as possible to the scene. The officer should park the police vehicle in a manner that will not endanger pedestrians, motorists, or citizens and can be best used as a shield to protect the scene as well as the officer. The officer shall wear a reflective traffic vest.

The responsibilities of the first officer arriving on the scene include:

- A. Administering emergency medical care (basic life support measures) pending arrival of Fire and Rescue or Emergency Medical Services (EMS).
- B. Summoning additional help as required (officers, rescue, wreckers, etc.). If there is any danger from leaking or ruptured gas tanks, car batteries or hazardous materials involved, the Fire Department will be notified immediately. Additional procedures involving Hazardous Materials are identified in "Unusual Occurrences"
- C. Protecting the accident scene and preserving short-lived evidence (broken parts, skid marks, etc.) for investigation.
- D. Establishing a safe traffic flow pattern. If vehicles cannot be driven or pushed from the roadway, or the scene is being held for the arrival of the TSU, the officer should direct traffic around the scene or call for sufficient personnel to handle traffic direction. If the scene will not be cleared for an extended period, the Department's portable detour signs will be requested or the Public Works Department should be called to deliver any barricades or traffic cones as needed.
- E. Expediting removal of vehicles, persons, and debris from the scene. Any property belonging to accident victims will be protected from theft and pilferage and, if victims are not present, will be inventoried and turned into the Property and Evidence Section along with a property sheet. When officers encounter currency, it should be immediately counted in front of witnesses and noted within the report.
- F. Locating witnesses and recording accident information.
- G. Quelling disturbances (if any) between parties involved.

Accident Investigation Procedures (02-21-03)

The officer receiving the call will handle the investigation unless he/she has requested through his/her supervisor a Traffic Safety Unit Officer. The required investigative tasks that should be performed include:

- A. Obtain driver's license(s) from all drivers involved in the accident.
- B. Question and obtain names and addresses from any and all witnesses and ensure they do not leave the scene until released by the investigating officer. Obtain their driver's license for identification. If a witness must leave the scene before the investigation is completed, obtain the necessary information as quickly as possible and allow the witness to leave.
- C. Examine and record vehicle damage and effects on roadway.
- D. Investigate and determine the cause of the accident. Note the position of all vehicles involved, take measurements and photographs and collect evidence when necessary.
- E. After the preliminary investigation is complete, clear the roadway as quickly as possible, and refrain from blocking any portion of the roadway while completing paperwork.
- F. After clearing the roadway, to include the shoulder of the road, the investigating officer should turn off blue lights as soon as possible, or when feasible, to attract less attention and reduce the hazard for other vehicles.
- H. When a violation of a traffic law is involved, the appropriate citations should be issued. Any witness information and statements should be included in the accident report and advised they may be subpoenaed for court and then allowed to leave. Ensure that the principals have exchanged necessary information.
- I. Conduct a follow-up investigation if necessary.

Following these accident investigation procedures ensures the data collected permits tabulation according to standard classifications and in amounts needed to support planning and coordinated accident prevention programs, and support prosecution for violation of traffic laws.

NOTE: Officers should use discretion when issuing citations at accidents. Enforcement should be taken when fault can be determined. If fault cannot be determined, citations will not be issued.

Accidents Involving a Fatality (02-21-04)

The investigation and reporting of accidents involving a fatality should be handled in the following manner. In accidents where one or more persons involved are considered near death or seriously injured, the UPD Supervisor will go to the scene and determine if a TSU Officer is needed. If so, the supervisor will request the necessary assistance. The UPD supervisor should assume control of the scene until the TSU officer arrives. The on-scene officers should not alter the accident scene or move any evidence, unless absolutely necessary to administer first aid or rescue, until the arrival of the TSU Officer.

If a fatality accident has occurred on a State highway, the TSU Officer on the scene will instruct Communications to notify the Georgia Department of Transportation immediately. If any State highway or portion thereof, is to be closed for investigation of an accident, fatality or not, DOT will be immediately notified.

At the start of the investigation:

- A. After the TSU officer arrives and is prepared, he/she shall assume command of the scene by communicating this to the officer in charge and the shift supervisor;
- B. The TSU officer will need to address preliminary questions of all drivers. They should be alert for signs of nervousness, confusion, or intoxication;
- C. If possible, obtain the driver's license of all drivers and victims involved, regardless of injuries;
- D. All witnesses and parties involved shall be separated quickly and identified (if possible obtain driver's license).
- E. No victim and/or witness should be allowed to leave until the TSU officer has interviewed them, unless there is a medical emergency;
- F. All parties shall prepare written statements outlining what they witnessed and where they were when the accident occurred;
- G. If probable cause exists to expect any driver is under the influence of alcohol and/or drugs, the driver(s) shall be read the Georgia implied consent warning, and transported to the nearest medical facility for blood tests;
- H. After the scene has been cleared of emergency personnel, the TSU officer will need to conduct a slow walk through attempting to locate potential evidence.
- I. A sketch of the scene should be done. Identifying and labeling each piece of evidence on the sketch (using the paperwork provided in the accident packet);
- J. Attempts should be made to photograph, and/or videotape the accident scene, and all evidence, vehicles, and related injuries;
- K. In the event of a fatality, the TSU officer will need to photograph the individuals and their related injuries. This will allow the investigator to match the cause of the injury to evidence at the scene;
- L. Marking roadway evidence should only be done after all pictures have been taken;
- M. Using the sketch to assist, mark the roadway evidence (evidence which is subject to being destroyed);
- N. Once evidence is marked, begin measuring using the Coordination, Total Station and/or Triangulation method.
- O. All vehicles will be impounded and secured for further investigation;
- P. The accident packet contain the following forms:
 1. Face Sheet
 2. On Scene Check List
 3. Accident Information
 4. Voluntary Statement
 5. Witness List
 6. Sketch Sheet Roadway Evidence Measurements
 7. Roadway Information
 8. Vehicle 1 Section
 9. Vehicle 2 Section

- Q. From witness' statements/physical evidence on the scene, the TSU officer will investigate and determine the cause of the accident. This will include reconstruction if necessary;
- R. For all prosecutable fatalities a scale drawing should be done (1" - 10' scale); and
- S. A preliminary report shall be filled out prior to leaving for the day. This report will contain the information needed to complete the face sheet of an accident report. A copy of this report shall be provided to the Uniform Division Major and the Chief of Police.

The names of those who have been killed or seriously injured will not be released to the media unless notification to the next-of-kin has been confirmed.

Hit and Run Accidents (02-21-05)

The first officer to arrive on the scene will:

- A. Administer first aid if required and advise Communications if rescue and an ambulance are needed
- B. Obtain information and give temporary lookout.
- C. Request wrecker service if needed.
- D. If the hit and run involves a fatality, notify the supervisor to request a TSU Officer and secure the scene.
- E. Give information for a lookout on possible suspect vehicle.
- F. The officer receiving the call will handle the report and preliminary investigation including:
 - 1. Completion of the Uniform Motor Vehicle Accident Report listing only the victim information. If the perpetrator is unknown leave the driver name field blank. **All** hit and run accidents must be done on this form.
 - 2. Completion of the Hit and Run Supplemental Report. This report is filled out by the victim as well as any witnesses on the scene. The report is then signed by the person making the statement and then signed by the reporting officer. **All** hit and run accidents must include this form.
 - 3. Any evidence on the scene should be properly secured and logged into evidence for the follow up investigation and court presentation. Proper evidence procedures and chain of custody shall apply.
 - 4. All information should be forwarded to the TSU for follow up investigation.
- G. The follow up investigation will include but is not limited to:
 - 1. Maintain a log of contacts with persons related to the case.
 - 2. Maintain a case log documenting dates the cases were received, victim name(s), case number, and status of the case.
 - 3. If a suspect is located and charged, complete an Accident Report Supplemental listing all information available on the perpetrator and vehicle.

DUI Accidents (02-21-06)

Officers responding to traffic accidents involving DUI on public or private property will follow all procedures relating to DUI enforcement and include all necessary information on the Uniform Motor Vehicle Accident Report as required.

Wrecker Service (02-21-07)

Requests for wrecker service should be made through Communications. Only the licensed, contract wrecker service(s) provided by the City shall be used in police action. An impound inventory slip will be completed by the investigating officer on every police impound. Private request wrecker service(s) do not require the completion of an impound slip.

An officer will remain with the scene until the wrecker service has departed with the vehicle in tow.

The wrecker driver is responsible for removal of all parts and debris belonging to the vehicles being towed, or if the parts consist of small particles or broken glass, the street shall be cleared of the parts unless instructed otherwise at the accident scene. Failure to comply may result in misdemeanor charges being made against the driver by the officer.

If the person responsible for the vehicle prefers, he/she may leave the vehicle at the scene providing it can be parked off the roadway in a manner which does not create a traffic hazard. In the event the owner or operator is incapacitated, or not available to designate a wrecker, the contract wrecker service will be used.

Vehicles towed from the scene of an accident are to be stored on the premises of the contract wrecker firm unless otherwise designated by the operator or officer. If a death has resulted, or a person has been injured to the extent that he/she may die, the involved vehicle should be protected as evidence. If a hold has been placed on the vehicle, the wrecker firm will not permit anyone other than the Police Department to photograph, touch or remove any contents or parts, or touch or remove the vehicle while it is under their care.

Traffic Direction at Accident Scenes (02-21-08)

Minor traffic accidents requiring an accident report do not present a major problem relative to traffic direction and control. In serious accidents requiring a thorough investigation, the scene may need protection for an extended period of time. In these cases, investigating officers shall follow these procedures:

- A. Summon sufficient manpower to handle traffic direction responsibilities. Once the scene has been cleared, officers should continue directing traffic until the traffic flow is normal.
- B. Utilize sufficient equipment to protect the scene (barricades, traffic cones, etc.).
- C. Detour traffic as necessary.
- D. Give priority attention to collecting the information necessary at the scene to facilitate restoring normal flow of traffic.
- E. Restore the scene to a safe condition (replace signs, etc.).

City Owned Vehicles (02-21-09)

Accidents involving Department vehicles shall be reviewed to determine whether or not the person operating the vehicle was negligent. The accident review shall be documented in the OSSI Records Management System by the employee's supervisors through the chain of command. If the driver of the Department's vehicle was not negligent, the matter will be considered resolved and no disciplinary action will be imposed. If there is a finding of negligence, the employee's supervisor may make recommendations for remedial training to correct the problem or possibly disciplinary action.