




COLCHESTER POLICE DEPARTMENT

		SUBJECT: MOTOR VEHICLE CRASH INVESTIGATION POLICY	
EFFECTIVE DATE: 01/17/2020		NUMBER: GENERAL ORDER #30	
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POLICY: The Colchester Police Department will serve the public by reporting on motor vehicle crashes that occur in our community. The level of response, investigation and reporting are dictated by the circumstances of each crash and are outlined below.

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I. DEFINITIONS

- A. **Motor Vehicle Crash (Accident):** An unintentional event causing property damage, and/or personal injury or death involving a motor vehicle on a public highway while in transit.
- B. **State of Vermont Uniform Crash Report (UCR):** Form supplied and approved by the Vermont Department of Motor Vehicles for reporting of motor vehicle crashes in accordance with 23 VSA 1016.
- C. **Commercial Vehicle:** Any truck having a gross vehicle weight rating (GVWR) of more than 10,000 pounds or a gross combination weight rating (GCWR) of over 10,00 pounds used on a public highway; or, any motor vehicle designed to transport more than eight people, including the driver; or, any vehicle displaying a hazardous materials placard (regardless of weight).
- D. **Non-investigated Crash**
 - a. **Minor crash:** An officer responds to a crash and finds that the combined damage appears to be less than \$6,000 and there are no obvious injuries.

- b. Late-reported crash: A citizen wishes to make a late report of a crash. Generally, this is for insurance purposes only.
- c. A hit and run type crash if:
 - i. The damage appears less than \$6,000; and
 - ii. There is no information indicating who the perpetrator was; or
 - iii. There is an immediate closure to the incident and there is no indication of intent to leave the scene on the part of the accused operator.
- d. Motor vehicle fires resulting from a mechanical defect, i.e., wiring, fuel leaks, flat tire, etc., and not involving a collision. Suspicious motor vehicle fires shall be investigated as a potential arson.

E. Investigated Crash

- a. A motor vehicle crash where the officer responds to the scene and there is obvious personal injury to a person involved.
- b. Any late reported motor vehicle crash resulting in incapacitating injury or a fatality. An incapacitating injury is defined as any injury that prevents a person from being able to work or function in the usual way. A fatal injury is one that is resultant from the crash and occurs within thirty (30) days of the crash.
- c. Total property damages of \$6,000 or more including property damaged other than the vehicles involved.
- d. Any hit and run type crash that:
 - i. Results in \$6,000 or more in damage, injury, or fatality, and/or
 - ii. Must be fully investigated to establish who the perpetrator was, or
 - iii. Results in a criminal charge of Leaving the Scene of an Accident (23 VSA 1128)
- e. Generally, crashes involving town owned vehicles, or property or vehicles from other municipalities will be investigated.
- f. Any crash that a supervisor directs an investigation to be completed.
- g. A crash involving a commercial vehicle as defined in this order that results in any of the following [DMV shall be notified in these circumstances as well]:
- h. One or more fatalities.

- i. One or more persons injured and transported from the scene for immediate medical attention.
- j. One or more of the vehicles were disabled from the crash and transported away from the scene by a tow truck or other vehicle.
- k. A crash involving a school bus transporting passengers.

II. PROCEDURES

a. Communications (Dispatch)

- i. Upon receiving a report of a motor vehicle crash that has just occurred, the dispatcher shall inquire whether there are injuries, fire hazard, or hazardous materials involved in the crash. In the event there are, the dispatcher will follow procedures to notify the appropriate emergency services.
- ii. After determining the location, identity and phone number of the caller, the dispatcher will have an officer respond to the scene of the crash and provide the officer with necessary information so the officer may respond in an appropriate manner.
- iii. The dispatcher will enter the call into the department's record management system.
- iv. Non-Investigated Crash Reports:
 - 1. If the dispatcher determines the crash is late reported, the citizen will be instructed to come to HQ and complete the Non-Investigated Crash Report. If the citizen cannot reasonably come to HQ, an officer shall be dispatched if complainant lives locally. At OIC discretion a non-investigated report can be completed over the phone if the caller is outside the local area.
 - 2. Citizen generated: Once the form is completed, dispatch will initiate an "Accident – Non-Investigated" call type incident, assign it to "Reports Officer" and return two copies of the form to the reporting party, with the incident number noted at the bottom.
 - 3. Officer generated: Dispatch will initiate an "Accident – Non-Investigated" call type incident and assign the responding officer.

b. Officer Response

- i. The first officer to arrive will perform the following functions, the order of which may be altered as necessary.
 - 1. Park the police vehicle in such a manner as to protect the scene and others from danger.

2. Check for injured persons and administer emergency medical care or basic life support.
 3. Check for involvement of hazardous/flammable material.
 4. Summon necessary assistance.
 5. Protect the crash scene.
 6. Preserve or retrieve evidence.
 7. Establish traffic control.
 8. Remove vehicles and debris from the roadway.
 9. Locate witnesses.
 10. Record pertinent information on appropriate forms.
 11. The above steps should allow officers to properly complete the Uniform Crash Report including the investigative narrative as outlined at www.vermontcrashmanualonline.com
- ii. Additional officers dispatched to the crash scene will assist the responsible officer with traffic control or other duties as directed by the responsible officer.
 - iii. If it is determined that an operator is going to be processed for Driving While Intoxicated or other criminal violation as a result of the crash, the responsible officer will generally handle the criminal processing and the assisting officer handles the crash scene unless otherwise directed by a supervisor.
 - iv. If the crash involves hazardous materials or results in the death or serious bodily injury which may result in the death of any person, the first officer to arrive will notify the shift supervisor or the duty officer if a supervisor is not on duty, of the crash.
 - v. In the event of a motor vehicle crash involving death or the potential death of any person, the on scene supervisor shall request assistance from any member who has received at least the At Scene Traffic Crash/Homicide Investigation training. If a qualified Colchester Police Department member is not available, the on scene supervisor shall request such assistance from another agency.
 1. The on scene supervisor will notify the on call OIC if none is on duty as well as the Operations Lieutenant or the on call Command OIC.
 2. The on scene supervisor will be responsible for overseeing the investigation and approval of the report.
 - vi. All crashes involving a department motor vehicle will be immediately reported to a supervisor the rank of Sergeant or above.
 1. The supervisor may respond to the scene and conduct an investigation.

2. If another party involved in the crash requests or the supervisor decides it is necessary, an outside agency will be requested to investigate the crash.

c. Responsible Officer

- i. Usually the officer who is assigned the patrol area where the crash occurred will be the responsible officer. The responsible officer will be in charge of the crash scene unless relieved of that responsibility by a supervisor.
- ii. Once assigned to a crash, the responsible officer will perform the tasks in Section IV B. of this Order.
- iii. Non-Investigated Crash Reports
 1. Generally, officers will not investigate a crash unless they are called to the scene. Minor and late-reported crashes as defined in this Order will generally not be investigated. Any non-investigated crashes will be documented by filling out the face sheet of the State of Vermont Uniform Crash Report and completing the boxes. The contributing circumstances will be unknown (20). A copy of the face sheet will be provided to the operators involved.
 2. The officer will check that the license, registration, inspection, and insurance are valid and current before allowing the involved parties to leave. Tickets of a regulatory nature that are issued to operators will not automatically require an investigative report.
 3. If the responsible officer determines a criminal or other law violation related to the cause of the crash occurred it may be necessary to investigate the crash as outlined below.
 4. Nothing shall preclude an officer from completing a more thorough investigation if the officer or a supervisor deems it appropriate given the circumstances.
- iv. Investigated Crash Reports
 1. If the responsible officer determines that the crash is going to be investigated, the officer will do the following but not necessarily in the order listed.
 2. Complete the State of Vermont Uniform Crash Report as supplied by the commissioner of motor vehicles and give the operators a copy of page 1.
 3. Check that the licenses, registrations, inspections, and insurance are valid and current.
 4. Obtain statements from operators and witnesses.
 5. Record vehicles damage, property damage, and personal injury.
 6. Notify the owner, business, or public service department of property damage they have an interest in or that is under their control.

7. Examine and record evidence from the crash to include tire marks, marks on the roadway, obstructions, etc.
8. Take photographs and record measurements as appropriate.
9. Collect and process any evidence as appropriate.
10. Make arrests, issue citations or Vermont Civil Violations Complaint as appropriate.
11. Have the road cleared of debris and fluids from the crash that may create a hazard to other traffic.

v. Road Closure

1. If a road is going to be closed to traffic for a period of more than an hour, the responsible officer will ensure notifications to a Supervisor (Sergeant or above) the supervisor will notify a department administrator (Lieutenant or Chief). Notification will be made as soon as practicable after the road is closed and again when the road is reopened. Dispatch will notify any emergency service upon dispatch of any applicable road closure.
2. For state roads closure of any length of time, notification will be made to VTrans via Vermont State Police.

III. PROCEDURES FOR INJURIES AND HAZARDS

- a. Injuries - Officers arriving on the scene of a crash involving personal injury or suspected injury that require medical attention will immediately request an ambulance be dispatched to the scene. Injuries or the imminent threat of injury shall take precedent over investigative or reporting functions at the scene. Until appropriate medical assistance arrives, officers will:
 - i. Check the injured and identify those most seriously injured. Officers should update dispatch with the number and type of injuries if possible.
 - ii. Administer emergency medical aid to injured persons consistent with their training.
 - iii. Assist with removal of injured persons if requested by medical personnel.
- b. Fire Hazards and Hazardous Materials - If officers determine there is a potential of fire or hazardous materials spill, officers will stabilize conditions by protecting the scene, isolate the area, and remove persons from the vicinity of the hazard if possible. Officers will request the fire department and other resources as needed.
 - i. Officers will attempt to eliminate sources of ignition to the extent possible.

- ii. If a fire exists, officers will remove persons in the vicinity of the fire (if possible) and/or extinguish the fire (if possible).
- iii. Officers should evacuate surrounding areas and detour traffic as necessary.
- iv. If a cargo vehicle is involved, officers will attempt to make a preliminary identification of the cargo on the basis of placards from a safe distance.
- v. Officers will follow the procedures specified in the Department of Transportation Emergency Response Guidebook to complete the identification of hazardous materials, take appropriate emergency action, and notify the Vermont Emergency Management Duty Officer at 1-800-641-5005.

IV. PROPERTY BELONGING TO CRASH VICTIMS

- a. Officers responding to a crash scene have a responsibility to help safeguard victim's personal belongings, consistent with the priorities of other duties. This responsibility is heightened when the victim is deceased or incapacitated by injury.
- b. Officers shall be alert to pilferage and theft, which may occur at a crash scene. If property is to be taken for safekeeping, it should be tagged as found property and stored consistent with department procedures until claimed by the owner. When it is necessary to release a victim's property to another person or agency, officers will properly document the transfer of property.

V. PRIVATE PROPERTY

- a. Crashes occurring on private property will be handled in the following manner:
 - i. On private property not open to the general public (i.e. private residence)
 - 1. No crash report will be required for a crash occurring on private property provided that no injury has occurred. The responsible officer will classify the incident as damaged property and may initiate an incident as such.
 - 2. An investigated crash report is required if the crash involves injury or death.
 - b. Crashes occurring on private property normally open to the general public will be processed the same as if they occurred on a public street and necessary forms completed.

VI. CONTINUED INVESTIGATIONS

- a. The responsible officer shall collect any off scene data or evidence as necessary. The responsible officer may ask for assistance to complete tasks by making a request through the chain of command.
 - i. The investigation may include but is not limited to:
 1. Physician's reports and/or medical records.
 2. Blood/Breath tests.
 3. Mechanical Inspections of vehicles.
 4. Laboratory Reports.
 5. Obtaining and documenting statements from operators or witnesses. In the event of a fatality or possible fatality, the activities of all operators involved should be documented for at least 24 hours leading up to the crash.
 6. Reconstruction of the crash.
 7. Preparation of court cases to support any criminal charges that arise from the crash.

VII. USE OF EXPERT AND TECHNICAL ASSISTANCE

- a. Crashes involving serious bodily injury and fatalities require a detailed investigation. The responsible officer may seek expert and technical assistance to ascertain the events leading up to and the factors involved in the crash. The responsible officer may request assistance from one or more of the following:
 - i. An officer from Colchester or another agency trained in Advanced Crash Investigation or Crash Reconstruction.
 - ii. Physicians and/or other medical personnel.
 - iii. Mechanics.
 - iv. State's Attorney.
 - v. Other experts or specialists whose services are necessary to complete the investigation.

VIII. ENFORCEMENT ACTION

- a. The Department remains fully committed to enforcing the law, including vehicular and traffic related statutes and ordinances. Special requirements arise when officers detect certain violations not committed in their presence such as vehicular and traffic violations uncovered during the course of crash investigation and reporting.

- b. Officers are encouraged to take enforcement action whenever their traffic crash investigation or reporting activities reveal facts and circumstances that would likely support a conviction.
- c. Officers may issue Vermont Civil Violation Complaint for any violations as a result of a crash investigation or report. When taking any enforcement action, the officer must establish all elements of the violation. Elements that the officer did not personally witness must be established by other methods. These include but are not limited to:
 - i. Statements or admissions made by the alleged violator or other operators.
 - ii. Statements of witnesses.
 - iii. Crash scene measurements.
 - iv. Physical evidence.

IX. RECORDS

- a. Forms
 - i. Late reported non-investigated crashes where no officer is sent to the scene will be reported by the person(s) involved in the crash on a Colchester Police Department Non-Investigated Crash Report Form. (Appendix A)
 - ii. In all other crashes, page 1 (face sheet) of the State of Vermont Uniform Crash Report (UCR)(TA- VA 01 {d}) shall be completed as described in this order at a minimum. Investigated crashes will require full completion of the UCR.
- b. Prior to the end of their shift, officers will provide Communications with the information necessary for their data entry requirements. Once Communications has completed their information, Page 1 of the UCR will be forwarded to Records for entry in Web Crash.
- c. Upon receipt of a completed Colchester Police Department Non-Investigated Crash Report Form, Communications staff will create an incident report and assign it to the "Reports Officer". Information on crashes reported on this form is not verified information and thus is not reported to Web Crash. These reports will be reviewed by the Records Staff to confirm data entry was made and then approve the incident.
- d. When completing the State of Vermont Uniform Crash Report forms, officers will adhere to the Investigators Guide to Completing the Vermont Uniform Crash Report. (www.vermontcrashmanualonline.com) Narratives will be consistent with the outline in attached appendix of this policy.
- e. An investigated crash requires a detailed narrative. Crashes with incapacitating injury or fatality will also include a diagram. Diagrams may also be utilized to better describe a crash detail or show a violation of law.

- f. Nothing shall preclude an officer from completing a detailed narrative, diagram, etc. if the officer or a supervisor deems it appropriate given the circumstances.
- g. Officers will complete and submit for review all investigated crashes within 21 days of when the crash is reported.