

240. TRAFFIC CRASH INVESTIGATION



RICHFIELD POLICE DEPARTMENT POLICY

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NOTE: This policy is for internal use only and does not enlarge an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

I. PURPOSE

The purpose of this Policy is to ensure a consistent, professional, efficient, and precise response to traffic crashes for all Richfield Police personnel, and to ensure that thorough investigations are conducted when necessary; that the state mandates are complied with, and that the citizens are provided guidance during an often traumatic and stressful period immediately following a traffic crash.

II. POLICY

It is the policy of this Department to investigate, or cause to be investigated, all traffic crashes to determine the causes and circumstances of the crash.

In addition, this Department will aggressively enforce traffic law violations that led to the crash in an effort to modify the violator's poor driving behavior.

III. PROCEDURE

CRASH REPORTING AND INVESTIGATION

Members of this Department should investigate all traffic crashes occurring in the City of Richfield on a public street or highway or which occur as the result of a vehicle leaving a public street or highway. Officers should complete a State of Minnesota Crash Report on any traffic crash involving:

- death or injury.
- hit and run.
- Impairment of an operator due to alcohol or drugs.
- damage to public vehicles or property.
- hazardous materials.
- disturbances between principals.
- major traffic congestion as a result of the crash.
- damage to vehicles to the extent towing is required.
- total property damage of at least \$1,000.
- a situation where the officer feels a report would be appropriate.
- a situation where one or more of the involved parties requests a report.

All crash reports **shall** be completed and turned in prior to the conclusion of the officer's shift. Any additional information should be placed on a follow-up report. If further follow up is needed or circumstances prevent an officer from completing a report, the officer **shall** attach a note to the crash report indicating that it is incomplete in addition to an anticipated date of completion. The duty supervisor **shall** route the incomplete crash report to the Incomplete Tray.

Follow up investigations **shall** be completed as soon as possible following the crash.

Duty supervisors should review crash reports submitted to them during their tour of duty for accuracy, completeness, and compliance with this Policy.

1) Officer In-Charge at the Crash Scene

The primary assigned officer should be in charge of the crash scene and responsible for the processing of the crash except when relieved of those duties by the duty supervisor.

The officer In-charge will:

- Assess the scene for safety and determine if additional resources are necessary.
- Verify that the drivers' licenses of the operators are in order.
- Verify that the motor vehicle registrations are in order.
- Verify that the proper insurance requirements are met.
- Take action on any violations either through the complaint process or by citation.
- Ensure that debris from the crash is cleaned up.
- Ensure that all officers involved in the direction of traffic wear a safety reflective vest.

The removal and processing of disabled vehicles should be in conformance with Department policies and procedures on vehicle towing, impound, evidence preservation and control.

2) Exchanging Information: Officer Responsibilities

Officers should make sure that persons involved in a traffic crash are aware of the following information regarding the police report, including at a minimum:

- The reporting officer.
- The complaint number assigned.
- Their individual responsibilities in reporting the crash to the State of Minnesota.
- Their responsibility to exchange pertinent information between drivers.
- Provide and explain the *Crash Information Packet(s)* to the driver(s).

3) Crash Information Packet

When an officer responds to a property damage crash, they shall complete a crash report or provide the driver(s) with a *Crash Information Packet*. Crash packets may be issued at property damage crashes if the following criteria exist:

- No personal injury.
- City/department vehicles or property not involved.
- All drivers involved have a valid driver's license.
- All drivers involved display current proof of insurance.
- No arrests were made for a traffic violation.

When packeting and advising at the scene of a crash, officers shall:

- Verify that drivers involved have valid driver's licenses.
- Verify that the vehicle VIN matches the license registration (plate) VIN.
- Determine the validity of the information filled out on the *Crash Report Envelope*.
- Advise the drivers if the total damage exceeds 1,000 they must complete their copy of the *Minnesota Motor Vehicle Crash Report* and submit to the State within 10 days of the crash.
- Remain at the scene until damaged vehicle(s) which interfere with traffic are removed.

Note: *Crash Information Packets* include the Crash Report Envelope, Minnesota Motor Vehicle Crash Report, a Traffic Crash Information sheet and a pencil.

When a citation is issued for a moving violation, officers shall complete the Minnesota Motor Vehicle Crash Report and have a case number assigned to the incident.

4) Crash Investigation Follow-up

The Department should perform follow up traffic crash investigation services in support of ongoing or anticipated criminal prosecution, as necessary and appropriate. When warranted, this follow up information should include:

- Collecting "off-scene" data;
- Obtaining/recording formal statements from witnesses;
- Reconstructing crashes;
- Preparing formal reports to support criminal charges arising from the crash.

The Department recognizes that, from time to time, follow up crash investigations may require special skills and technical assistance beyond that available from its own personnel.

Requests for expert and technical assistance in follow up investigations should specify the precise assistance to be rendered, qualifications of the personnel proposed to provide the assistance, and adequate justification of the need for that assistance. At the discretion of the duty supervisor, experts from outside the Department may be utilized. These experts may include but should not be limited to:

- Crash reconstruction personnel from the Minnesota State Patrol;
- Traffic engineering experts from the City of Richfield, Hennepin County Engineering Department, or the Minnesota Department of Transportation Engineering Department;
- Hennepin County Crime Lab;
- Minnesota Bureau of Criminal Apprehension Crime Lab.

5) Enforcement Action for Violations Resulting in Traffic Crashes

When officers are called to investigate property damage only crashes, the officer is encouraged to issue a traffic citation to the driver(s) who committed the traffic violation(s) which led to the crash occurrence. This may be established by use of physical evidence and/or statements of drivers and witnesses. Officers should not use the amount of damage as criteria for issuing or failing to issue citations.

If it is a personal injury crash, the officer should not issue a traffic citation to the driver(s) who committed traffic violation(s) which led to the crash occurrence. Officers should submit reports to the City Attorney for a formal complaint.

6) Traffic Crashes Occurring on Private Property

Crashes occurring on private property open to public access (shopping center parking lots, etc.) should be investigated on a manpower available basis unless the crash involves:

- death or injury;
- hit and run;
- impairment of an operator due to alcohol or drugs;
- damage to public vehicles or property;
- hazardous materials;
- disturbances between principles;
- major traffic congestion as a result of the crash;
- damage to vehicles to the extent towing is required;
- total property damage of at least \$1,000;
- a situation where the officer feels a report is appropriate;
- a situation where one of the involved parties requests a report.

In the above listed cases, a crash report and investigation should be completed by the primary assigned officer.

INJURIES, FIRE HAZARDS, AND HAZARDOUS MATERIALS AT CRASH SCENES

1) Personal Injury Considerations

The responsibility of the first officer at the scene is to determine if there are any personal injuries. At crash scenes where there is personal injury, actions to deal with the injury takes precedence over investigative or reporting activities.

Appropriate medical assistance should be summoned as soon as possible. If there is any question as to whether a person is dead, the officer should apply appropriate emergency medical care.

Upon normal circumstances, Hennepin County Paramedics are responsible for the transportation of injured persons. Officers should not transport injured persons to a medical facility.

2) Potential Fire Hazard and Hazardous Materials at Crash Scenes

Officers should continue to be cognizant of the fact that any traffic crash involving a cargo vehicle potentially is a hazardous material incident, and should be cautious and observant for any evidence/indication of hazardous material before approaching cargo vehicles involved in crashes.

Upon arrival at the scene of a traffic crash involving a cargo vehicle, officers should attempt to make a preliminary identification of the cargo on the basis of placards visible from a safe distance.

If it is determined that the crash involves hazardous material, or absent such a determination, and there is a possibility of hazardous materials being involved, fire personnel should be summoned immediately. Fire personnel are in command of any hazardous material crash scene.

DEPARTMENT VEHICLE CRASHES

Any crash involving personal injury, substantial property damage (combined damage to vehicles and/or other property exceeding \$1,000), or resulting from a chase or pursuit situation should be investigated by the Minnesota State Patrol or other neutral police agency. In such cases, the duty supervisor should:

- Respond to the crash scene and take charge.
- Notify the Minnesota State Patrol and request a patrol unit to respond. If the State Patrol is unable to respond within a reasonable period of time, a traffic squad from the Bloomington Police Department or other neutral police agency should be requested to conduct the investigation.
- Contact the Police Chief if serious injury or death results from the crash. Any crash or incident resulting only in minor damage should be investigated by the duty supervisor. If the duty supervisor is involved in the crash/incident, the investigation should be conducted by personnel of a neutral police agency.

In all crashes/incidents involving damage to Department vehicles, the duty supervisor should insure that a State of Minnesota Crash Report is completed in addition to other reports required by the Department Accident Review Board and City Human Resources department such as a *First Report of Accident* and *Supervisors Report of Injury*.

By Order Of:



Chief of Police