



## Newport News Police Department - Operational Manual

### OPS-330 - TRAFFIC CRASH INVESTIGATION

Amends/Supersedes: OPS-330 (09/26/2018)

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#### I. PROCEDURE

##### A. All Crashes

1. Upon arrival, the officer shall take control of the scene by: [61.2.2(g)]
  - a. Positioning the police unit in a manner that provides the best protection of the scene, and providing emergency first aid as needed. [61.2.2(b,e)]
  - b. Notifying the Communications Division of the situation and requesting additional traffic support units or medical/fire assistance as needed. [61.2.2(b,c)]
  - c. Ensuring that access is available for other emergency vehicles and positioning flares/cones as needed. [61.3.2(f)]
  - d. Maintaining a flow of traffic, if possible, and assuring that spectators and their vehicles do not interfere with persons or vehicles properly engaged at the scene. [61.2.2(g); 61.3.2(a)]
  - e. Taking valuables into custody for safekeeping, following departmental procedures regarding the control and storage of money and valuables recovered at the scene. [61.2.2(f)]
  - f. Maintaining calm and order among the parties involved in the crash.
  - g. Having the Communications Division notify the Public Information Office if the crash may cause a lengthy traffic tie-up, involves a fatality or life threatening injury, involves a hazardous materials spill, requires a Crash Team response or is of a nature that may generate inquiries from the media (e.g., vehicle struck a building, injured persons air-lifted from scene, etc.) [41.2.4]
2. The primary officer dispatched to the scene will be in charge of the on-scene crash investigation unless otherwise directed by a supervisor. [61.2.1; 61.2.2(a,d,g)]
  - a. The investigating officer shall determine the apparent severity of the crash and complete the proper crash report forms. Crashes on public property resulting in death, personal injury (including the claim of injury), and/or total crash damage in excess of \$1500 shall be completed on the standard Commonwealth of Virginia - Police Crash Report (State Form FR-300). If there is doubt as to the monetary amount of damage caused by the crash, the crash shall be worked at the discretion of a supervisor. [61.2.1; 82.2.1(a,b); 83.2.4(c)]

NOTE: This report shall be completed regardless whether the investigation occurs at the scene of the accident or thereafter and elsewhere, through the interview of participants and witnesses. The FR-300 will be submitted to the Department of Motor Vehicles within twenty-four hours of investigation completion. (VA Code §46.2-373).

- b. If the crash occurs on public property, but does not fall within one of the categories stated in Section I. A. 2.a above, the crash is considered “minor.” The officer will not be required to fill out a report, but will ensure that the parties involved have exchanged all necessary information, utilizing the Driver's Exchange Form (NNPD Form #48).
- c. The investigating officer should maintain contact with the drivers involved, and obtain driver’s licenses, vehicle registrations, and proof of motor vehicle insurance in accordance with §46.2-902.1 of the Code of Virginia. Drivers should remain at the scene until the conclusion of the on-scene investigation, unless they require medical attention. In those instances, the officer should ascertain where treatment will be administered and have the parties remain there until he is able to contact them to conclude the investigation.
- d. As soon as possible, the investigating officer should record all accounts of all drivers and witnesses. [82.2.1(c,d); 83.2.6]
  - 1) All statements will be written as they are given and at the time they are made.
  - 2) All drivers’ statements will be taken in the presence of each other whenever possible.
  - 3) All statements will be read by (or to) the person interviewed and then signed by that person if possible.
  - 4) If the person interviewed refuses to sign the statement, or is unable to do so, the officer will ask if the statement is accurate and then will note the response at the bottom of the statement.
  - 5) If the witness requests additions, deletions, or changes in the statement, the changes will be made prior to the witness’ signature.
  - 6) The officer will ensure that each driver has information pertaining to the other parties involved by completing the Driver's Exchange Form (NNPD Form #48).
  - 7) Crash reports will be considered incomplete until such time as all witnesses are interviewed, regardless of whether charges are placed.
  - 8) The investigating officer may subpoena witnesses to court by completing a Subpoena for Witness Card (NNPD Form #51) and presenting it to the witness at the crash scene. If the case is to be handled by the Commonwealth’s Attorney’s Office, the investigating officer will ensure that all witnesses for the case are listed in the IBR.
- e. In all crashes to which an officer is dispatched, regardless of whether it fits the criteria for completing the Commonwealth of Virginia FR300, the officer will denote the name of each vehicle's driver, the license plate number, and the state of license, in the comments section of the MDC screen for response.
- f. In all crashes requiring a Commonwealth of Virginia - Police Crash Report, (i.e., fatality, felony hit and run, leaving the scene over \$1,500 in damage, personal injury crashes and city equipment accidents, etc.) written statements will be taken from all witnesses. [61.2.1(a,b,c); 61.2.2(d); 82.2.1(c,d)]
- g. The investigating officer shall record all facts relating to the conditions and physical evidence found at the scene. These should include measurements of tire marks, positions of involved vehicles/pedestrians, and a record of photographs taken as required in all city equipment crashes or those involving fatalities. [82.2.1(d); 83.2.4(b,c,d); 83.2.6]

### 3. Removal of Vehicles and Debris

- a. As soon as practical within the scope of the investigation, the officers on the scene should provide for the resumption of the orderly flow of traffic.
- b. Whenever possible, vehicles involved in the crash should be removed from the scene by the owner, or by a wrecker service requested by the owner. If no owner is present or no preference is stated, a wrecker service will be called in accordance with OPS-340 (Towing, Inventory and Impoundment of Vehicles).
- c. The investigating officer will ensure that debris from the crash is cleared from the roadway by wrecker personnel or an appropriate City agency. [41.2.4]
- d. In the event that any officer on the scene suspects that hazardous materials may be involved, the officer shall secure the area, divert traffic if necessary, maintain a safe distance and request a response from the Fire Department's Haz-Mat Team. The Fire Department has responsibility for any necessary clean up activities. [61.2.1(e); 61.2.2(c)]
- e. The investigating officer will ensure that the appropriate public utility company (i.e., electric, telephone, cable TV, etc.) is notified if any of their property has been damaged or destroyed in the crash. Prompt notification should be made if the damaged property poses any risk to vehicular and/or pedestrian traffic. [41.2.4]

### 4. Follow-up Investigation [61.2.1]

- a. Upon clearing from the scene of the crash, the investigating officer should interview injured parties who were transported to the hospital. If the nature of the injuries does not allow an immediate interview, the officer should ascertain from the attending physician the earliest time such an interview will be possible and conclude this part of the investigation at that time.
- b. If necessary, canvass the immediate area of the crash to locate witnesses and conduct a further examination of vehicles involved and the scene, noting the condition of such things as traffic control devices and roadway defects. [83.2.6]

### 5. Conclusion of Investigation

- a. The on-scene investigation should produce the principle cause(s) of the crash, and the investigating officer should make note of these conclusions.
- b. If violations of law are found to be present, the officer must note the same and may issue the appropriate summonses or arrest if warranted. [61.1.2(a,b); 61.1.5(k)]
- c. In fatality cases, the investigating officer must present the results of his investigation along with the follow-up investigation to the Commonwealth's Attorney's Office for determination concerning related charges. With the exception of Driving Under the Influence, no traffic charges will be placed before review of the fatal crash investigation by the Commonwealth's Attorney's Office. [61.1.2(a,b); 61.1.5(k); 61.1.9; 61.2.1(d); 61.2.2(c)]

6. Reports [61.2.1(a,b,c); 82.2.1(e); 83.2.6]

It is the responsibility of the investigating officer to turn in all related reports concerning the crash to his immediate supervisor at the end of his shift to include:

- a. Commonwealth of Virginia - Police Crash Report (State Form FR-300), to include all statements
- b. Summonses
- c. An entry in the Department's Records Management (RMS) System accident module to create a tracking method of the crash. If the crash investigation will not be completed prior to the end of the investigating officer's shift, the RMS entry will include at a minimum:
  - 1) The date and time of the crash;
  - 2) The location of the crash;
  - 3) The names and information of all known parties involved in the crash.
- d. Proper procedure to secure images taken at the crash scene for Property and Evidence:
  - 1) Transfer of all digital images from memory cards, or other digital storage medium onto which the images were captured, into a Department digital storage system for submission as evidence. [83.2.4(b)]
- e. Detailed reports concerning investigative findings for later prosecution when involved in a felony or fatality type investigation
- f. Reports of any engineering defects which contributed to the crash shall be noted on proper forms and turned in to a supervisor on duty to be forwarded to the appropriate City agency. Defects or hazards which present an immediate danger to safety shall be reported to the Communications Division, who in turn shall immediately notify the appropriate agency. [41.2.4; 61.3.1(a); 61.4.2]

NOTE: Completed Commonwealth of Virginia - Police Crash Reports will be turned in to the Department of Motor Vehicles by the Records Unit within twenty-four hours of being received from the investigating Officer.

B. Crashes Involving Death or Serious Injury [61.2.1(a); 61.2.2(a)]

1. The officer dispatched to the scene will take control of the investigation unless removed by a supervisor. [61.2.2(a)]
2. Crash Team Involvement

If the crash results in a fatality or personal injuries where there is a strong likelihood that a death is going to occur:

- a. Members of the Crash Team will be notified to respond to the scene to investigate the crash:
  - 1) At the request of the Special Operations Commander, with the approval of the appropriate Precinct Commander, a Crash Team investigator may be temporarily transferred to the Special Operations Section pending the completion of the crash investigation;

- 2) In the event that a member of the Crash Team is utilized from the shift, or is called back, the Crash Team supervisor shall receive notification.
  - b. Prior to Crash Team arrival, the initial responding officer(s) shall take proper measures to secure the area as if it were a crime scene, to include any necessary diversion of traffic.
  - c. If the driver is suspected of Driving Under the Influence (DUI) of drugs or alcohol, the initial responding officer shall handle that aspect of the investigation in accordance with OPS-325 "Driving Under the Influence (Motor Vehicles and Watercraft)".
3. The Major Crimes Investigations Section Commander shall be notified if the initial on-scene investigation indicates causes of a questionable nature or if the on-duty supervisor or Crash Team investigator on the scene deems their assistance is needed.
  4. When a victim has been pronounced dead at the scene by the appropriate medical personnel and has not been transported by ambulance personnel, the body shall be covered and the Medical Examiner notified. [41.2.4]
    - a. The investigating officer should note and photograph the decedent's appearance including clothing and any visible injuries.
    - b. The body of the decedent(s) shall be tagged prior to removal from the scene with all pertinent information for later identification or testimony.
    - c. The body shall be moved to the Medical Examiner's office, funeral home or hospital morgue only at the direction of the Medical Examiner's Office.
    - d. The investigating officer shall request from the Medical Examiner a copy of laboratory results of testing for alcohol and drugs on all victims of fatalities.
    - e. The investigating officer shall notify, or cause to be notified, the next-of-kin as soon as reasonably possible. Such notification, if local, shall not be made by telephone. If outside the city, the law enforcement agency having jurisdiction shall be requested to make such notification (see OPS-530, "Emergency Notifications and Messages"). [55.2.6]
    - f. If the family or the identity of the decedent is unknown at the time:
      - 1) The investigating officer will contact the Forensic Services Unit and request a technician respond to the scene to obtain fingerprints from the decedent prior to body removal.
      - 2) The Communications Division shall notify the contract body removal service to transport the decedent to the place designated by the Medical Examiner.
- C. Hazardous Material or Chemical Spill Traffic Crashes [61.2.1(e); 61.2.2(e); 61.2.2(c)]

The officers investigating the crash shall:

1. Attempt to identify (if safely able to do so) the Department of Transportation placard, or through the vehicle's driver, the contents of the vehicle containing the hazardous material.
2. Notify the Communications Division of the situation and request a response from the Fire Department's Haz-Mat Team, giving as much information as possible regarding the hazardous material or chemical spill.

3. The Crash Team Supervisor shall be notified, and one of the Department's Commercial Motor Vehicle Inspectors will be sent to the scene to assist with the investigation.
4. Isolate the crash from nonessential personnel.
5. Remain well clear and upwind from the scene while avoiding contact with any unidentified liquids or vapors leaking or escaping from the crash vehicles.

D. Traffic Crashes Occurring on Private Property [61.2.1(f)]

1. For purposes of vehicle crashes, public property is considered to be highways, roads, streets, and public parking lots maintained by state, county, or municipal funds. All other locations are considered private property. Officers will only be dispatched to crashes occurring on private property if there are reported injuries.
2. Upon arrival at the scene the officer shall eliminate any existing traffic hazards and, if necessary, request additional traffic units and medical/fire assistance. [61.2.2(b,c)]
3. Crashes on private property will be considered 'minor' and shall not be reported on Commonwealth of Virginia - Police Crash Report (State Form FR-300); however, the Driver's Exchange Form (NNPD Form #48) shall be completed. Additionally, the officer will denote the name of each vehicle's driver, the license plate number, and the state of license, in the comments section of the MDC screen for response.
4. If a crash results in a fatality or personal injuries where there is a strong likelihood that a death is going to occur, members of the Crash Team will be notified as outlined in Section I.B. above. Upon responding to the scene of the crash, the Crash Team investigator will complete all aspects of the investigation except for the completion of the FR-300.

E. Crashes on Interstate Highways, Monitor-Merrimac Bridge/Tunnel or James River Bridge

1. The Newport News Police Department shall respond to any vehicular crash on the interstate highways within the Newport News city limits, the Monitor-Merrimac Bridge/Tunnel or the span of the James River Bridge, when requested by State Police. Newport News officers shall assist in providing any necessary aid to victims, restoring the orderly flow of traffic or conduct any other activities that will aid the State Police in safely completing its investigation.
2. If circumstances exist that may require the Newport News Police Department to conduct the investigation of the crash, the officer assigned will follow all procedures in investigating the crash as set forth in this policy.

F. Crashes Involving City or Police Vehicles [61.2.2(d)]

**All** City or police vehicle crashes will be investigated, regardless of the amount of damage or injury, or whether the incident occurs on public or private property.

City or police vehicle crashes will be **investigated** no differently than those involving a citizen; however, officers will note the following:

1. The investigating officer will seek to obtain statements from all drivers and witnesses (to include independent witnesses) involved in the crash.
  - a. The driver or witness has the right not to give a statement.
  - b. Section 1401 of the City Personnel Administrative Manual restricts employees from speculating on fault during crashes. The employee is limited to providing driver's license information, City employee identification, and the fact that the City is self-insured.
  - c. The City's self insured State I.D. # is SI-97.
2. The standard Commonwealth of Virginia - Police Crash Report (State Form FR-300) shall be completed for all City or Police Vehicle crashes. [82.2.1(a,b)]
3. In crashes involving City vehicles, the operator will complete a City of Newport News Accident/Incident Report (accessible on the Newport News Intranet) and all other forms relating to injury (Workers' Compensation). (See also: ADM-325 "Injury On/Off Duty, FMLA)

NOTE: In officer-involved crashes where the severity of the crash is such that injury to the officer prevents the necessary City forms from being completed, the on-duty supervisor will ensure that they have completed and submitted these reports on behalf of the officer within the required time limit, making note of the circumstances and the fact that the involved officer is not the form's author.

4. Upon notification that a crash has occurred involving a city vehicle, the Communications Division will dispatch a unit to investigate the accident and notify the on-duty supervisor. [41.2.4]

NOTE: The City employee involved in the crash is responsible for notifying his supervisor/city department to which he is assigned. If the employee is injured and cannot make the notification or if he has no means to contact his supervisor/city department, then the officer on the scene shall ensure the notification is made for him.

5. The responding on-duty supervisor will evaluate the severity of the crash.
6. The on-duty supervisor will ensure the Crash Team supervisor is notified in the following cases:
  - a. The crash involves a police, fire, or emergency medical service vehicle that was operating in an emergency fashion; or
  - b. The crash involves any City vehicle where there is major property damage and/or serious injury or fatality and future civil litigation against the City is likely; or
  - c. Questionable crashes where the on-duty supervisor feels that the Crash Team supervisor should be notified.

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

8. If a City police vehicle is involved in a crash that occurs in another jurisdiction, that jurisdiction will investigate the crash. The employee must notify his immediate supervisor and the Communications Division as soon as possible. The employee's supervisor will determine the need for the Department to respond to the crash scene.

NOTE: In the event that an on-duty supervisor is unable to respond to the scene, the involved officer will request that the investigating agency take photographs of the crash.

9. The on-duty supervisor is responsible for reviewing the crash investigation to ensure it is complete and proper. Whenever possible, the on-duty supervisor should have the crash investigated by an officer with serious/complex crash investigation training. The on-duty supervisor will also ensure that the crash is fully investigated to determine vehicle speed and other pertinent information through physical evidence such as skid marks and/or scuff marks. [82.2.1(e)]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

11. If a City or police vehicle contacts another vehicle or object and no apparent damage occurs, the crash may be investigated at the discretion of an on-duty supervisor.

NOTE: In those City equipment crashes involving a person or third party, the accident will be investigated as outlined in Section I. F, sections 1-10.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

G. Crash Investigation Equipment [41.3.2]

1. Officers are provided with traffic safety vests as part of their issued personal equipment, and will ensure that these vests are worn upon arrival at all traffic crash scenes.

2. All patrol vehicles will be equipped with the following emergency/crash response equipment:
  - a. First aid kit (sergeants' vehicles only);
  - b. One emergency blanket;
  - c. Fire extinguisher;
  - d. Flares (minimum of 15);
  - e. Traffic cones (minimum of 6);
  - f. Seat belt cutter.
3. All patrol vehicles will be equipped with emergency lights, siren, and a police radio. All equipment will be in operational order while the vehicle is in use. [41.3.1]

H. Report Review [82.2.1(e)]

It is the responsibility of the on-duty supervisor to review and provide approval of the reports of all crashes when submitted by the investigating officer.

Steven R. Drew  
Chief of Police