

Departmental Directive

TITLE: TRAFFIC COLLISION INVESTIGATIONS

POLICY:

Vehicle collisions reported to SCPD, whether on public or private property, will be investigated and a report prepared by a member of the department. Enforcement action will be taken upon the detection of any illegal or potentially hazardous act committed upon the highways within the City of Santa Cruz. Enforcement action may consist of a warning, citation, application for complaint or physical arrest.

An officer who has completed the 40-hour Basic Accident Investigation Course may legally issue a citation at the scene of a collision for a violation suspected as the primary cause of the collision (40600 CVC). It shall be department policy that the investigating officer will make a recommendation and forward a copy of the collision report for review prior to a citation being issued. Upon review a citation shall be mailed to the offender. The exceptions are for equipment violations (no driver's license, no insurance, no registration, etc.) or misdemeanors, including DUI, reckless driving or driving with a suspended license.

Definitions:

Accident or Collision: An unintended event that produces damage or injury. The "injury" includes "fatal injury". "Accident" and "Collision" are synonymous, interchangeable words describing the event.

Fatal Injury: A death occurs as the result of a traffic collision.

Major Injury: When there is a great likelihood that the person will die as a result of their injuries.

I. Traffic Collision Investigations

A. Procedures to Document Traffic Collisions

1. Documentation of collisions shall be as prescribed by the CHP Collision Investigation Manual (CIM). The Alliance Traffic template will be used in place of the CHP form 555. In some instances the 555-03 will be used to document traffic collisions. The collision will be documented as a traffic collision investigation, or a traffic collision report. It is the investigating officer's responsibility to conduct a traffic collision investigation unless facts dictate that a traffic collision report is needed.

- a. Every collision report and collision investigation will have a sketch drawn of the accident scene, except in the event of a counter report or a late report, in which case a sketch is optional.
- b. Every fatal collision investigation or major injury collision will also have a factual diagram completed, using measurements to depict the scene in its proper proportion.
- c. In the event a person comes to the department to file a property damage only report, or hit and run collision report with no suspect information or investigative leads, an officer will be assigned to contact the reporting party and complete a report. The CHP form 555-03 may be used if the hit and run has no investigative leads, involves no more than two parties, or if the property damage only collision is closed with no punitive findings.
- d. An officer will be assigned to contact any person making a late report at the police department of an injury collision or a hit and run collision report with suspect information or investigative leads. This collision investigation will be documented on a CHP 555 form.
- e. Financial responsibility/insurance information will be determined and recorded on all documented collisions. If a party involved in a collision is not in compliance with section 16020 of the Vehicle Code, cite them for the appropriate violation.

2. Forms used to document traffic collisions

- a. The Alliance Traffic template will be used in place of the CHP form 555. A 555-03 may be used for counter reports, non-injury hit and run reports without investigative leads or follow-up needed, or property damage reports when an officer responds to the scene of the collision and the parties do not request an investigation and the collision does not meet State reporting guidelines (exchange of information).
- b. The Alliance Traffic template will be used in place of the CHP form 555 to document all injury or fatal collisions, major property damage collisions, or any collision where a citation is issued or a criminal complaint requested.

B. Completing Collision Investigations Defined

1. Any collision resulting in a fatality, injury or major damage.
2. Any hit and run collision with sufficient information for follow-up investigation.
3. Any collision from which there is an in-custody arrest or the officer is requesting that a misdemeanor or felony complaint be filed.
4. Any collision involving any government property.
5. Any collision where evidence supports a primary collision factor for fault in the collision when there are conflicting statements or statements conflict with physical evidence.

C. Collision Investigation Narrative Format/Headings

1. The purpose of the narrative is to provide a description of the collision and allow the officer to present facts, statements, and evidence relevant to the collision.
2. Do not enter opinions in the Facts section. Omit sections not applicable.
 - a. Notification
 - b. Type and time of call, response location and arrival time.
 - Statement that speeds and measurements are approximate and how obtained, e.g., rolatape, pacing, etc.
 - c. Scene Description:
 - Road alignment, surface, etc.
 - Fixed or other objects.
 - Type(s) of traffic controls.

- d. Parties:
- Party's name, how identified, and how determined as the driver.
 - Passenger(s)/witness (es) names and how identified.
 - Location and condition of vehicle(s).
- e. Physical Evidence:
- Type of skid mark, location, and length.
 - Debris and vehicle parts.
 - Other physical evidence: Evidence must be noted at this portion of the narrative unless it is described in the legend.
 - Disposition of evidence collected.
 - Photographs.
- f. Hit and Run:
- Description of suspect vehicle, party and clothing.
 - Who can identify suspect and place him/her behind the wheel at the scene.
 - Summary of follow-up actions or explanation as to why follow-up was not possible.
- g. Other Factual Information:
- Driver license suspensions, restrictions, etc., party's physical defects or injuries, etc.
- h. Statements: Need not be verbatim but should record pertinent substance of statement eliminating unnecessary detail.
- Identify parties and witnesses by number and last name.

- If statement is obtained by question and answer technique, include both question and answer.
- Statement need not repeat previous statements.
- If no statement is obtained, so state.
- If not previously noted, indicate location of witness at time of observance.

i. Opinions and Conclusions

Summary:

- Opinion of how the collision occurred based on physical evidence, statements, etc.
- Should be a complete description of how collision occurred.

Area of Impact:

- State how area of impact (AOI) was determined, e.g., physical evidence, statement, etc.
- Locate AOI with a minimum of two measurements.
- If more than one AOI, repeat 2.a and 2.b for each.

Intoxication Narrative:

- Party's actions.
- Field sobriety tests that were given.
- How the erratic driving and/or intoxication were proven or disproved.
- Location, description, disposition, and who discovered alcohol/drug.

Cause:

- Record who was at fault and how fault was determined by primary collision fact.
- In felony cases, include how the act of negligence was the proximate cause of the injury.
- Indicate if requesting prosecution, including all charges sought (attach notice to appear to report, if applicable).

Recommendations:

- Note any follow-up action needed.
- Include if requesting district attorney's review.
- If no recommendations, state "none", and indicate why a citation or complaint is not requested.

D. Completing Collision Reports

1. Defined:

- a. Any collision resulting in property damage only or complaint of pain where the injured party refuses medical attention.
- b. Hit and run collisions involving only property damage, with no suspect information or investigative leads for follow-up.
- c. Property damage only in which the investigating officer is requesting only an infraction complaint be filed or citation issued.
 - Facts must be articulated to meet the elements of the violation to support the infraction complaint.

2. Notification:

- a. Type and time of call, response location and arrival time.

- b. Statement that speeds and measurements are approximate and how obtained, e.g., relative, pacing, etc.
- 3. Statements.
- 4. Summary: Time sequential summary of what occurred, including the following:
 - a. Vehicle lane, direction of travel, speed, etc.
 - b. Driver actions, defective equipment, etc.
 - c. Had been drinking information.
- 5. Area of Impact: Indicate how determined.
- 6. Cause: Record who was at fault and how fault was determined by primary collision factor.
- 7. Recommendations:
 - a. Indicate if requesting prosecution; including all charges sought (attach notice to appear to report, if applicable).
 - b. If no recommendations, state “none”, and indicate why a citation or complaint is not requested.

E. Late and Counter Collision Reports

- 1. All hit and run cases with identifying suspect information will have no arbitrary time limit imposed and will be handled as a collision investigation.
- 2. Persons requesting to document a traffic collision within 72 hours of an injury collision who file the report away from the accident scene will be assisted by an officer who will write a collision (late report-special conditions box) investigation.
 - a. If the injury collision report is made after 72 hours from the time of the collision, an officer will complete a collision report on the Alliance Traffic template, with an “injured” page. The reporting party will be advised the report will be classified as a late collision report, and will be available for insurance purposes. They will also be told there will be no further investigation. The officer will mark “late report” in the special conditions box.

3. Persons requesting a collision report with property damage only, or a hit and run with no follow-up information after 24 hours from the time of the accident, will be assisted by an officer who may complete a collision report on a CHP form 555-03. The reporting party will be advised the report will be available for insurance purposes and that there will be no further investigation.

F. Traffic Collisions Involving City of Santa Cruz Vehicles (not police)

1. Collisions involving City owned vehicles being operated by an on or off-duty non-police employee shall be investigated by officers of this department using the Alliance Traffic template.
 - a. When an on-duty collision occurs involving a City of Santa Cruz employee, an attempt to contact the employee's supervisor and the risk manager shall be made so they may respond to the scene.
 - b. Any request for the CHP to investigate a city owned non-police collision shall be made at the management level and will only be made in collisions involving severe injury or death.
2. Traffic enforcement action will be taken in accordance with departmental policy.
3. The Traffic Supervisor shall review all collisions involving city personnel, unless they are not available.

G. Traffic Collisions Involving Santa Cruz Police Vehicles/Personnel

1. In collisions involving on-duty Santa Cruz Police Employees operating police vehicles, a collision investigation will be conducted.
 - a. In a collision involving the police vehicle and one or more moving vehicles, or an injury, the CHP shall be contacted to investigate the traffic collision.
 - b. Should the collision involve only the police, or the police vehicle and a parked vehicle (non-injury), the on-duty shift

supervisor will either investigate the collision or assign an officer to conduct the traffic collision investigation.

- c. Under no circumstance will an officer investigate a collision in which he/she is involved.
2. A Traffic Supervisor will review the collision investigation document for its content and to ensure it is complete. Photographs shall be taken of all involved vehicles by the on-duty supervisor.
 - a. The supervisor will complete the **Confidential City of Santa Cruz Vehicle Accident Report**. The purpose of this confidential form is to assist the City Attorney and Risk Manager. Once completed, the form shall be signed by the supervisor and immediately routed to the driver's Division Commander in a sealed envelope. The Division Commander will sign the form and route it to the Risk Manager (via the Administration AIII under the Attorney-Client Privilege). The completion of this form does not negate the requirement for the supervisor to contact the Risk Manager immediately.
 - b. On those collisions in which the C.H.P. has been requested to investigate, the supervisor shall initiate an **Outside Agency Report** case in Alliance. The report will include the date and time of occurrence, names of all the parties involved and witnesses to the collision, information on all vehicles involved in the collision, and a narrative statement to refer to the C.H.P. investigation. When the Records Section receives the C.H.P. report they will scan the report and attach it to the Alliance case.
 3. Officers shall not investigate any traffic collision involving their immediate family or relatives.
 4. Request for Outside Assistance:
 - a. The request for CHP or other outside agency assistance in investigating an accident shall be made by the on-duty supervisor.

H. Fatal/Major Injury Traffic Collisions

Fatal/major injury traffic collisions require additional attention and direction. In these cases the following procedures will be followed.

1. Notifications:
 - a. The on-duty field supervisor shall be notified and respond to the scene of all major injury or fatal traffic collisions.
 - b. The on-duty team Watch Commander and the Traffic Supervisor shall be immediately notified of collisions involving major injury or death to any party. All shall respond to the scene of all fatal collisions. The Watch Commander shall be responsible for notifying the Operations Division Deputy Chief as soon as practical.
 - c. The on-duty Patrol Supervisor will assign a Traffic Collision Investigator as soon as possible to assist in and direct the investigation.
 - d. If a designated Traffic Collision Investigator is not on-duty at the time of the collision, one of the Traffic Collision Investigators will be called out. A callout list for major Traffic Collision Investigators shall be maintained by the Traffic Section Supervisor for NETCOM.
 - e. If a fatality has occurred and there is sufficient information to indicate a potential criminal filing, the district attorney's office will be notified. The responsibility for notification rests with the Traffic Supervisor. The Investigation Section Commander may be called upon to assist.
 - f. Division Commanders will be notified by their respective supervisors. Immediacy of notification will depend on circumstances at the discretion of the Watch Commander.
 - g. The City Risk Manager shall be notified of all fatal traffic collisions. Immediacy of notification will depend on circumstances at the discretion of the Watch Commander.

2. Report Routing:

- a. Records will immediately complete and route all information obtained during the initial investigation to the Operations Division where it will be reviewed and approved by one supervisor designated by the Watch Commander. Reports will be held in the Patrol Supervisor's office until all initial reports are in. The reports shall be placed in a folder clearly labeled as to its contents. Included in the folder with the reports shall be the Major Case Coordination Guide.

The Watch Commander (Lieutenant), the designated Supervisor (normally the Traffic Supervisor) and the assigned Traffic Collision Investigator shall review all the initial investigation reports, and outline those areas requiring additional follow-up. The Watch Commander or Supervisor will approve the reports when complete. After approval, Records will then route copies as required.

3. Follow-up Investigation:

- a. The Traffic Section Supervisor shall be responsible for the supervision of the collision investigation. A Traffic Collision Investigator will be designated as the primary investigator, and will be relieved from regular patrol duties until the completion of the investigation. In the event additional assistance is needed, the Traffic Section Supervisor will meet with the Watch Commander to coordinate the resources needed to complete the follow-up investigation.
- b. In the event that the assigned Traffic Collision Investigator is unable to complete the necessary follow-up investigation prior to commencing his/her normal days off, the investigator shall meet with the Traffic Section Supervisor to develop a follow-up plan.

4. Exceptions:
 - a. Those cases involving a law enforcement officer employed within the county of Santa Cruz will be investigated per those procedures outlined in the Critical Incident Protocol.
 - b. On-duty collisions with injuries or death involving Santa Cruz Police vehicles will be investigated by the California Highway Patrol as per section G of this General Order.

I. CHP Multidisciplinary Accident Investigation Team (MAIT)

1. MAIT is designed to supplement the CHP's normal accident investigation efforts, as well as conduct in-depth investigations to determine the collision events that are significant in accident causation.
2. The on-duty Watch Commander shall be responsible for making MAIT requests. If possible, the Traffic Section Supervisor shall respond to coordinate/assist with any MAIT call out.
3. All requests for MAIT must be directed to the local CHP Area Commander.
4. Criteria for requesting MAIT:

SHALL call when:

- a. A severe or fatal injury collision involving an on-duty CHP or Caltrans employee.

SHOULD call when:

- a. Any collision occurs where there are four or more fatalities occur.
- b. Any collision with two or more fatalities involving any vehicle or combination of vehicles described in section 34500 VC.
- c. Any collision which results in the spillage or leakage of a significant amount of hazardous material and seriously threatens life and/or property.

- d. Any collision in which the Department has been notified that Investigators from the National Transportation Safety Board (NTSB) will be responding to conduct a parallel investigation.

MAY call when:

- a. Any severe or fatal injury collision involving a possible roadway defect as a primary cause or contributing factor.
- b. Any collision where there is an indication that an involved vehicle has a manufacturing defect which was the primary cause or contributing factor.
- c. Any collision where there is a need for an in-depth speed analysis.



HOWARD SKERRY
Chief of Police