



ACTON POLICE DEPARTMENT

DEPARTMENT MANUAL; P&P: Traffic		
POLICY & PROCEDURE # 5.02	DATE OF ISSUE: 1/29/2024	EFFECTIVE DATE: 2/9/2024
SUBJECT: TRAFFIC COLLISIONS / CRASHES	ISSUING AUTHORITY: Chief James Cogan	
REFERENCE(S): Massachusetts Police Accreditation Commission #61.2.1; 61.2.2; 61.3.1; 83.2.6	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> AMENDS <input type="checkbox"/> RESCINDS	

I. PURPOSE

The police function in relation to traffic collisions/crashes is varied. Aid to the injured, traffic control, investigation, enforcement, and collision/crash prevention are some of the areas upon which the police will have an impact. An adequate response, knowledgeable performance, and preventive efforts can go a long way in minimizing increased damage to property and bodily injury. Police responsibility will continue until the injured have been cared for, the collision/crash vehicles have been removed, the roadway is clear of debris, and the traffic flow is normalized.

The objective of a hit-and-run investigation is to determine responsibility for the collision/crash and to identify both the offender and the vehicle involved. This is often a difficult task because the very elements of the crime include flight from the scene. Hit-and-run collisions/crashes may involve property, persons, or both. As the circumstances are more serious when human life is involved, these procedures are primarily directed at hit-and-run investigations involving persons.

II. POLICY

It is the policy of the Acton Police Department to respond to and investigate all traffic collisions/crashes requiring police response.

III. PROCEDURES

A. TRAFFIC COLLISIONS/CRASHES REQUIRING POLICE RESPONSE, INVESTIGATION AND REPORTS

1. COLLISIONS/CRASHES REQUIRING POLICE RESPONSE: Officers should respond to traffic collisions/crashes involving any of the following circumstances:
 - a. Collisions/crashes resulting in death or personal injury;
 - b. All hit-and-run collisions/crashes which involve personal injury, and those hit-and-run property damage collisions/crashes where investigative techniques can be applied;
 - c. Impairment of an operator due to alcohol or drugs;
 - d. Damage to government vehicles or property **[61.2.2(g)]**;
 - e. Collisions/crashes involving hazardous materials (HAZMAT) **[61.2.2(h)]**;
 - f. Disturbances between involved parties **[61.2.2(i)]**;
 - g. Major traffic congestion because of the collision/crash **[61.2.2(j)]**;
 - h. Damage to any vehicle that requires it to be towed **[61.2.2(l)]**; and
 - i. Any reported collision/crash.
2. COLLISIONS/CRASHES REQUIRING POLICE REPORT AND INVESTIGATION: The following types of collisions/crashes, whether occurring on public or private property, shall require police investigation and a detailed report: **[83.2.6(2)];[61.2.1(A)(B)]**
 - a. All those involving death or personal injury;
 - b. All property damage collisions/crashes with estimated damage to any one vehicle to be one thousand dollars or more;
 - c. All hit-and-run collisions/crashes that involve personal injury, and those hit-and-run property damage collisions/crashes where investigative techniques can be applied;
 - d. Those involving operator impairment due to alcohol or drugs;
 - e. Those involving any vehicle carrying hazardous materials (HAZMAT);
 - f. Those which appear to have been caused by a flagrant moving violation on the part of one or more of the operators, by defective equipment on or in a vehicle, or by any other circumstances which impeded the safe operation of a vehicle;
 - g. Those which appear to have been caused by the incompetence of an operator; and
 - h. A collision/crash occurring under the above conditions on private property.

B. DUTIES OF OFFICERS ON THE SCENE [61.2.2(a)]

1. UPON ARRIVAL:

- a. On scene, as soon as practicable, all officers shall put on and wear a department-approved high visibility traffic vest or high visibility jacket for the duration of the traffic collision/crash incident while directing or controlling traffic **[61.3.1]**. Refer to Department policy *1.10 Approved Uniforms, Equipment, Appearance* for approved high visibility clothing.
- b. The first officer arriving shall be in charge until relieved by a superior officer or a collision/crash investigator and **[61.2.2(b)]**:
 - 1) If necessary, request the assistance of other patrol units, emergency medical personnel, and/or the fire department **[61.2.2(c)]**;
 - 2) Identify injured persons, determine the extent of injuries, if any, and render medical aid until further assistance arrives
 - 3) Address concerns for the safety of responders, investigators, and traffic;
 - 4) Secure the scene as a crime scene, and preserve and protect evidence **[61.2.2(f)]**;
 - 5) Identify hazardous materials or fire hazards **[61.2.2(d)(h)]**;
 - 6) In the event of a hazardous material incident, isolate the hazard area and evacuate nonessential personnel **[61.2.2(h)]**.
- c. The officers shall then be responsible for preliminary hazard identification (spill, leak, fire) and identification of vehicle and container placards, until the arrival of the fire department.
- d. The officers should collect operators' licenses, passenger identifications, vehicle registrations, and witness identifications, all other information as appropriate, and arrange for the removal of damaged vehicles from the roadway, where they will not impede or interfere with the investigation **[61.2.2(e)]**.

2. PROPERTY: When officers are required to handle traffic crash victim(s)' personal property (such as for identification purposes), they shall do so, whenever possible, in the presence of witnesses, who shall be identified in the officer's report. If property is to be held, it shall be turned into the property and evidence function with a full report according to the departmental policy on Evidence and Property Control. **[61.2.2(k)]**

C. PRELIMINARY INVESTIGATIONS [61.2.1(A)]

1. DUTIES OF INVESTIGATING OFFICER:

- a. The initial responding officer may be assigned to investigate the collision/crash.
- b. All serious collisions/crashes should be treated as a potential crime scene. Officers should protect as much of the scene as possible, including preservation of all materials and marks in, on, or near the roadway.
- c. The assigned investigating officer shall conduct a thorough investigation of the collision/crash and take the following actions:
 - 1) Identify and interview operators and passengers. Check the validity of their right to operate, vehicle registration status, and insurance status;
 - 2) Interview involved parties and witnesses;
 - 3) Examine and record vehicle damage;
 - 4) Take photographs, if practical;
 - 5) Examine and record the effects of the collision/crash on the roadway, median barriers, utility poles, and other infrastructure;
 - 6) Take measurements, as appropriate;
 - 7) Collect and preserve evidence;
 - 8) Collect and record operator and vehicle information for report and exchange among involved parties;
 - 9) Complete the police officer's Registry of Motor Vehicles Collision Reporting Form; and

- 10) In cases where an injured person(s) has been transported to the hospital by ambulance, an officer may respond to the local hospital when a statement is needed from the injured party.

2. DUTIES OF THE SUPERVISOR:

- a. In all cases of serious collisions/crashes and collisions/crashes resulting in a major disruption of the flow of traffic, the patrol shift supervisor shall respond to the scene and assess the need and deployment of further resources.

3. COLLISION/CRASH RECONSTRUCTION:

- a. When appropriate, the patrol shift supervisor shall request an officer trained in Accident Reconstruction from within the department who shall be available 24 hours, or from the Massachusetts State Police Reconstruction Team.

- b. The Reconstruction Team shall be called in all cases involving:

- 1) Fatalities;
- 2) Serious bodily injury which may result in death; and/or
- 3) If in the opinion of the supervisor on the scene, the expertise of the Reconstruction Team is necessary.

D. FOLLOW-UP INVESTIGATIONS [61.2.1(C)]

1. FOLLOW-UP SERVICES:

- a. The department shall perform follow-up traffic collision/crash investigation services in support of ongoing or anticipated criminal prosecution whenever necessary. The discretionary authority of a supervisor or prosecutor generally dictates the use of this type of investigation.

- b. When warranted, this follow-up information should include, but not be limited to:

- 1) Collecting off-scene data;
- 2) Obtaining/recording formal statements from witnesses and suspects;
- 3) Reconstructing collision/crash;
- 4) Preparing formal reports to support criminal charges arising from the collision/crash; and
- 5) Review of the vehicle(s) event data recorder.

2. EXPERT AND TECHNICAL SERVICES:

- a. Accident Reconstruction Services: Trained personnel may be able to determine:

- 1) The likely speed of a vehicle from skid marks and vehicle crush damage;
- 2) Positions of vehicles and pedestrians;
- 3) Which occupant was operating or where occupants were seated;
- 4) The contribution of roadway conditions and design, operation, and vehicle conditions to the collision/crash;
- 5) Energy losses and momentum exchanges in stopping vehicles; and
- 6) The movements of vehicles and bodies in collisions/crashes.

b. Air Bag Control Module: Trained personnel may be able to determine:

- 1) Which passenger safety devices were used prior to the collision/crash;
- 2) Which passenger protection devices were deployed during the collision/crash;
- 3) The change in velocity of the vehicle prior to and shortly after impact; and
- 4) The use of brakes.

c. Experts: From time to time, follow-up collision/crash investigations may require special skills and technical assistance beyond that available from department personnel. When necessary, the department shall utilize outside expert and technical assistance (i.e., photographers, surveyors, mechanics, physicians, and collision team specialists). A Superior Officer shall make the decision of when to call in an outside crime scene specialist.

E. INVESTIGATIONS OF HIT-AND-RUN COLLISIONS/CRASHES

1. **THE ELEMENTS OF HIT-AND-RUN:** The defendant goes away having operated a motor vehicle upon any way or in any place to which the public has a right of access or any place to which members of the public have access as invitees or licensees, after knowingly colliding with or otherwise causing injury to any person, or injury to any other vehicle or property without stopping and making known his/her name and residence and the registration number of his/her motor vehicle.
2. **ON-SCENE DUTIES:**
 - a. Officers shall first make provisions for the medical treatment of the victim, if necessary. Investigating officers should follow-up on the condition of victim(s) after they are transported to a hospital to gather further information on serious bodily injuries.

b. Officers shall obtain the best possible description of the operator and his/her vehicle from the victim and available witnesses. The following information about the vehicle is important:

- 1) Make;
- 2) Model;
- 3) Year;
- 4) Color;
- 5) Extent and location of damage;
- 6) License plates (including partial numbers or letters);
- 7) Unusual markings or equipment (including school, fraternal or organizational signs or stickers, roof racks);
- 8) Direction of travel before and after the collision; and
- 9) Number of passengers, if any, and their descriptions.

c. Descriptive information obtained shall immediately be communicated to the dispatcher.

d. Officers shall search the area around the scene of the collision/crash, the automobile or other property that was struck, and the clothing of any victim for physical evidence, including:

- 1) Personal property left behind by the offender;
- 2) Glass fragments or paint chips;

NOTE: In the event a pedestrian is struck and injured, officers should meet the ambulance at the hospital, if possible, to secure any such evidence that may have been dislodged from the victim's clothing during transport. Also, hospital personnel should be requested to give the victim's clothing and any associated paint chips or glass fragments to police.

- 3) Pieces of chrome or grill work;
- 4) Hub caps;
- 5) Tire marks;
- 6) Oil, gas or water marks leading away from the scene;
- 7) Mud or dirt dislodged on impact; and
- 8) Video from any likely security cameras.

- e. Photographs and measurements shall be taken at the scene when required.
- f. Officers shall examine the person and clothing of the victim. Particularly important are traces of paint or parts of the vehicle. If necessary, an officer may take and preserve articles of clothing or other samples of evidence, such as hair, blood, etc. Outer clothing should be examined for indentations left by impact points from the suspect's vehicle, as these may serve to identify the vehicle. If such indentations exist, the clothing should be carefully preserved to prevent their obliteration.
- g. Officers should be observant of persons foreign to the scene or persons behaving in a suspicious manner.
- h. Where appropriate, officers should conduct a door-to-door canvas of residences and businesses in the vicinity of the hit-and-run scene. Often, persons who did witness some aspect of the incident are reluctant to come forward and must be sought out by the police.
- i. A preliminary search for the suspect car and driver shall be conducted as soon as possible.
- j. Police Departments neighboring Acton and the State Police should be notified and given as complete a description as is then available.
- k. The media may be contacted to alert and enlist the aid of the public in locating the suspect vehicle and driver.
- l. The investigating officer shall prepare a report in accordance with department procedures.

3. FOLLOW-UP INVESTIGATIONS:

- a. In-depth or follow-up investigations shall be conducted upon the direction of the Chief or a supervisor.
- b. The follow-up investigation, if any, may include the following types of activity:
 - 1) Checks of records on stolen cars;
 - 2) Communication of information relative to the description of the offender and vehicle to other members of the Acton Police Department, to police departments in surrounding communities and to the State Police;
 - 3) A second search of the collision/crash scene covering a wider area;
 - 4) Repeated visits to and surveillance of the scene at the same time of the day that the collision/crash occurred;

- 5) Canvassing of local businesses for video of the collision/crash or traffic leading to or from the scene; and
- 6) Visits to garages, auto parts dealers, auto glass dealers, car dealers, auto body repair shops, car wash facilities, etc.

c. If the vehicle is located, it shall be carefully examined by:

- 1) Measuring dents and body damage as to width, depth and pattern, taking photographs, if possible.
- 2) Obtaining samples of paint chips, broken glass, pieces of clothing, dirt, evidence of blood, hair, flesh, etc.
- 3) Inspecting the interior for personal articles which may identify the offender.
- 4) Observing and noting any signs of recent repair or any broken or missing parts.

NOTE: The above steps must be taken in accordance with the department policy on Search and Seizure (1.08). In the event a search warrant is sought, the vehicle should be kept under surveillance until a warrant is obtained. The identity of any person attempting to enter the vehicle or to destroy evidence should be established.

- d. If the operator of the suspect vehicle is located, [s]he should be questioned promptly. If applicable, the Miranda procedures must be followed (See department policy on Interrogating Suspects and Arrestees.) Prompt interrogation of the suspect driver is important. For example, if [s]he cannot provide an alibi, or if [s]he provides an alibi that is later discredited, these will be critical factors contributing to a successful prosecution.
- e. In conducting a hit-and-run investigation, it should be noted that a hit-and-run driver is not necessarily the operator responsible for the collision/crash, but [s]he may be fleeing from the scene of a crime. There may be a warrant for his/her arrest; [s]he may be intoxicated; [s]he may not have a valid license; or his/her license may be suspended or revoked. It is also not unusual for a hit-and-run driver to abandon his/her vehicle as soon as possible and then report it to the police as stolen in order to escape responsibility for the collision/crash.
- f. A full and complete report shall be made of the collision/crash and the particulars of any follow-up investigation, in accordance with departmental procedures.

F. COLLISION/CRASH REPORTING: DATA AND COLLISION/CRASH FORM USE

1. COLLISION/CRASH DATA:

- a. This data provides information to officers that will allow them to utilize enforcement procedures for the purpose of reducing collisions/crashes within the community.
- b. The analyzed information should be based on collision/crash data by:
 - 1) Location;
 - 2) Time and violation factors;
 - 3) Fluctuations caused by seasonal variations that result in increases or decreases in traffic volume; and
 - 4) Injuries.

2. COLLISION/CRASH FORM USE

- a. Whenever an officer investigates a collision/crash in which there is personal injury and/or property damage in excess of one thousand dollars to any one vehicle, or any other property damage in excess of one thousand dollars, the officer shall be required to complete a Commonwealth of Massachusetts Motor Vehicle Crash Report Form (Using Records Management Software). An accident narrative shall be completed within the report containing, but not limited to, the following vehicle and incident information:
 - 1) Operators' names
 - 2) Direction of travel
 - 3) Vehicle descriptions
 - 4) Area damaged on the vehicle(s)
 - 5) Street names and locations
 - 6) Injuries
 - 7) Tow company information
 - 8) Witness information
 - 9) Passenger information
 - 10) Road description and conditions
 - 11) Weather conditions
- b. When an officer is in doubt as to the extent of property damage or the possibility of injury, the Commonwealth form shall be used. If a collision/crash is minor in nature and no further information will be needed at a later date, officers may so advise the dispatcher, in lieu of a written report, and ask that the appropriate information be entered into the CAD report.
- c. **SUPPLEMENTAL NARRATIVE:** A supplemental narrative shall be attached to the original report when appropriate, such as when new

information is presented, or when the officer feels it is necessary to further explain actions taken.

TAFFIC COLLISIONS/CRASHES INFORMATION

History: **Manual I, Section III.**