WEST NORRITON TOWNSHIP POLICE DEPARTMENT

Subject: Accident Investigations		Policy # 4.1.1
Accreditation 4.1.1		
Effective Date: June 5, 2008	Revised Date: 04/30/2019	
By Authority Of: Chief A. Dale Mabry	Signature: ADMabry	

4.1.1 ACCIDENT INVESTIGATIONS

A. POLICY

It shall be the policy of the West Norriton Township Police Department to thoroughly investigate any accident that occurs within West Norriton Township within the guidelines of this Order.

B. PURPOSE

The purpose of this policy is to establish guidelines and procedures for officers of the West Norriton Township Police Department with respect to the investigation and reporting of vehicle crashes.

C. Traffic Accident Classification

1. All accidents that occur within West Norriton Township and that are brought to the attention of the West Norriton Township Police Department shall be classified as either Reportable or Non-Reportable.

2. A Reportable Accident is one that is required to be investigated by a police officer under Section 3746 of Title 75, the Pennsylvania Vehicle Code. The requirements for a Reportable Accident as defined by this section are;

   a. The accident involves injury or death to any person, or
   b. The accident involved damage to any vehicle involved to the extent that it cannot be driven under its own power in its customary manner without further damage or hazard to the vehicle, other traffic elements or the roadway, and therefore requires towing. or, if directed by the Chief of Police.

3. Non-reportable Accidents are those that do not fall under the category listed in subsection B of this section

D. Traffic Accident Investigation and Reporting

1. It shall be the policy of the West Norriton Township Police Department that all accidents that occur within West Norriton Township shall be recorded. All Reportable

Accidents as defined in this order shall be recorded on a Pennsylvania State Accident Report form, PennDot form AA-500 (12/15) in accordance with the rules and regulations in Pa. Vehicle Code Sections 3744 to 3755 and non-reportable accidents shall be recorded on PennDot form AA-45. In the event that an Officer comes upon the scene of a non-reportable accident and the operators do not want an accident report written, the Officer shall follow the procedure according to subsection B of this section. Special attention must be given to accidents involving:

a. Death or serious bodily injury

   i. Medical attention should be provided to all persons in need as directed in Section
   ii. Information collection and investigation must be carried out to the fullest extent as outlined in Section VII of this Order.
   iii. Enforcement action taken as appropriate.
   iv. Preserve evidence for any civil action.

      (a) Photographic evidence is very important as is information on vehicle defects, driver condition, weather conditions, skid marks, drag and incline factors.

   v. Provide for the security of the vehicles and contents
   vi. Do not permit anyone to move anything unless absolutely necessary
   vii. Identify the position of the victims.

b. Serious Property Damage

   i. Full investigation to be conducted as outlined in Section VII of this Order and others as appropriate.
   ii. Enforcement action taken as appropriate.

c. Hit and Run Accidents

   i. A speedy response must be made and information quickly given to other officers and departments of:

      (a) Description of the vehicle involved
      (b) Direction of travel
      (c) Time lapse since the accident
      (d) Area of vehicle damage

   ii. It is important that evidence be obtained to prove the hit and run driver knew or should have known they were involved in an accident and knowingly left the scene. This offense often involves other violations like stolen vehicles, driving under suspension and/or revocation, DUI or no insurance.

(a) Often these drivers falsely report the vehicle they were driving as stolen. Officers may then have a false report case to investigate.

iii. Witness statements, vehicle damage location, paint scrapings and vehicle deficiencies become important evidence that must be preserved.

iv. Quickly locating the possible offender makes it more difficult for the offender to create an alibi.

v. In very serious hit and run accidents, officers may have to;

(a) Estimate a person's origin or location from day, time and direction of travel as a lead.

(b) Contact auto body shops in and out of the Township and list relevant information in N.C.I.C.

(c) Observe traffic from a concealed location at the same time the next day or week as appropriate.

(d) Stop traffic at the same time and day etc. to question other drivers for possible witnesses.

(e) Check with the Bureau of Motor Vehicles for possible car sales within a few days or weeks after the accident for possible suspect vehicles.

(f) Look for unprofessional paint jobs on possible suspect vehicles

(g) Contact body shops for information on possible paint jobs to suspect vehicles to determine from them what parts would be required to repair the suspect vehicle. Other sources like junk yards and new parts distributors should also be contacted.

d. Impairment Due to Alcohol/Drugs

i. Detection of impaired drivers must be considered at the scene of all accidents.

ii. It is more difficult to determine if a driver was impaired after being in an accident because any person in an accident is often incapacitated, dazed or in shock. Officers must be alert for signs of impairment; odor of alcoholic beverage on the drivers breathe, time and location of the accident, where the driver was coming from, witness statements and beer or liquor containers in the vehicle.

iii. Officers must be alert to treatment of injuries and to administer a blood alcohol content test as soon as practical. A blood alcohol content test may be requested of the driver/victim or a physician may order a test if the suspect is incapacitated.

e. Hazardous Materials

i. Officers must be alert in determining if a hazardous material is involved at an accident scene.

ii. Precaution must be taken as described in Section IV of this Order.

2. Non-Reportable Accidents

    a. Accidents that fall under the definition of a Non-reportable accident as defined in Section I of this Order shall be handled in the following manner;

        i. If one or both of the drivers involved in a non-reportable accident request that an accident report be made the officer shall fill out PennDot accident report form number AA-45.
        ii. If neither driver requests an accident report then the Officer shall help them exchange their respective information for their insurance companies and complete an incident report noting the drivers' information and that no report was filed

3. Private Property Accidents

    a. Accidents on private property will be investigated as defined in Subchapter C, Sections 3741 through 3755 of Title 75, the Pennsylvania Vehicle Code.

4. Investigation of Accidents Involving Township Vehicles Within the Township

    a. Accidents involving a West Norriton Township Police Department vehicle shall be investigated by the Lower Providence Township Police Department or, if directed by the Chief of Police, by the Deputy Chief of Police, or by a Sergeant.
    b. Accidents involving any other vehicle owned by West Norriton Township shall be investigated by the West Norriton Township Police Department and/or, as directed by the Chief of Police, by an outside agency.
    c. The Shift Supervisor or OIC on duty shall secure the accident scene. After the scene is secure and the injured parties, if any, are cared for the Shift Supervisor or OIC shall:

        i. Contact the Chief of Police.
        ii. The Chief of Police will evaluate the situation and instruct the Officers on duty which agency shall investigate the accident.
        iii. If the Chief of Police is not available and a Supervisor is not on duty, the Officer shall contact the On-Call Supervisor for instructions.
        iv. Officers and supervisors shall submit an incident report detailing their actions in the incident.

5. Notice of Accident Report

    a. When an Officer writes an accident report, reportable or non-reportable, he/she shall issue a copy of the West Norriton Township Notice of Accident Report" to each driver.
    b. The Officer shall fill out the front of the form with the appropriate information.

E. Law Enforcement Response

1. Patrol Officers will respond to all reported accidents except in emergency situations as designated by the Chief of Police (i.e., snow emergencies)

   a. The following will be considered as an Emergency Response

      i. Death or injury
      ii. Unknown injury

         (a) The first officer on the scene shall advise of injuries

      iii. Disturbances between parties involved
      iv. Major traffic congestion as a result of the accident
      v. Hit and run (if just occurred)
      vi. Impairment of an operator by drugs or alcohol
      vii Hazardous materials
      viii. Any aggravating circumstances known at the time of dispatch

   b. All other circumstances shall require a non-emergency response, unless determined otherwise by the Shift Supervisor or OIC, or additional information is received from the communications center upgrading the response. These would include, but not be limited to:

      i. Damage to public vehicles or property
      ii. Damage to vehicles to the extent that towing is required
      iii. Major traffic congestion as a result of the accident.

2. Officers shall be dispatched to private property accidents in the same manner as if they were on a roadway.

3. If a reportable accident is brought to the attention of the West Norriton Township Police Department after the fact, and the vehicles have been moved from the scene, the Officer shall make an incident report of the accident listing all necessary information. All parties involved shall be notified at the time that they report the accident that an accident report will not be made and only an incident report submitted.

F. Investigative Responsibility

1. Unless otherwise directed by a Shift Supervisor or OIC, the Officer assigned to the zone where the accident occurred shall investigate the accident. If the Zone Officer is unavailable, an Officer from the other zone shall take the investigation.

   a. The first officer on the scene of an accident has the responsibility of assessing the scene to determine:

i. The number and extent of injuries
ii. Decide if any existing or potential hazards would compromise the safety of the officers or citizens

(a) Fire risk (gasoline leak or other hazard)
(b) Downed power lines
(c) Hazardous Materials Involved

iii. Notification of the proper Public Safety, Utility or Public Works Agency to deal with the problems.

b. Locate witnesses and record information
c. Establish a safe traffic pattern around the scene

2. An Officer trained in advanced accident investigation shall be called to the scene of the following types of accidents;

   a. Accidents involving fatalities
   b. Accidents involving very serious injuries which may likely become fatalities
   c. Accidents which carry a high potential for civil liability
   d. Accidents occurring inside West Norriton Township resulting from pursuits initiated by other police departments.

3. Except for fatal accidents, which are automatically investigated by an officer trained in advanced accident investigation, the Shift Supervisor or OIC shall determine when to call out another officer with advanced training to investigate an accident.

4. Photographs are required for all accidents that fall within the guidelines of Section VI subsection B1 through 4 of this Order and for any accident involving a Township vehicle.

5. The Shift Supervisor or OIC shall have the discretion to call upon additional help from outside agencies if it is deemed necessary.

6. It shall be the responsibility of the designated trained officer to review and approve all accident reports completed by the West Norriton Township Police Department.

7. Special Hazards

   a. An important responsibility of officers responding to any accident scene is to keep the situation from becoming worse. This responsibility may become more important and complex when injuries, actual or potential fire hazards or hazardous materials are present at the scene. Officers may be called upon to perform certain special activities and to coordinate their activities with those of other agencies. Priorities for action are likely to be affected by the extent and nature of the hazards present.

b. The West Norriton Township Police Department will continue to be aware of the responsibilities, practices and procedures of other agencies that respond to and/or provide technical assistance relating to injuries, fire hazards and hazardous material incidents. EMS units are automatically dispatched to all reported accidents with injuries. Fire units shall be dispatched in cases where there is fire or the high potential for fire and for hazardous materials involvement.

c. Injury Accidents

   i. Officers sent to the scene of accidents involving injuries will immediately call for an ambulance if one has not already been dispatched, and for another officer to assist if needed.
   ii. Immediate first aid should be given to any victim who has profuse bleeding, is not breathing or is in cardiac arrest.
   iii. Victims complaining of back or neck injury should NOT be moved by Officers unless conditions at the scene become life threatening to the victim, such as fire.
   iv. Once rescue personnel have arrived, Officers will assist rescue personnel as needed, while controlling traffic and conducting the investigation.

d. Fire Hazards

   i. If a fire exists or there is a great potential for fire, spilled gasoline or live sparking wires, the Fire Department will be called immediately, if not already dispatched.
   ii. Officers should rescue persons in the vicinity of the fire, if possible, and extinguish the fire, if possible.
   iii. Officers will then isolate the area to prevent unauthorized subjects from entering the scene.

e. Hazardous Materials

   i Officers should be aware that any traffic accident involving a cargo vehicle is a potential hazardous materials incident and should be observant for any evidence of hazardous material before approaching cargo vehicles involved in accidents.
   ii. When there is a question whether spilled material at an accident scene may be hazardous, Officers will avoid contact with the material and will keep others from contact with the material.
   iii. Upon arrival at the scene of a traffic accident involving a cargo vehicle, Officers shall attempt to make a preliminary identification of the cargo on the basis of placards visible from a safe distance and will immediately contact the Fire Department.
   iv. Officers will follow the procedures specified in the Emergency Response Guide Book, published by the U.S. Dept. of Transportation to complete the identification of hazardous

materials and to take appropriate emergency action until the situation is remedied.

8. Notification of the Chief of Police

   a. It shall be the responsibility of the Shift Supervisor or OIC to notify the Deputy Chief of Police or the Chief of Police of any fatal or potentially fatal traffic accident.

G. Accident Investigation Follow-up

1. As needed, accident investigation follow-up is the responsibility of the investigation officer. If an accident needs further investigation, the following will be arranged on an as needed basis;

   a. Collection of Off-Scene Data

      i. As necessary, an attempt must be made to locate additional information other than that received at the scene. This would include, but not be limited to, the following:

         (a) Interviews at hospitals of victims of the accident
         (b) Information and statements from witnesses discovered after leaving the scene
         (c) Additional information developed by assisting officers.

      ii. All off-scene information will be documented as part of the investigation

   b. Obtaining recorded formal witness statements

      i. Subsequent formal statements from the principles involved may be taken.
      ii. This may occur after the person has received or have been discharged from medical treatment.

   c. Reconstruction of accidents

      i. Officers investigating serious accidents will work closely with Officer trained in advanced accident investigation with the reconstruction of the accident, including test skids, visual distances, etc.

   d. The preparation of formal reports to support criminal charges arising from the investigation.

      i. Serious accidents will usually prompt the filing of criminal charges. All reports will be completed with the intent of filing criminal charges by documenting all actions taken by the investigating officer(s). This will be done whether criminal charges are brought or not.

e. Vehicle Safety Inspections

2. The West Norriton Township Police Department will perform follow-up accident investigations in support of on-going or anticipated criminal prosecution. The West Norriton Township Police Department will not perform such services in support of civil litigation since the public has access to ample private resources for that purpose.

H. Personal Property Protection

1. The officer at the scene of an accident should ensure that property belonging to the accident victim is protected from theft and is removed to a place of safekeeping if the owner is unable to care for it.

2. If the operator or occupants are unable to or refuse to take possession of or care for the possessions and valuables in a vehicle that is to be towed from an accident site, the Officer conducting the investigation shall conduct an inventory search of the vehicle.

3. If the Officer should come across any items of value they should be seized by the Officer and transported to the West Norriton Township Police Department and stored in the Evidence Locker until the owner is able to reclaim them.

4. The Officer shall fill out an Evidence/Property Receipt form for all the items kept for storage.

I. Submission of Reports to PennDot

1. All accident reports for accidents that require reports by law shall be submitted to the Pennsylvania Department of Transportation within 15 days. If the report is not complete within those 15 days the report shall be submitted and then a supplemental report shall be filed at the completion of the investigation. Reports may be submitted either by mail or electronically.

J. Submission of Reports to the Public

1. Accident reports shall be made available to the public as prescribed by Pa. Vehicle Code Section 3751b Reports by Police. The cost of the report shall be consistent with the price set by Section 3751b.

K. Accident Review Board

1. The Accident Review Board shall function as an administration tool to provide the Chief of Police with information and recommendations regarding safe operation of vehicles by police personnel.

2. The Board, which will be under the command of the Deputy Chief of Police, will be composed of:
   a. Experienced Accident Investigator
   b. Detective (not assigned to investigate the incident)
   c. Patrol Sergeant (not the direct supervisor of officer involved).

3. The Board will investigate all cases which are subject to this policy. The Board will review each case and present its finding in writing to the Chief of Police within one week of convening. A copy of the findings will also be entered in the case folder and the officer's personnel file.

4. The Board may find that the accident was:

   a. Chargeable (fault of the officer).
   b. Non-chargeable (fault of others).
   c. Chargeable but with extenuating circumstances.