

EAST LANSING POLICE DEPARTMENT

POLICY AND PROCEDURE

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CHIEF OF POLICE: _____

14.1 PURPOSE

To provide standardized guidelines when investigating a property damage, personal injury, or fatal traffic accident. The policy also establishes guidelines for utilizing the services of officers who have received special training as Accident Scene Investigators as well as officers from the Detective Bureau. These duties are not all inclusive, but are indicative of the majority of the responsibilities that are to be performed during a traffic accident investigation.

14.2 ACCIDENTS ON PUBLIC PROPERTY

- A. Accident reports completed on a State of Michigan Traffic Crash Report (UD-10) shall be completed in accordance with the instructions set forth in the "State of Michigan UD-10 Traffic Crash Report Manual". The State of Michigan Traffic Crash Report (UD-10) shall be used for the following types of accidents.
1. Fatal accidents.
 2. Personal injury accidents.
 3. Property damage accidents that exceed one-thousand (\$1,000) dollars in repair costs to the vehicle.
 4. A hit and run accident has occurred and one of the vehicles has left the scene without failing to stop and identify, and the license plate number of the fleeing vehicle has been obtained.

14.3 ACCIDENTS ON PRIVATE PROPERTY

- A. A "Private Property / Minimal Damage Accident Report" may be used for most accidents that occur on private property. For the following types of accidents on private property, a UD-10 shall be used.

1. There is a personal injury or a fatality.
2. The accident involves an East Lansing City owned vehicle.
3. There are extenuating circumstances, such as an OWI arrest or very extensive property damage to the vehicles, other objects, etc. and the officer determines that a UD-10 should be used to gather more specific detailed information.

14.4 **GENERAL INFORMATION**

- A. In all accident investigations, the officer should provide the driver of each vehicle with the officer's name, the date, the report number, and the name and policy number of the insurance company for the other driver. This information will assist the owner with reporting the accident to their insurance agent as soon as possible, prior to the accident report being available to the owner.
- B. When the investigating officer determines there was a violation of the motor vehicle code that caused the accident, the officer is strongly encouraged to take the appropriate enforcement action.
- C. When a vehicle involved in an accident is unable to be safely driven from the scene, the officer shall ask the driver if they have a preference for a towing company. If the driver has a preference, the officer shall request that company via dispatch.
- D. When there is not a preference for a specific towing company, or circumstances necessitate the immediate removal of the vehicle, the officer shall request that Dispatch contact a towing company who is licensed in the City of East Lansing.

14.5 **RESPONSIBILITIES OF THE INITIAL RESPONDING UNIT(S)**

- A. Determine if anyone is injured and the severity of the injuries. Communicate this information to Dispatch and request ELFD if they have not already been dispatched to the scene. This information is essential so that ELFD can determine the number of personnel needed and the proper equipment required. Medical care for the injured shall take precedence over all other functions at the scene of an accident.
- B. Determine the need for additional equipment or specialized personnel such as the need for an Accident Investigator or Detective Bureau personnel. Officers shall maintain physical control of the scene, protect the scene for evidence, protect emergency equipment and personnel, and maintain traffic and crowd control if needed.
- C. Conduct interviews of the drivers, passengers, and witnesses. Obtain written statements if necessary. When Accident Investigators or Detective Bureau personnel have been requested to respond to the scene they can assist with any interviews that are pertinent to the investigation.
- D. When a vehicle is considered to be an item of evidence, it shall be towed to the Police Department Impound Lot and secured until it is no longer needed for the

investigation. A vehicle impound report shall be completed per Department P&P #13-07. Officers shall perform a thorough and accurate vehicle inventory and seize any contraband as possible evidence.

- E. The initial investigating officer has the ultimate responsibility to ensure a routine accident investigation is complete. When an Accident Investigator has been assigned to the case they shall have the ultimate responsibility to ensure the investigation is complete, due to their specialized training and the follow up investigation that will need to be done.
- F. When there is a fatal accident or an accident where there is a very serious injury that may result in a fatality, the original investigating officer shall also initiate and complete a police report for "Accident –MV Public Road". The file class number is 9301.
- G. When you arrive on the scene of a fatal accident, or an accident where there is a very serious injury that may result in a fatality, do **NOT** remove the vehicles from their final resting position until all the appropriate measurements, photographs, etc. have been completed. When an Accident Investigator has arrived at the scene, the on duty patrol supervisor will make the decision when to remove the vehicles from the scene, after discussing the investigation with the Accident Investigator.
- H. When responding to an accident that involves a large commercial vehicle (semi, dump truck etc) especially on the highway, the Michigan State Police Motor Carrier Division is a good resource to use in assisting with the investigation. The Motor Carrier Division can be reached through MSP Operations.

14.6 **RESPONSIBILITIES OF THE ON DUTY PATROL SUPERVISOR**

- A. Respond to the scene of all traffic accidents when there is a known fatality at the scene, or when there is a very serious injury that may result in a fatality. Coordinate the activity at the scene to ensure that all the requirements of this policy are completed.
- B. When an Accident Investigator is needed, contact the Ingham Regional Crash Investigation Team (IRCIT).
- C. The Prosecutors Office is available as a resource, when needed.
- D. The Ingham Regional Crash Investigation Team (IRCIT) shall be notified as soon as possible when there is a known fatality at the scene, or when there is a very serious injury that may result in a fatality.

14.7 USE OF THE ACCIDENT INVESTIGATION TEAM

- A. When the complexities of an accident investigation extend beyond the expertise of the on scene personnel, a request for an Accident Investigator to assist with the investigation shall be made. The on duty patrol supervisor shall contact the Ingham Regional Crash Investigation Team (IRCIT).
- B. The Ingham Regional Crash Investigation Team (IRCIT) shall be assigned as soon as possible to the scene of an accident resulting in a known fatality or when there is a very serious injury that may result in a fatality. Once assigned, the Ingham Regional Crash Investigation Team (IRCIT) shall be in charge of the technical aspects of the accident investigation.
- C. The on duty patrol supervisor may also assign an Accident Investigator to an accident other than described above, when in their best judgment the need for additional expertise is necessary.
- D. It is preferred that a minimum of two Accident Investigators be assigned to an accident scene unless a determination is made otherwise by a supervisor.
- E. The Ingham Regional Crash Investigation Team (IRCIT) supervisor will maintain a current list of trained Accident Investigators.
- F. The Ingham Regional Crash Investigation Team (IRCIT) supervisor and/or the DB supervisor will notify the Patrol Division Captain when the Prosecutors Office has issued criminal charges.

14.8 ACCIDENT INVESTIGATION TEAM RESPONSIBILITIES

- A. The Accident Investigator will assist in the investigation by coordinating their efforts with the officers on the scene and the patrol supervisor. The Investigator will complete the necessary investigative steps such as, but not limited to:
 - 1. Take written notes for a supplemental report.
 - 2. Collecting and securing physical evidence.
 - 3. Conduct a roadway examination.
 - 4. Take measurements.
 - 5. Photographs shall be taken on all fatal or very serious injury accidents that may result in a fatality.
 - 6. Diagram the accident scene.
 - 7. Conduct vehicle examinations.
 - 8. Conduct the tests necessary to complete a technical evaluation of the accident.
- B. Complete and submit reports on all the above, including conclusions as to the cause, fault, etc. and make recommendations for charges to the Ingham County Prosecutors Office, when applicable.
- C. The vehicles will not be released from the impound lot without the authorization of the assigned Accident Investigator. It is the Accident Investigator's

responsibility to clearly document on the vehicle impound sheet that a vehicle shall not be released without their authorization.

- D. The assigned Accident Team Investigator will make arrangements to release the vehicles to the owners or insurance companies when the vehicle investigation is completed.
- E. If there is a fatality at the scene, the medical examiner's office shall be contacted prior to moving the body.
- F. The Prosecutors Office is available as a resource, when needed.
- G. Notify the next of kin in a fatal accident. The death notification may be coordinated through the Hospital or through the Chaplains Program if done by the Police Department.
- H. The accident investigator(s) shall coordinate any follow up investigation, etc. that needs to be done through the DB supervisor, just like any other criminal case.

14.9 **RESPONSIBILITIES OF THE DETECTIVE BUREAU**

- A. A detective may be requested to assist with the investigation. The detective will receive their follow up assignments through the DB supervisor so that the investigation is coordinated between all the assigned personnel. The case will be managed in RMS by the DB supervisor so that the DB supervisor is familiar with the status of the case. The DB supervisor will keep the Ingham Regional Crash Investigation Team (IRCIT) supervisor updated on the status of the investigation as needed.
- B. The detective assigned to the case may be asked to assist with the following responsibilities:
 - 1. Arrange for blood samples to be drawn from the drivers. Make arrangements with the Quartermaster to transport the samples to the MSP Crime Lab.
 - 2. Contact the Prosecutors Office to obtain a search warrant for the drawing of blood, and for any other type of evidence, when applicable.
 - 3. Conduct in depth detailed interviews with drivers, passengers, witnesses, etc. Obtain written statements following the interviews.
 - 4. Perform other duties assigned by a supervisor.

14.10 **REPORTING RESPONSIBILITIES**

- A. When there is a fatal accident or an accident where there is a very serious injury that may result in a fatality, each officer assigned to assist with the investigation shall submit a supplemental report outlining their role in the investigation.
- B. The DB supervisor and/or Ingham Regional Crash Investigation Team (IRCIT) supervisor will review all the reports prior to submitting the reports to the

14.11 ACCIDENTS OCCURRING WHERE JURISDICTION IS IN DOUBT

- A. On routine accidents, when there is a question as to whether the accident occurred inside or outside our jurisdiction we should take the initial report if the accident occurred on any street bordering East Lansing. The proper jurisdiction will be determined by a supervisor at a later time.
- B. When there is a fatal accident or an accident where there is a very serious injury that may result in a fatality, an effort should be made at the scene between the supervisors from the responding Departments to determine the proper jurisdiction. This will help prevent the wrong agency from having their personnel and resources committed for a very long period of time.
- C. If jurisdiction cannot be agreed upon, then we will take the report. At no time will there be any delay in immediately providing medical care to the injured and protecting the safety of all personnel involved. We will continue to assist the other Department, when needed.

14.12 ACCIDENTS OUTSIDE THE CITY

- A. When an officer responds to an accident outside the city at the request of another police agency, or when an officer finds an accident outside the city, the officer may investigate the accident and complete a UD-10 at the request of the other agency. The officer shall use an accident number from the Police Department that has jurisdiction.
- B. The officer shall also obtain a complaint number from the East Lansing Police Department and do a police report under the title "Assist Other Agency". The file class number is 9908.

14.13 LATE REPORTED ACCIDENTS

- A. When an accident is reported at a later date than when the accident occurred the investigating officer shall complete a UD-10 if there was a personal injury or extensive damage to the vehicle.
- B. When an accident is reported at a later date than when the accident occurred and the damage was minor the investigating officer should obtain the pertinent information such as date, time, location, names, vehicles involved, etc. and add the information to CAD so it may be documented for insurance purposes.

14.14 ACCIDENTS INVOLVING POLICE DEPARTMENT OWNED VEHICLES

- A. An outside agency shall be requested to investigate an accident that involves a Department owned vehicle where visible damage was incurred or there was an injury.
- B. Any accident involving a Department owned vehicle, however slight, shall immediately be reported to the employee's supervisor. If their supervisor is not

available, the on-duty shift supervisor will be notified.

- C. The supervisor will request dispatch to assign an accident number and place the information in CAD even though an outside agency may be taking the report.
- D. The driver of the Department owned vehicle involved in the accident shall complete a written letter describing how the accident occurred. The letter should be directed to the employee's Captain, through the supervisor who responded to the scene. The letter shall be completed by the end of the employee's duty day.
- E. The on duty shift supervisor shall visit the scene of the accident and complete a written letter to the employee's Captain. The letter shall include the facts of the accident and the supervisor's opinion as to responsibility and recommendations for further action.

14.15 **BOARD OF REVIEW**

- A. At the discretion of the Chief of Police or his/her designee, a Board of Review may be appointed. The Board of Review shall consist of a patrol officer, a sergeant who is not the immediate supervisor of the employee at the time of the incident, and a lieutenant who is not the immediate supervisor of the employee at the time of the incident.
- B. The Board of Review has the responsibility to review all the investigative reports and any other pertinent information. The employee may be asked to appear before the Board of Review to answer further questions.
- C. The Board of Review shall submit their findings in a written letter to the employee's Captain. The findings will include all the pertinent information and if the accident was preventable or non preventable. The Captain will then discuss the matter with the Chief of Police. The Chief of Police will determine if any further action needs to be taken, or if disciplinary action would be appropriate.