

# Georgia Department of Public Safety

## Policy Manual

<b>SUBJECT</b> <b>TRAFFIC CRASH INVESTIGATIONS</b>	<b>POLICY NUMBER</b> <b>17.03</b>
<b>DISTRIBUTION</b> <b>ALL EMPLOYEES</b>	<b>REVISED DATE</b> <b>5/15/2019</b>
	<b>POLICY REVIEWED</b> <b>5/15/2019</b>

### 17.03.1 Purpose

The primary duty of the Uniform Division of the Georgia State Patrol is to patrol the public roads and highways of this state. The Uniform Division shall prevent, detect, and investigate violations of rules, regulations and laws, which are committed upon these public roads and highways or upon property appertaining thereto and shall apprehend and shall take appropriate enforcement actions to those persons who violate such rules, regulations and laws.

### 17.03.2 Policy

It shall be the duty of each sworn member to thoroughly investigate traffic crashes to determine if any laws have been violated.

### 17.03.3 Procedures

- A. Upon receiving notification of a crash involving a vehicle, the Trooper shall immediately respond to the scene. If there is property damage in the apparent extent of \$500.00 or more, any injury to any person, the loss of human life, or when requested by either driver/owner, the Trooper shall complete a crash report and list all occupants, regardless of injury. The investigation process shall begin immediately to determine if any laws have been violated.
1. When responding to a crash scene, Troopers shall abide by all traffic laws unless the Trooper has good reason to believe that an emergency exists that requires their immediate arrival to prevent injury, death or to protect public safety. In those situations, the Trooper shall employ all emergency equipment.
  2. Upon arrival at a crash scene, the Trooper should activate the vehicle's emergency lights and position their vehicle completely off the road if possible unless it is necessary to block the road to protect persons within the crash scene or to warn approaching motorists that the road is blocked.
  3. All responding DPS personnel will visibly wear issued reflective safety material, e.g. vests and raincoats, at crash scenes.
  4. Upon arrival at the scene of a crash, Troopers shall endeavor to preserve the scene until the investigation is complete. However, discretion shall be exercised if an emergency necessitates extraction, traffic direction, fire suppression, etc.

5. Members should not limit their investigation solely to the information that is required to complete the department's crash form(s). Accurate documentation is necessary to successfully prosecute any criminal case. It is essential to investigate all crashes accordingly.
  6. The crash form shall not be considered a completed crash report until it has been reviewed and approved by a supervisor. The report shall not be released until completed. Members shall refer to the Open Records Policy Statement #13.01, paragraph I, regarding charges for these reports, and shall refer to the Open Records Policy Statement #13.01, Paragraph D, Subparagraph 5, regarding preliminary information that may be released prior to the completion of the crash report.
    - a. The investigating member shall complete the Crash Report no later than three days after the date of the crash, unless there are exigent circumstances which preclude completion.
    - b. If the Crash Report is not completed within three days, an adequate explanation shall be provided to the member's supervisor. Supervisors shall closely monitor the progress of the investigation to insure the report is completed as soon as possible.
  7. When responding to crashes involving hazardous materials, Troopers shall refer to the Emergency Response Guidebook published by the U.S. Department of Transportation (DOT) before approaching the scene. Troopers shall have access to this guidebook in their patrol vehicle. If hazardous materials are involved, the Environmental Protection Division of the Department of Natural Resources shall be notified.
  8. The investigating member will have authority over the crash scene. Likewise, they hold the responsibility for the proper and complete investigation of the crash.
  9. When a Trooper investigates a crash and determines that a traffic law was violated, appropriate enforcement action may be taken.
  10. When crashes involve the closing of roads for extended periods of time or DOT assistance is needed, the Georgia DOT should be contacted.
- B. Collisions Involving Serious Injuries and/or Fatalities.
1. Investigations of crashes that result in serious injuries and/or death to persons shall include the following documentation:
    - a. Photographs shall be taken. They should include, but not be limited to:
      - 1) Skid marks/gouge marks;
      - 2) Involved vehicles at their point of final rest;
      - 3) Damaged areas of vehicles which show vehicle to vehicle relationships;
      - 4) Interior damage which shows occupant to vehicle relationships;
      - 5) Injured parties prior to being transported from the scene, where possible;

- 6) Debris;
  - 7) View obstructions, which are likely to be removed from the scene;
  - 8) Damaged articles, which are likely to be repaired or removed, and/or
  - 9) Road defects that may have contributed to the crash.
  - 10) Vehicle Identification Number and License Plates of involved vehicles.
- b. All photographs are evidence and shall have a GSP evidence label attached with the crash number, date taken, name and badge # of the Investigating Trooper who made the photographs. (e.g. C000247045, 02/12/01, TFC J.D. Doe #123). The A copy of all digital photographs shall be sent to PIO. Each crash shall be on its' own disc. Public Information Office shall process all film and digital images. Employees should only use a departmentally issued camera.
  - c. A rough sketch of the crash site, which is legibly labeled and contains:
    - 1) Points of evidence;
    - 2) Roadways;
    - 3) Signs;
    - 4) Final rest of vehicles;
    - 5) Bodies or any other important features of the crash that will become part of the investigation, and
    - 6) The Trooper's name and badge number.
  - d. Written and video statements from witnesses and drivers are evidence. They provide documentation of events relating to the crash. Statements shall be taken as soon as possible following the collision. In-car cameras should be utilized to record both audio and video statements from witnesses and drivers when possible. Any video statements obtained shall be listed in the remarks section of the report.
  - e. The Trooper will mark points of evidence with semi-permanent markings such as spray paint so they can be easily located later. These points shall be recorded on the field sketch labeled and the same as they are on the road surface. Photographs shall be taken of all marked points of evidence.
  - f. When necessary, a separate list of measurements, that is not required for completion of the Department's crash form, should be retained by the Trooper.
  - g. Statutory Requirements and Evidence.
    - 1) In the event of a death, the investigating Trooper is responsible to insure the coroner/medical examiner is notified. The body should not be removed without authorization from the coroner/medical examiner.

- 2) Upon observing the organ donor inscription on the driver's license of a severely injured/deceased person, that Trooper shall inform the appropriate medical staff of this fact.
  - 3) Troopers investigating crashes shall instruct the driver of each motor vehicle involved in the crash to report to all other parties suffering injury or property damage as an apparent result of the crash the following information:
    - a) The name and address of the owner and the driver of the motor vehicle;
    - b) The license number of the motor vehicle, and
    - c) The name of the liability insurance carrier for the motor vehicle or the fact that such driver has a certificate of self-insurance issued pursuant to Georgia law.
- h. Impounding Vehicles - All vehicles involved in a felony prosecutable case shall be impounded in a secure lot as designated in the Wrecker Qualifications/Rotation Lists Policy #7.05 or at the Investigating Trooper's discretion. These vehicles are evidence and shall be stored at the direction of the investigating Trooper in compliance with the Evidence and Property Policy #12.01.
- i. Personal property
- 1) Personal property shall be the responsibility of the persons involved in a crash or their designee. If such persons are unable to provide for safeguarding the property, the Investigating Trooper/Coroner shall become responsible.
  - 2) A Trooper becoming responsible for a victim's personal property shall complete a written inventory on the appropriate GSP form. Prior to the release of that property to any person they shall receive a written receipt for that property.
- C. Specialized Collision Reconstruction Team (SCRT) investigators shall be notified of the following:
1. Fatal crashes where criminal charges may be brought against the at fault driver.
  2. When there is a state vehicle involved that results in a fatality;
  3. In crashes involving departmental vehicles where there is a serious injury or fatality, and
  4. At the request of a Post NCO/Troop Commander/Command Staff.
- D. The investigating Trooper is to immediately advise their NCO if SCRT involvement is requested/required. The NCO may notify SCRT at their troop office or contact the SCRT member on call. The investigating Trooper is to preserve the scene intact to the best of their ability. If the estimated time of arrival of the SCRT member is more than one hour, they will begin to collect, mark and document evidence as trained.

- E. The investigating Trooper will remain on the scene until SCRT arrives. Upon arrival of SCRT, its lead member shall determine if SCRT will initiate an investigation into the crash scene. If the SCRT initiates an investigation the initial investigating Trooper shall relinquish authority over the crash scene and the investigation to the SCRT member and then assist as necessary. The initial investigating Trooper shall be responsible for completing and submitting the DPS crash report as soon as practical, the issuance of Uniform Traffic Citations where applicable, and the collection of Blood Alcohol blood samples in cases involving impaired drivers..

#### **17.03.4 Private/State Property**

- A. Members are authorized to investigate crashes that occur on private property.
- B. Members shall investigate crashes occurring on roadways closed for construction.
- C. Traffic crashes occurring on State property shall be investigated in the same manner as those that occur on highways.

#### **17.03.5 Crashes and Incidents Involving Departmental Vehicles**

When an incident results in damage to a department vehicle which does not result in injuries, damage to another vehicle or damage to property, the GSP Troop Commander, MCCD Region Commander or Capitol Police Director shall determine whether the incident shall be documented on a crash report or an incident report.

- A. Crashes Involving Department Vehicles
  - 1. When a GSP patrol vehicle is involved in a crash, a post NCO of that territory shall be notified immediately and is responsible for conducting the investigation. That NCO will notify their Troop Commander or the Assistant Troop Commander as soon as practical. The Troop Commander or Assistant Troop Commander will ensure the approval of the completed patrol car crash report. NCOs shall contact the Vehicle Support Services section within 24 hours of the crash. The NCO shall contact the Department of Administrative Services within 48 hours of the crash.
  - 2. When a MCCD vehicle is involved in a crash, a trooper of that territory shall be notified immediately and is responsible for conducting the investigation. (The MCCD member involved in the crash shall notify an NCO as soon as practical.) The MCCD NCO will notify their Region Commander or the Assistant Region Commander as soon as practical. MCCD NCOs shall contact the Vehicle Support Services section within 24 hours of the crash. The MCCD NCO shall contact the Department of Administrative Services within 48 hours of the crash.
  - 3. When a Capitol Police vehicle is involved in a crash, a trooper of that territory shall be notified immediately and is responsible for conducting the investigation. (The CPS member involved in the crash shall notify an NCO as soon as practical.) The CPS NCO will notify their Unit Commander or the Assistant Unit Commander as soon as practical. CPS NCOs shall contact the Vehicle Support Services section within 24 hours of the crash. The CPS NCO shall contact the Department of Administrative Services within 48 hours of the crash.
  - 4. When a civilian employee driven DPS vehicle is involved in a crash, a trooper of that territory shall be notified immediately and is responsible for conducting the investigation. (The member involved in the crash shall notify their supervisor as

soon as practical.) The supervisor will notify their Division Director as soon as practical. The supervisor shall contact the Vehicle Support Services section within 24 hours of the crash. The supervisor shall contact the Department of Administrative Services within 48 hours of the crash.

5. If the Departmental member involved in the crash is injured/unable to notify their supervisor; it shall become the responsibility of the responding trooper to insure notification.
  6. The DPS garage shall be notified as soon as practical, so the determination can be made where the vehicle will be repaired or whether to replace it.
  7. A copy of the crash report shall be sent to the Vehicle Support Services Coordinator, as soon as possible. This will help expedite the claims where the other party is at fault.
  8. Photographs shall be taken of all vehicles and property involved in departmental vehicles crashes, and shall be labeled in accordance with the Photographs Policy #12.04.
  9. The above-mentioned Troop/Region/Unit officer shall review the investigation and forward all relevant information to the appropriate Crash Review Board.
  10. If the driver of the Departmental vehicle is assigned to a Special Unit/Task Force/Headquarters or any assignment other than a field troop/region/unit, the crash shall be worked as if the member worked in the Troop/Region/Unit where the crash occurred.
  11. When a Departmental vehicle is involved in a crash out of state, the State Police agency of that state shall be immediately notified and an investigation requested. Should this be a conflict with that agency, the local jurisdiction will be requested to conduct the investigation.
  12. In any collision involving a Departmental vehicle, the employee operating that vehicle shall notify their immediate supervisor as soon as practicable. The immediate supervisor shall then notify the Troop Commander/Region Commander/Division Director as soon as practicable.
- B. Incidents Involving Damage to Department Vehicles
1. When an incident involving damage to a department vehicle is documented on an incident report, the incident report shall be sent to the Commanding Officer, Region Commander or Division Director in the same manner as department vehicle crash reports.
  2. The DPS garage shall be notified as soon as practical, so the determination can be made where the vehicle will be repaired or whether to replace it.
  3. A copy of the incident report shall be sent to the Vehicle Support Services Coordinator as soon as possible.
  4. Photographs shall be taken of the damaged vehicle, and shall be labeled in accordance with the Photographs Policy #12.04.

5. If the driver of the Department vehicle is assigned to a Special Unit/Task Force/Headquarters or any assignment other than a field troop/region/unit, the incident shall be worked as if the member worked in the Troop/Region/Unit where the incident occurred.
- C. Discipline for crashes and other incidents involving vehicles will be based upon the specific circumstances of the individual incident. Such discipline, up to and including termination for any offense, shall be determined by the Division Director/appointing authority in accordance with the Discipline Policy #8.01.

### **17.03.6 Photographs and Video Recordings of Crashes**

Photographs, audio, or video recordings made by an employee of this Department pursuant to their official duties are the property of the Georgia State Patrol and subject to the Open Records Act. All duplication and distribution shall be handled through the Public Information Office. Further information governing audio/video recordings can be found in the Mobile Video/Audio Recording Policy #12.03.

### **17.03.7 Notification of Victim's Relative**

- A. If the coroner or hospital is unable to notify a victim's immediate family, then doing so becomes the investigating Trooper's responsibility. Nothing should be left to chance in this procedure.
1. Notification should not be made by telephone unless all other efforts have been exhausted. Diplomacy should be exercised to avoid unnecessarily hurting the immediate family. It is advisable to have a friend or relative present when delivering the notification. The information should not be given to small children or domestic help.
  2. Members should not leave the person alone for a few minutes following the notification. Information concerning the location of the body, the accident, the vehicle, etc. should be given to the person. No statements describing horrible injuries or intense suffering before death occurred should be made. An offer to assist in any practical way, particularly by notifying other key persons, shall be extended.
  3. Members are encouraged to utilize the services of the Troop Chaplains.
- B. Notification of the immediate family should also be effected if a victim is hospitalized and is incapable of contacting their immediate family.
- C. In order to eliminate the possibility of a victim's immediate family initially receiving the information via the news media, members shall not release the names of deceased persons to the news media or other persons prior to the notification of the deceased's immediate family.
- D. Identification papers found on the body may or may not have belonged to the deceased. Members shall not release the names of deceased persons until they are sure of positive identification.

### **17.03.8 Perishable Agricultural Products Involved in Crash**

Upon arriving at the crash scene of a vehicle transporting perishable agricultural products and/or livestock, the investigating Trooper shall notify the Troop Communications Center

and have the Communications Equipment Officer (CEO) notify the Georgia Emergency Management Agency (GEMA). The investigating Trooper shall provide specific information about the contents of the vehicle and its condition. The determined response from GEMA along with the respondent shall be noted by Troop Communication in the CAD/RMS report.

### **17.03.9 School Bus Crashes**

A. The investigating Trooper shall:

1. Notify the county Department of Education where the school bus originated from and the National Transportation Safety Board, whenever a crash involving a school bus results in a serious injury or fatality;
2. List the name of all injured occupants on the appropriate area of the DPS crash report;
3. Request the driver to provide a list of all uninjured occupants (name, age and address). A copy of this list shall be forwarded to Accident Reporting, along with the DPS crash report and the investigating officer shall retain a copy, and
4. Notify the Troop Officer on call and the PIO if serious injuries and/or a fatality is involved in the crash.