

ASHEVILLE POLICE DEPARTMENT POLICY MANUAL

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CONTENTS

INTRODUCTION

POLICY STATEMENT

DEFINITIONS

RULES AND PROCEDURES

1301.1 RESPONSE TO TRAFFIC CRASHES

1301.2 TRAFFIC CRASH REPORTS

1301.3 COLLISION SCENE RESPONSE

1301.4 COLLISION SCENE DUTIES

1301.5 TRAFFIC INVESTIGATIONS

1301.6 ENFORCEMENT ACTIONS

ASSOCIATED DIRECTIVES

[Policy 1300 – Traffic Enforcement](#)

[Policy 1302 – Auxiliary Traffic Services](#)

[SOP 3101 – Hazardous Materials Response](#)

[SOP 3109 - TSU Call-Outs](#)

INTRODUCTION

The purpose of this directive is to outline when a traffic crash is to be investigated by officers of the Asheville Police Department, when a specific traffic crash report form is to be filed, and other factors relating to traffic crash investigations.

POLICY STATEMENT

It is the policy of the Asheville Police Department (APD) to conduct investigations on traffic crashes that meet specific criteria and occur within the city limits of Asheville.

DEFINITIONS

DMV Crash Report Form (DMV-349): the official form (paper or electronic) used by law enforcement officers to report motor vehicle crashes in North Carolina.

RULES AND PROCEDURES

1301.1 RESPONSE TO TRAFFIC CRASHES

- A. Officers will respond to all traffic crashes brought to their attention that occur within the city limits of Asheville, including private property and parking lots, which involve:
 - 1. Death or injury.
 - 2. Hit and run.
 - 3. Suspected impairment of an operator due to alcohol or drugs.
 - 4. Damage to public vehicles or property.
 - 5. Hazardous materials released as a result of the crash.
 - 6. Disturbances between the involved parties.
 - 7. Major traffic congestion as a result of the [collision](#).
 - 8. Damage to the vehicles to the extent that towing is required.
- B. Officers will respond to any crash that a field supervisor deems a response is needed based on information provided or when the complainant requests an officer respond.
- C. The Watch Commander may suspend the requirement to send officers to the scene of non-reportable traffic [collisions](#) during weather emergencies (i.e., snow, ice).
 - 1. This decision should be made based on the availability of officers and travel safety considerations.
 - 2. Communications will advise complainants during these periods to exchange information and to contact the department for a report after the weather conditions have concluded.

1301.2 TRAFFIC CRASH REPORTS

- A. DMV-349s and any required supplements mandated by the North Carolina Division of Motor Vehicles (NCDMV) must be completed according to the most current DMV-349 Instructional Manual. [82.2.1 d]
- B. Officers must complete a North Carolina DMV-349 on all traffic [collisions](#) occurring on any street or highway within the city limits that involve the following: [61.2.1] [82.2.1 a]
 - 1. Death or injury.

2. Damage totaling \$1,000 or more.
 3. Hit and run.
 4. Driving while impaired.
 5. Any of the involved operators have a revoked driver's license.
 6. A hazardous materials spill.
 7. A city-owned vehicle.
- C. Officers must complete an exchange slip and provide copies to all involved parties of motor vehicle collisions.
- D. Absent exigent circumstances, crash reports should be submitted by the end of the shift in which they were created. [82.2.1 d]
- E. Supervisors are responsible for promptly reviewing and approving crash reports completed by officers before final submission in the Records Management System.

1301.3 COLLISION SCENE RESPONSE

- A. Officers who come upon or are advised of an unreported traffic crash will notify Communications of the crash location, possible injuries, and any other pertinent circumstances so that appropriate assistance can be dispatched. [61.2.2 g]
- B. To the extent that information is available, officers dispatched to a traffic crash will be informed of the location, the severity of the crash, including possible injuries, and whether there is road blockage.
- C. The primary unit assigned by Communications will be the unit in charge of the **collision** scene; however, the primary unit may be changed at the discretion of a sworn supervisor. [61.2.2 a]
- D. Officers approaching traffic crash scenes should be alert not to obliterate or destroy evidence, such as tire marks, blood, etc. Officers should be alert for specific conditions or factors that may have contributed to the crash (visibility/view obstruction, inoperative traffic control device, hazards, etc.). [61.2.2 g]

1301.4 COLLISION SCENE DUTIES

- A. Upon determination of injuries, officers will summon emergency medical assistance unless the injuries are of a minor nature and the injured person refuses treatment.

- B. Officers should administer appropriate first aid within their training to injured persons until relieved by qualified medical personnel. [61.2.2 b]
- C. *If injuries are determined to be life-threatening or result in a fatality, the responding officer will notify an on-duty supervisor. It is the responsibility of the on-scene supervisor to determine if the Traffic Safety Unit should be contacted to respond. [Temporarily modified; see the [TSU Policy Memorandum](#).]*
- D. Officers should be alert to potential fire hazards and/or hazardous materials at crash scenes (e.g., spilled gasoline or other flammable substances) and request appropriate assistance. If the incident involves hazardous materials, procedures in [SOP 3101 – Hazardous Materials Response](#) will be followed. [61.2.2 c]
- E. Officers will conduct crash scene traffic direction and control activities, as necessary, to protect the scene, clear the roadway, promote the safe and efficient movement of traffic in the vicinity, and prevent additional collisions. See [Policy 1302 - Auxiliary Traffic Services](#). [61.2.2 e]
- F. If the victim of an [collision](#) cannot secure their personal property at a [collision](#) scene, the officer conducting the investigation should take charge of the property. The property should be protected from theft or damage by being secured inside of the vehicle before towing or submitted to Property & Evidence for safekeeping. [61.2.2 f]

1301.5 TRAFFIC INVESTIGATIONS

- A. Officers will conduct the following minimum investigation steps on any [collision](#) that requires an NC DMV-349 form: [61.2.2 d]
 - 1. Interview all principals and witnesses to the [collision](#).
 - 2. Examine and record any and all damage from the [collision](#) to the vehicles involved.
 - 3. Examine and record any and all effects of the [collision](#) on the roadway.
- B. [Any collision involving death or serious injury will require a full investigation, which may include the utilization of personnel with additional specialized training. These personnel should be requested to respond to the scene to assist in the investigation:](#)
 - 1. [A patrol supervisor to manage the scene and resource allocation,](#)
 - 2. [A traffic collision investigator with advanced traffic collision training,](#)
 - 3. [A Drug Recognition Expert \(DRE\) to assess the drivers of the vehicles and potentially conduct a post-arrest DRE evaluation if needed. If no DRE is](#)

available, an officer with advanced DWI investigations training (standard field sobriety testing instructor, ARIDE, INTOX, SFST, etc.) should be requested to assist.

4. Forensic personnel, either patrol forensics or Forensic Services personnel, if warranted.
- C. Any collision involving death or serious injury will require a full investigation, which may include collection of the following types of documentation and information: [61.2.1]
1. Field sketches showing locations and measurements of relevant objects, evidence, landscape features, or any other element necessary to accurately depict the collision scene.
 2. Photographs of the scene and all evidence.
 3. Creation of a crime scene log.
 4. Collection and preservation of evidence.
 5. Collection of witness statements and contact information
 6. Collection of blood evidence in fatal collisions through the use of a search warrant if unable to gain consent.
 7. Collection of signed medical release forms when feasible.
 8. Documentation of any other information related to the crash that may be necessary to ensure the completeness of the investigation.
- D. Development of follow-up information regarding serious or fatal traffic crashes is undertaken in support of possible criminal prosecution. When warranted, follow-up investigations may include: [61.2.1]
1. Collecting additional “off-scene” data.
 2. Obtain and record formal statements from witnesses.
 3. Crash and crash scene reconstructions.
 4. Prepare a formal report including all of the documentation gathered as part of the investigation for use in prosecuting any charges arising from the traffic crash.

1301.6 ENFORCEMENT ACTIONS

- A. Officers will determine appropriate enforcement action, if any, whenever a traffic crash investigation produces probable cause to believe that a violation of the law or ordinance has occurred. [61.1.5 h]
- B. In taking any enforcement action, the officer should consider factors such as injury, drug or alcohol abuse, and the severity of the violation.
- C. The officer's specific enforcement actions arising from traffic crash investigation or reporting must be consistent with the nature of the alleged violation and this department's directives concerning traffic law enforcement, see [Policy 1300 – Traffic Enforcement](#).

BY ORDER OF:

A handwritten signature in black ink, appearing to read 'ML LH', is positioned above the printed name of the Chief of Police.

Michael Lamb
Chief of Police