

<i>P.O. 1104 Crash Investigation</i>			
Effective From:	11-13-2020	Effective To:	Current

D. P.O. 1104 - Crash Investigation

1. TROOP PROCEDURES

- i) An officer who receives a report of a traffic crash should:
 - a) Obtain the exact location of the crash.
 - b) Ascertain the type of crash being reported.
 - c) Obtain a description of the involved vehicles and drivers, especially in hit-and-run crashes.
 - d) Obtain the name and telephone number of the reporting party.
 - e) Relay clear, concise and accurate information to responding investigative units.
 - f) Provide necessary assistance and direction to responding units.

2. GENERAL INVESTIGATIVE RESPONSIBILITIES

- i) An officer assigned crash investigative duties should:
 - a) Proceed to the scene as quickly and safely as possible in accordance with the response code assigned to the crash at the time of notification and assume responsibility for the crash investigation.
 - b) Position his patrol unit in a manner which will give oncoming motorists warning of the crash while protecting the crash scene as much as practicable.
 - c) Wear issued reflective vest while investigating crashes.
 - d) Care for the injured and, if needed, contact emergency medical services, fire departments or any other emergency services required.
 - e) Institute safeguards to preserve evidence.
 - f) Facilitate traffic flow by removing the involved vehicles and ensuring traffic control measures are established.
 - g) Evaluate traffic volume at the scene and request assistance if necessary.
 - h) Remove road debris, provided the removal does not taint, destroy or prevent the collection of needed physical evidence.
 - i) Question drivers and witnesses, if any, and obtain written statements if necessary.
 - j) Inspect, and if necessary, test the involved vehicles for mechanical failures and / or defects.
 - k) Determine causation factors and take the appropriate enforcement action.
 - l) Travel to the appropriate health care facility and perform follow-up duties in injury crashes to determine the extent and prognosis of injury.
 - m) Notify the next-of-kin of fatal crash victims or where an individual's injuries are such that the likelihood of death is probable.
 - n) Complete all necessary reports electronically, if applicable, or in a legible print style using black ink, and submit them in accordance with established routing procedures.

3. CRASHES GENERAL

- i) An officer shall complete a Uniform Traffic Crash Report when a crash results in:
 - a) Injury, however slight.
 - b) Fatality.
 - c) Property damage.
 - d) A fleet crash involving another law enforcement agency vehicle which occurs on private / public property when requested by that agency.
- ii) When the registered owners of all vehicles involved in a traffic crash / incident indicate that there are no injuries and / or property damage less than \$500 and wish to settle the matter without police intervention, then an officer shall not make a written report of the crash or incident.

- iii) The investigating officer shall notify the Troop Desk when crashes / incidents are settled without police intervention. The Troop Desk Sergeant or officer shall make a log entry supplying the following information:
 - a) Date and time of the crash / incident.
 - b) Location.
 - c) Names and driver's license numbers of the operators involved.
 - d) License plate numbers of the vehicles involved.
- 4. **CRASHES INVOLVING IMPAIRED DRIVERS**
 - i) An officer investigating a traffic crash involving impaired drivers should:
 - a) Follow the prescribed crash investigation procedures listed in this order.
 - b) Follow standard Departmental DWI arrest and apprehension procedure.
 - c) Advise the individual of his rights relating to the chemical test for intoxication.
 - d) Obtain a breath sample in accordance with law from the impaired driver if he is uninjured or if he is treated but not admitted to a hospital. If the driver is admitted, a blood sample should be obtained in accordance with law.
 - e) If impairment is obvious and the blood alcohol level (BAC) is low or does not equate to the level of impairment observed, a Drug Recognition Expert (DRE) should be consulted in accordance with P.O. 1106, Section 25 - DWI Enforcement.
- 5. **FATAL / SERIOUS INJURY OR SUSPECTED ROADWAY ABNORMALITY CRASHES**
 - i) Officers investigating a fatal / serious injury or suspected roadway abnormality crash shall:
 - a) Ensure that the coroner's office is notified and en route, if necessary.
 - b) Ensure a crash report is completed accurately.
 - c) Record and photograph road edge "drop-off." Officers shall include a photograph depicting the "drop-off" height including a measuring tape showing the depth.
 - d) Record and photograph the location and presence or absence of traffic control devices or markings.
 - e) Record the tire tread depth of the involved vehicles utilizing the following method:
 - 1) Measure the center groove of each tire.
 - 2) Take additional measurements at the four o'clock, eight o'clock, and twelve o'clock positions across the width of the tread for tires that have 2/32 inch or less of remaining tread.
 - f) Fax or email a copy of the [Fatal / Serious Injury or Roadway Abnormality Reporting Form](#) to the agencies listed on the form within 24 hours of the crash.
 - g) Conduct a chemical test for intoxication on all drivers by one of the following methods, when applicable:
 - 1) By obtaining consent from the driver, or
 - 2) By obtaining a search warrant for blood based on probable cause for impairment, or
 - 3) By withdrawing blood without a warrant and when impairment is suspected, due to exigent circumstances, which shall be determined on a case-by-case basis and approved by the shift supervisor or their designee.
 - h) Ensure measurements are taken of:
 - 1) Reference points.
 - 2) Skid marks and other tire marks.
 - 3) Gouges or scrap marks.
 - 4) Any other physical evidence pertinent to the investigation.
 - 5) Vehicles involved.
 - i) Record in detail the manner in which each measurement is taken in the narrative section of the crash report.
 - j) Ensure that notification of next-of-kin is made for fatal or seriously injured persons.

- k) Consult a certified DRE to determine if a DRE response is necessary in order to assist the investigating officer(s) by making contact with all drivers to investigate for signs of impairment.
 - 1) The investigating officer (or supervisor) should consult an on-duty DRE, when possible, but may also consult an off-duty DRE from a list provided by Applied Technology.
 - 2) The certified DRE's decision whether or not to respond shall be **documented and explained** in the crash narrative.
 - ii) The Executive Officer for each Troop shall serve as the liaison between the reporting Troop and the state agencies receiving the Fatal / Serious Injury or Roadway Abnormality Reporting Form.
6. TRAFFIC INCIDENT REPORT
- i) A Traffic Incident Report ([DPSSP 3119](#)) may be used to record vehicle damage incurred by:
 - a) Fire.
 - b) Road debris.
 - c) Natural occurrence.
 - ii) A Traffic Incident Report shall not be used to record vehicle damage received as a result of a traffic crash.
7. NOTIFICATION OF NEXT-OF-KIN
- i) Deceased Persons
 - a) Notification should be made by at least two commissioned officers, preferably a supervisor and the investigating officer. At least one officer should be in uniform.
 - b) If possible, notification should be made with the assistance of:
 - 1) Physicians.
 - 2) Clergy / Troop Chaplain.
 - 3) Friends.
 - 4) Neighbors.
 - c) Notification should be simple and direct. Officers should:
 - 1) Give information to the family provided it will not jeopardize the investigation.
 - 2) Offer assistance and avail themselves to the immediate needs of the family.
 - 3) Provide family members with their names and the telephone number to the appropriate Troop / Section.
 - 4) Provide family members with the location and disposition of the deceased person and vehicle.
 - 5) If applicable, give the family a copy of the Louisiana Victim Notice & Registration Form.
 - ii) Seriously Injured Persons
 - a) In the absence of third-party notification of next-of-kin of a seriously injured person, officers should make every attempt to notify the next-of-kin and provide the location of the injured person and the circumstances of the incident.
8. CRASH PHOTOGRAPHY
- i) Each officer shall be issued a camera. Only department-issued cameras shall be used for documentation pertaining to crash investigations.
 - ii) All fatal and serious injury crashes investigated by the Department shall be photographed.
 - iii) Officers shall photograph crashes:
 - a) With vehicle damage codes "E" through "H".
 - b) With personal injury codes "A" through "C".
 - c) Involving damage to state property.
 - d) Which may generate unusual or heightened public or media attention.
 - iv) The investigating officer shall ensure that a crash scene is properly photographed. If photographs of a crash scene are not taken in accordance with this order, a written explanation by the appropriate Shift Lieutenant must be forwarded with the crash report to

the Troop Commander.

9. PHOTOGRAPHING THE CRASH SCENE

- i) The following guidelines shall be followed to provide optimal photographic coverage of a crash scene:
 - a) Involved Vehicle
 - 1) The initial photograph should be taken at a distance of 200 feet from the crash scene in the direction the vehicle being photographed was traveling.
 - 2) Move toward the scene in 50-foot increments and photograph the scene.
 - 3) Photograph each side of the vehicle at a perpendicular angle.
 - 4) Repeat the process as described above for any additional vehicles.
 - 5) Photograph the scene to include any measurable road edge “drop-off” which may have contributed to the crash. Officers shall include a photograph depicting the “drop-off” height including a measuring tape showing the depth.
 - b) Photograph traffic control devices.
 - 1) If such devices were obscured, missing or malfunctioning, note this in the narrative portion of the crash report as well.
 - c) Photograph any other significant object at the scene which may help explain the sequence of events leading to, or following the crash.
 - d) The provisions of this order may be altered to suit unusual circumstances.

10. DIGITAL PHOTOGRAPHY

- i) The use of digital cameras is authorized in all instances when photographs are required.
- ii) To ensure clear 8x10 photographs and a manageable file size, officers shall use camera settings which permit medium to large resolution and normal compression. Officers shall refer to the operating manual of the camera to make this determination.
- iii) Thinkstream Crash Photo Upload
 - a) Digitized images shall be uploaded through the Thinkstream application as soon as practicable. The images may be deleted from the camera / computer after they are uploaded to Thinkstream and the officer has confirmed that the upload was successful.
 - b) No officer shall alter, or permit anyone to alter a digitized image prior to its upload to Thinkstream.
 - c) Officers are permitted to delete selected images in the camera prior to their submittal to Thinkstream only if the image is of such poor quality that it does not accurately depict the scene. All other images shall be submitted.
- iv) To ensure the images are uploaded to the system in a usable format, officers shall transfer the images to a computer prior to uploading them to Thinkstream. Upon upload, Thinkstream will automatically name each image.
- v) Officers shall enter the correct crash report number and verify the accuracy of the auto-populated fields (crash date, driver name, parish name and troop) prior to completing the upload of images through Thinkstream.
- vi) Digital photographs taken during the course of an Office of Risk Management (ORM) crash reconstruction case shall not be uploaded to Thinkstream. Those digitized images shall be reproduced according to established agreements between LSP and ORM.
- vii) Officers shall report any problems when using the Thinkstream photo upload system by emailing Thinkstream representatives at lacch@kologik.com.
- viii) All photographs taken at a crash scene by an officer are the property of the department. No officer shall sell or otherwise distribute the images.
 - a) Individuals interested in obtaining photographs shall be directed to the Photo Lab.
 - b) Images to be used for training or educational purposes may be preserved and used only with the approval of the officer’s commander.
 - c) Downloading images from or uploading images to another officer’s case is prohibited without the approval of the Troop / Section Commander.

11. FLEET CRASHES / INCIDENT CLASSIFICATION

- i) Employee responsibility in fleet crashes or incidents shall be either “Preventable,” “Not Preventable,” or “Responsibility Not Determined,” as determined by the Fleet Review Board.
- ii) Preventable – For purposes of this policy, “preventable” shall mean that the employee could have taken reasonable steps to avoid the crash or incident.
- iii) Not Preventable – For purposes of this policy, “not preventable” shall mean that the employee could not have taken reasonable steps to avoid the crash or incident.
- iv) Responsibility Not Determined - For purposes of this policy, “responsibility not determined” shall mean that there was insufficient evidence for the Review Board to determine whether the employee’s actions were in any way responsible for the crash or incident.

12. FLEET CRASH / INCIDENT REPORTING

- i) Any employee of the Department involved in a fleet traffic crash or incident, regardless of the extent of damage, shall:
 - a) Immediately notify the on-duty shift supervisor in the Troop area where the crash or incident occurred and furnish the following information:
 - 1) Location of the crash / incident.
 - 2) Number and severity of injuries, if applicable.
 - 3) Request for emergency services.
 - 4) Roadway condition.
 - b) Render all necessary aid, protect the scene as much as practicable from additional crashes, and obtain and record all information required by this order.
 - c) Make no statements concerning crash responsibility.
 - d) Not engage in arguments; refer all complaints to the area Troop Commander.
 - e) Remain at the scene, if not injured, pending release by the investigating officer.
 - f) Submit a written statement
 - g) Submit to any chemical tests of blood, breath or urine deemed necessary by the investigating officer.
- ii) No commissioned employee of this Department who is involved as either the operator or passenger in a fleet traffic crash / incident shall be allowed to investigate that crash or incident. Crashes / incidents occurring on the Headquarters compound shall be reported to Physical Security for investigation by DPS Police. The Commander of Physical Security shall assume the duties and responsibilities of the area Troop Commander.

13. FLEET CRASH / INCIDENT GENERAL

- i) Investigation Requirements
 - a) An on-duty shift supervisor shall investigate all fleet crashes or incidents involving a State Police vehicle which occur within the Troop area. In the event extenuating circumstances critically delay the investigation, a supervisor may assign a trooper as the investigating officer. If a trooper or outside agency is assigned to investigate a fleet crash or incident, the supervisor shall complete an incident report describing circumstances that prevented the supervisor from conducting the investigation. This incident report shall be attached to the final report.
 - b) Fleet crashes / incidents involving state-owned vehicles and personnel other than State Police Troopers may be investigated by any State Police officer.
 - c) The investigating officer shall:
 - 1) Protect the health, welfare and property of all persons involved.
 - 2) Determine if the matter being investigated qualifies as a fleet crash / incident as defined in this order.
 - 3) Conduct a thorough investigation of the matter regardless of whether it is a fleet crash or a fleet incident.
 - 4) Take sufficient photographs to support the investigator’s determination whether the matter is a crash or an incident.

- ii) Troop Commander
 - a) The area Troop Commander shall have full responsibility for the investigation of fleet crashes and fleet incidents.
- iii) Troop Office Personnel
 - a) Upon notification of a fleet traffic crash or incident, the person receiving notice shall record all information received and immediately notify the shift supervisor.
- iv) Fleet Crash and Incident Investigating Officer Responsibilities
 - a) Complete a Division of Administration (DA 2041), Louisiana Driver Safety Program Form, and submit to LSPFleetsafetyofficer@la.gov and 6410stateofLouisiana@sedgwickcms.com within 72 hours of the crash / incident.
 - b) A Traffic Incident Report should be utilized for fleet crashes involving employees of the department operating a fleet vehicle when:
 - 1) There are no injuries.
 - 2) The fleet crash does not involve a non-DPS vehicle or non-DPS property which is damaged.
 - 3) The estimated damages do not exceed \$1000.
 - c) For all other fleet crashes, the investigating officer shall:
 - 1) Complete a Uniform Motor Vehicle Traffic Crash Report ([DPSSP 3105](#)) including all supplemental reports.
 - 2) Obtain written statements from all drivers, passengers, witnesses, or any other person offering pertinent information.
 - 3) Submit completed reports to include:
 - (i) Uniform Motor Vehicle Traffic Crash Report.
 - (ii) Copy of an outside agency's crash report, if applicable.
 - (iii) Written statement from each involved party and / or witness.
 - (iv) Copy of the video from the In-car video camera, if applicable.
 - (v) Copy of the video from the employee's body camera, if applicable.
 - (vi) Crash Data Recorder information, if obtained.
 - (vii) Safety Responsibility Claim Form (DPSMV 3011), if applicable.
 - (viii) Division of Administration (DA 2041), Louisiana Driver Safety Program form.
 - (ix) First Report of Injury, if applicable.
 - (x) A written statement from the supervisor outlining the circumstances of assigning a non-supervisor to investigate a fleet incident, if applicable.
 - 4) Submit completed reports within 10 calendar days.
- v) Fleet Incident Investigating Officer's Responsibilities
 - a) In the case of a Fleet Incident, the investigating officer shall:
 - 1) Complete a Traffic Incident Report ([DPSSP 3119](#)).
 - 2) Obtain written statements from all drivers, passengers, witnesses or any other person offering pertinent information.
 - 3) Submit completed reports within 10 calendar days.
 - b) Completed reports shall include the following:
 - 1) Traffic Incident Report.
 - 2) First Report of Injury, if applicable.
 - 3) Photographs, as per P.O. 1104(8) Crash Photography.
 - (i) For fleet incidents, all photographs shall be forwarded to the LSP Photo lab by email at lspphotolab@dps.la.gov along with the investigating officer's name and traffic incident report number.
 - 4) A written statement from the supervisor outlining the circumstances of assigning a non-supervisor to investigate a fleet incident, if applicable.
- vi) Fleet Crashes Involving Inmates
 - a) When an inmate is the operator of a fleet vehicle and is involved in a crash, officers

- shall investigate the Fleet Crash in accordance with this order.
- b) An Incident Report shall be utilized for crashes involving inmates who are the operator of a fleet vehicle when:
 - 1) There are no injuries.
 - 2) The fleet crash does not involve a non-DPS vehicle or property.
 - 3) The fleet crash occurs on state-owned or controlled property.
 - c) The investigating officer shall:
 - 1) Complete Louisiana State Police Incident Report ([DPSSP 3134](#))
 - 2) Obtain written statements from all drivers, passengers, witnesses or any other person offering pertinent information.
 - 3) Complete a Division of Administration Form (DA 2041), Louisiana Driver Safety Program.
 - 4) Submit reports within 10 calendar days.
 - vii) All reports and statements concerning fleet traffic crashes/incidents involving an employee shall be directed to the area Troop Commander. In the event a Troop Commander is involved in a fleet crash / incident in their Troop area, the Major of the Region where the crash / incident occurred shall assume responsibility for the investigation.
14. FLEET CRASH / INCIDENT TROOP COMMANDER RESPONSIBILITIES
- i) The Troop Commander shall:
 - a) Ensure that all reports required by this order have been obtained and reviewed for accuracy and completeness.
 - b) Electronically submit the following reports to the Support Services Commander within 15 calendar days from the date of the incident / crash:
 - 1) Uniform Motor Vehicle Traffic Crash Report or Louisiana State Police Traffic Incident Report ([DPSSP 3119](#)).
 - 2) All statements obtained.
 - 3) Louisiana Driver Safety Program form DA 2041.
 - 4) Video and / or Crash Data Recorder information, if obtained.
 - 5) First Report of Injury, if applicable.
 - 6) Repair estimates are not needed for vehicular glass broken in a fleet incident, such as in the instance of vandalism or extreme heat. However, a Vehicle Glass Repair / Replacement Loss Notice (DA 2073) must be completed and filed with Fleet Operations.
15. FLEET CRASH / INCIDENT REVIEW BOARD
- i) The Fleet Crash / Incident Review Board shall consist of three (3) commissioned State Police officers.
 - a) The Deputy Superintendent of Support or his designee, who shall serve as the Fleet Safety Officer (FSO) and Board Chairman;
 - b) A Crash Reconstructionist, selected by the FSO;
 - c) A Training Academy driving instructor.
 - ii) The Board shall review each crash / incident to assign “Preventable”, “Not Preventable” or “Responsibility Not Determined” and to determine if the matter was thoroughly investigated. The Board shall convene when necessary and at a time and location specified by the FSO.
 - iii) When determining a recommendation for disciplinary action, the Board shall consider the following:
 - a) Was the officer’s act or failure to act a causative factor?
 - b) Was the officer inattentive, distracted or driving careless, aggressive or negligent?
 - c) The number and severity of injuries, if any.
 - d) The severity of damage and cost of repair for the state-owned vehicle.
 - e) The number of preventable crashes / incidents within the previous five (5) years.
 - f) Is the recommendation fair and equitable based upon the totality of circumstances?

- g) Is the recommendation consistent with previous recommendations under similar circumstances?
- h) Is the recommendation sufficient to effect a change in the employee's driving behavior in an effort to prevent future preventable crashes / incidents?
- iv) The Fleet Safety Officer shall forward a report of the Board's recommendations within 30 calendar days of the meeting of the Fleet Crash / Incident Review Board that reviewed the case, along with documentation of the employee's preventable events in the prior five years, to the employee's Commander for review. The employee's Commander shall properly route the report in order for the Superintendent to make a determination of appropriate action. Separate of the Board's recommendation to the Superintendent, the FSO shall provide the Emergency Vehicle Operations Center Supervisor with a list of employees required to attend remedial driver training, if required.
- v) The Superintendent or his designee may reject, amend, or modify the findings of the Board and has final authority on all proposed disciplinary actions.
- vi) At the direction of the Superintendent or his designee, the Office of Legal Affairs will prepare any disciplinary action in accordance with [P.O. 211, Disciplinary](#) or [P.O. 03-01.16](#), whichever is applicable.
- vii) Appeals of disciplinary actions by employees shall be governed by the applicable State Police Commission Rules and Civil Service Rules.