



ORONO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

Protect with Vigilance & Serve with Compassion and Excellence

Subject:	Traffic Crash Investigation	Policy #	O-25
Effective Date:	January 2, 2024	Review Cycle:	2 Years
Distribution:	All Sworn Personnel	# of pages:	5
MLEAP:	7.18.A, B, C, D, 7.19		
	<i>Rescinds All Previous Policies Related To This Current Policy</i>		
Issuing Authority:	Chief of Police Daniel Merrill		

I. POLICY

It is the policy of the Orono Police Department to respond to every reported traffic crash in the Town of Orono. If the crash occurs within our reporting jurisdiction, officers will complete a report or an investigation and provide or arrange for the delivery of necessary services.

II. PURPOSE

To establish general guidelines for the department's traffic crash investigation practices and reporting.

III. DEFINITIONS:

A. Traffic Crash Reporting: Basic data collection to identify and classify a traffic crash to include:

1. Persons and vehicles involved.
2. Date and time.
3. Location.
4. Diagrammed movements of vehicles.
5. Contributing factors such as traffic law violations.

B. Traffic crash investigation:

Collection of factual information identifying and describing people, roads, and vehicles involved; describing the results of the crash in terms of damage to vehicles and roadside objects, injuries to people, marks and evidence on the road, and final positions of people and bodies; interpretation of these facts in terms of the behavior of operators involved; and to specify the peculiar combination of factors to produce that particular crash.

IV. PROCEDURES

A. Responding to Traffic Crash Scenes

MLEAP 7.18.A

1. The agency will direct one or more officers, as appropriate, to respond to the scene of all reported crashes.
2. Personnel shall wear a reflective vest that meets current ANSI/ISEA standards as soon as practical when either directing traffic or working at the scene of a crash. **MLEAP 7.19**
3. The Chief of Police or designee will be notified, and a supervisor may be required to respond to a crash scene when any of the following has occurred:

- i. Fatal or potentially fatal injuries.
 - ii. A hazardous material is involved.
 - iii. When the crash circumstances potentially expose the town to liability, or Orono personnel or vehicles are involved.
4. When directed to respond to a traffic crash, the officers will be informed of the exact location, the severity of the crash, whether traffic is blocked, and other units assigned (including ambulance, wrecker, and fire apparatus) to the extent that this information is available.
 5. Officers directed to respond to a crash scene should choose the best possible approach route, considering traffic flow and congestion problems, based on their knowledge of conditions usually existing in the vicinity.
 6. While en route, officers should be alert for vehicles that indicate involvement in the crash.
 7. If an officer encounters an unreported traffic crash, the officer will notify the Communications Center of the crash location, probable severity, and any other pertinent information.
 8. While approaching traffic crash scenes, officers should be alert for and avoid obliterating or destroying evidence (tire marks, etc.); and be on alert for specific conditions (visibility and weather) and hazardous conditions.
 9. Upon arrival, officers should assess the scene to determine the need for assistance. Cruisers shall have their emergency lighting activated and parked in such a way as to provide maximum protection to the scene, but without endangering the public.

B. Stabilizing the Crash Scene

1. Personal Injuries

MLEAP 7.18.B

- i. If there are injuries, officers shall immediately request medical assistance if none has been dispatched.
- ii. Officers will check all injured parties to determine the extent and severity of the injuries.
- iii. Officers will not attempt to administer aid or treatment beyond their capabilities.
- iv. At a crash scene where there is personal injury or the imminent threat of harm, actions to deal with the injury/threat will take precedence over investigative or reporting activities.
- v. Officers will assist in getting seriously injured persons removed to medical facilities as soon as possible.
- vi. In the event of a severe crash or fatality, the shift supervisor will be immediately notified. The shift supervisor will then notify the following in the following order:
 - a. Detective
 - b. Chief of Police

2. Hazardous Materials

- i. If dispatched to a crash scene involving hazardous materials, officers will cautiously approach the incident from the upwind direction to a point where they can identify and/or read the placard or orange panel information.
- ii. This information will be given to the Communications Center, who will refer to the appropriate Haz-Mat agency.
- iii. These procedures will be communicated to all responding personnel, and appropriate action will be taken.

C. Protection of the Crash Scene

MLEAP 7.18.D

1. Officers shall use the patrol vehicle's emergency lighting, flares, and other appropriate warning devices, as necessary, to protect the scene and to alert approaching traffic. Scene protection and warning are essential if victims of the crash, their vehicles, or hazardous debris are in the roadway.

2. To prevent congestion and to permit emergency vehicles to move freely and safely, officers will direct vehicles at the scene (emergency or otherwise) to be parked safely off the roadway as soon as practicable.
3. In crashes where an investigation is warranted, supervisors will establish a security perimeter and use whatever steps are necessary to protect the scene.
4. Officers will be alert to actual and potential dangers at crash scenes, including, but not limited to, fire hazards (i.e., spilled gasoline and other flammable substances) and other hazardous materials. Officers will initiate a response from the appropriate public safety agency when such actual or potential dangers are noted.
5. 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. Crash scene traffic direction and control activities conducted by officers will conform to all applicable department directives.

D. **Crash Investigations and Reporting** - The agency recognizes that different types of crashes require various levels of reporting or investigations. Only certified law enforcement officers that have graduated from the BLETP or received a waiver from the MCJA may investigate a serious personal injury crash or fatality. **MLEAP 7.18.C**

1. Crashes involving death, life-threatening injuries, and department vehicles where personal injury or substantial damage has occurred:
 - i. The officer or supervisor may request a Crash Reconstructionist from another agency or the State Police Crash Reconstruction Team.
 - ii. Upon the arrival of either unit, the reconstruction specialists will assume control of the scene.
 - iii. The officer in charge, in conjunction with the reconstruction specialists, will ensure that all facets of crash reconstruction are conducted, both efficiently and professionally. The components of crash reconstruction include:
 - a. Photographs
 - b. Formal witness statements
 - c. Measurements and diagrams
 - d. Chemical tests (when warranted)
 - e. Collection of evidence
 - f. Collection of "off-scene" data
 - g. Notifications (District attorney, medical examiner, next of kin)
 - h. Completion of all associated reports for review by the District Attorney's Office
 - iv. Expert or technical assistance may be requested if the scope of an investigation goes beyond the knowledge and the abilities of the crash reconstruction specialists. This request must be made in writing and submitted through the chain of command.

2. **Hit & Run Crashes**

A state form 13:20A and an Orono Police Department incident report will be completed, and statements will be taken from the victim and all available witnesses by the officer assigned.

3. **All Other Traffic Crashes**

When responding to any crash involving a commercial carrier, the officer will notify the State Police Commercial Vehicle Enforcement Unit.

4. **Records and Reporting – All Traffic Crashes**

- i. At all traffic crashes with personal injury or damage over \$2000, officers will complete a Maine Traffic Crash Report (13:20A) in compliance with state guidelines. Anything not within these guidelines is considered non-reportable.
- ii. Officers will complete all sections of the 13:20A report. In doing so, officers will interview the operators and witnesses to the crash; record vehicle damage; record any skid marks or

- yaw marks left by the vehicles; and, if necessary to substantiate criminal action, take photographs, measurements, or evidence taken at the scene.
- iii. Officers will strive for accuracy and completeness in the crash reports they prepare.
 - iv. All reports will be submitted in a timely fashion unless a delay is approved by a supervisor.
 - v. Officers must view a vehicle's damage prior to taking a report of a single-vehicle crash.
 - vi. The Orono Police Department will not take a report from any operator wishing to file a crash report after all the damage to the vehicle has been repaired.
 - vii. Officers will not change any information on a crash report once it has been submitted to the State. Any new information will be recorded on a supplemental report and submitted to the shift supervisor.
 - viii. If only one party involved in the crash is present on the scene, the assigned officer will:
 - a. Attempt to contact the other party to arrange a time for all involved to be present.
 - b. If the other operator(s) involved does not respond, the report will be submitted to the State with the information gathered and an explanation of the other operator's failure to comply.
 - ix. The agency recognizes the legitimate data requirements of motor vehicle crash research and related groups and recognizes the value of such research for crash/injury prevention. The department will continue to support and cooperatively participate in special crash data collection efforts when it is reasonable and practical to do so. Each member will cooperate fully in such steps that are specifically approved by the agency. Any person requesting to research this information should be told to contact the records department for an appointment.

5. Enforcement Action for Violations Resulting in Traffic Crashes **MLEAP 7.18.E**

- i. In most cases, officers are expected to take enforcement action whenever their investigation or reporting activities produce probable cause that a violation of law has occurred.
- ii. In crashes involving serious injury or death, officers will not issue a citation for a law violation. The officers will include his/her findings in the report to be reviewed by the Sergeant.
- iii. Probable cause may be established through:
 - a. Statements or admissions made by the alleged violator in the presence of the officer.
 - b. Statements from witnesses who were not participants in the crash.
 - c. Damage to the vehicles and all other physical evidence.
- iv. Officers must ensure that any traffic summons or arrest issued at the scene of a crash will have a separate case number and cross-reference it with the crash report case number.

6. Control of Property Belonging to Crash Victims

- i. Officers responding to crash scenes have a responsibility to help safeguard victims' personal belongings, consistent with the priorities of other duties. This responsibility is heightened when the victim is dead or incapacitated by injury.
- ii. Officers will be alert to pilferage and theft problems which could occur at scenes where emotions are extreme.
- iii. Officers are not permitted to transfer personal property to another person unless authorized by a supervisor.
- iv. When releasing personal property at the scene of a crash, the officer shall ensure that the person's name is recorded in the appropriate report.

7. Traffic Crashes Involving Town Vehicles

- i. In the case of a traffic crash or damage to any town vehicle, the operator will immediately request the presence of a supervisor or officer in charge.

- ii. In the event of a traffic crash, the supervisor or officer in charge, will then contact an outside law enforcement agency to conduct an independent investigation.
- iii. The report will immediately be documented on a Maine Traffic Crash Investigation Report. The Chief of Police, or designee, will review all such reports.
- iv. In crashes involving substantial damage, severe personal injury, or death, a certified collision reconstruction expert will be requested. They will conduct a complete reconstruction and forensic mapping of the crash scene. The reconstruction report will be forwarded to the Chief of Police upon its completion and approval.
- v. The Chief of Police, or designee, will review all such reports for appropriate action regarding any law enforcement vehicle involved in a traffic crash.