

THE RALEIGH POLICE DEPARTMENT

1109-11

TRAFFIC INVESTIGATION

PURPOSE

To set forth the conditions under which traffic investigations and reporting are required. Included are special steps to be taken in the event of traffic fatalities and hit and run collisions.

VALUES REFLECTED

This directive reflects our values of *Service, Integrity, and Compassion*. By following these guidelines, we demonstrate that we are providing high quality service by gathering information that assists individuals who are involved in a collision. We also demonstrate our concern by conducting high quality collision investigations.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1107-5 "Severe Weather Procedures"
DOI 1109-10 "Traffic Enforcement"
DOI 1109-16 "Response to Hazardous Materials"

May be Released to the Public

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GENERAL POLICIES

State law requires the Department to investigate and report motor vehicle crashes that result in death or injury to human being, total property damage of \$1000 or more, or property damage of any amount to a vehicle seized pursuant to NCGS 20-28.3. It is the policy of the Department to investigate and report any collision upon request of either party involved, regardless of the amount of damage involved. This includes collisions which occur on private property.

RESPONSE TO TRAFFIC COLLISIONS

Dispatch of Units

Emergency Communications will attempt to determine the extent of injuries when receiving reports of traffic collisions. Officers may utilize an emergency response to collisions in accordance with DOI 1106-05 "Operation of Police Vehicles".

At least two officers and a supervisor will be dispatched to auto collisions where hazardous materials are reportedly involved (refer to DOI 1109-16 "Response to Hazardous Materials").

Auto collisions resulting in only property damage may be assigned to civilian traffic investigators. Civilian traffic investigators must comply with all provisions of NCGS 20-166.1. The primary officer for any auto collision that results in personal injury must be a sworn officer.

Arrival at Collision Scenes

The first officer or civilian traffic investigator to arrive should position their vehicle to prevent further damage to vehicles or injury to persons. Once parked, the priority is to check for injuries and to summon any additional assistance that may be required. Officers and civilian traffic investigators should next check for any witnesses and mark or preserve any short-lived evidence. In non-serious collisions, vehicles should be moved from the roadway as soon as possible.

Responsibility for Collision Investigations

The initial unit assigned by Emergency Communications will be responsible for collision investigations unless properly relieved by another unit. At times, the Crash Reconstruction Unit (CRU) may be assigned to investigate a collision and will be responsible for the case. A member of the CRU will complete a DMV-349 Crash Report.

Towing Wrecked Vehicles

Officers and civilian traffic investigators may tow disabled vehicles from collision scenes. If the owner/driver is present, and it will not unduly delay clearing the roadway, the owner/driver should be allowed to specify a towing company such as AAA and direct them where they want their vehicle towed. A rotation wrecker will be called if the owner/driver is not present, and a Vehicle Storage Report will be completed. If a city rotation wrecker is used and the owner/driver is present, the officer or civilian traffic investigator should allow them, if they choose, to designate a repair facility for their vehicle to be towed provided the distance to the facility is reasonable. If the owner/driver is injured and transported to a hospital, the officer or civilian traffic investigator may notify him/her of the location of the vehicle without completing a Vehicle Storage Report.

In instances where the owner/driver is not present, the officer or civilian traffic investigator should remove purses and other easily stolen items from a vehicle prior to having it towed. If the property cannot be returned to the owner/driver prior to the end of the employees shift, the items are to be secured in found property storage (refer to DOI 1108-4 "Evidence and Found Property").

Contributing Factors and Enforcement Action

Any determination of contributing factors on the part of either driver will be indicated on the collision report. It will be left to the officer's discretion to determine if charges will be made based on the totality of the circumstances. Civilian traffic investigators do not have the legal authority to issue citations.

Removing Debris from the Roadway

If a tow truck is called to the scene, it is the tow truck driver's responsibility to remove glass fragments or other debris from the roadway. If a tow truck is not called, the officer or civilian traffic investigator is responsible for removing any debris.

FATAL/SERIOUS COLLISIONS

Traffic fatalities and other serious collisions require additional specialized investigation. Responding officers must minimize traffic congestion while securing the scene to protect evidence. These investigations should be handled similar to any death investigation. These scenes should be treated as crime scenes. On-duty CRU members and a supervisor should respond to the scene. The Wake County Bureau of Forensic Services should be called to photograph the scene.

Major Crash Investigations

After tending to the injured and securing the scene, identification of impairment, short-lived evidence and witnesses should be the primary purpose of the Crash Reconstruction Unit.

Since the true causes of crashes sometimes require days to determine, all drivers should be checked for impairment. If possible, a Drug Recognition Expert should conduct this examination. If impairment is suspected, the suspect should be charged with DWI and a blood sample should be obtained from the suspect. If the suspect refuses to submit a blood sample, a search warrant should be written to obtain the blood.

Vehicles in these crashes provide critical information. Drivers and passengers should be removed as soon as possible and the vehicle and area around the vehicle should be secured as a crime scene. The names of anyone, including EMS, fire, and police personnel, who came in contact with the vehicles, should be documented. Vehicles involved in the crash should not be powered up until all of the vehicles' lights have been examined and/or removed. Examination of filaments in light bulbs can reveal if headlights were on, if braking was occurring, if turn signals were activated, or if a vehicle was in reverse. Sending an electrical current through the lights can damage the filaments before this evidence is collected.

Anti-lock brake skid marks, yaw marks, debris, fluids, and other short-lived evidence should be identified, documented, and photographed as quickly as possible.

Witnesses should be separated, and their statements should be taken. One of the most important items to document is the exact location of the witness when the crash occurred.

As with any death investigation, all responding officers should document their duties on a Supplemental Report form.

Civilian traffic investigators may be requested to assist the investigating officers in their investigation or to assist by directing traffic.

Crash Reconstruction Unit

Crash Reconstruction Unit members have specialized training in the area of traffic collision investigation. The CRU should be called if the following incidents occur:

- Collisions resulting in death.
- Collisions resulting in life-threatening injuries.
- Collisions resulting in serious personal injuries (amputation of a limb, brain damage, paralysis, etc.).
- Any event where the Watch Commander deems that the training and experience of the CRU may assist in the documentation and explanation of an event (public safety vehicles involved in emergency response, etc.).

The CRU will be responsible for obtaining charges in all cases they investigate, after consultation with the District Attorney's office if necessary.

Medical Examiner Notification

The Medical Examiner must be contacted and authorize the removal of any deceased person from the scene.

HIT AND RUN COLLISIONS

It is a policy of the Department to investigate and file reports on all complaints of hit and run, regardless of the time frame in which the offense is alleged to have occurred.

Unknown Locations

Occasionally, the owner of a parked vehicle may be uncertain of the location where a hit and run occurred. In those instances, officers and civilian traffic investigators should use the address where the report is taken and indicate in parentheses "unknown location".

Follow-up Investigations

Officers and civilian traffic investigators are responsible for the timely notification of complainants on case status and disposition of the investigation. Such notification shall take place within 30 calendar days of the date of the report. Citizen contacts, investigative efforts, and a disposition will be documented in supplementary reports.

Supervisory Review

First line supervisors will ensure the proper assignment of cases for follow-up investigations and timely completion of investigations with proper notification of complainants on case disposition.

COLLISION REPORTS

Officers and civilian traffic investigators are obligated to submit collision reports by the end of their tour of duty. If required items of information are currently unavailable, an initial report should be completed and a supplemental report should be filed as soon as the additional information is obtained.

E-CRASH REPORTING

Officers will document all collisions that meet any of the following criteria:

- Anyone in the collision is killed, injured, or has a complaint of injury.
- Property damage from the collision totals \$1000 or more.
- Damage of any amount has occurred to a vehicle being seized.
- One of the parties involved requests a collision report.

Civilian traffic investigators will document all collisions that meet any of the following criteria:

- Property damage from the collision totals \$1000 or more.
- One of the parties involved requests a collision report.

If an officer or civilian traffic investigator responds to a collision that does not meet any of the above criteria, the parties involved can simply handle the incident as a private matter if they both request no report be taken. The officer should add comments to the call that the collision was non-reportable and that neither party wanted a report. The call will then be coded out as "C" Completed.