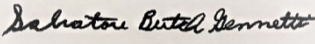



<h1>MALDEN POLICE DEPARTMENT</h1> <h2>TRAFFIC CRASHES</h2>		
<p>Massachusetts police accreditation standards referenced: 61.2.1; 61.2.2; 81.2.4; 83.1.1</p>		<p>GENERAL ORDER GEN 2023-003 POLICY NUMBER: TRA-001</p>
<p>Effective Date: 01/12/2023 Total Pages: 8</p>	<p style="text-align: center;"><i>ISSUING AUTHORITY</i></p> <hr/> <p style="text-align: center;"><i>Salvatore Gennetti</i></p> <div style="text-align: center;">  </div> <p style="text-align: center;">Police Commissioner</p>	

I. GENERAL CONSIDERATIONS & GUIDELINES:

The police function at traffic crashes varies. Aid to the injured, traffic control, & investigation are some of the areas which the police will have an impact. An adequate response, knowledgeable performance and preventive efforts can go a long way on minimizing increased damage to property & bodily injury. Police responsibility will continue until the injured have been cared for, vehicles have been removed, the roadway is clear of debris & traffic is flowing freely.

The objective of a hit & run investigation is to determine responsibility for the crash and to identify the offender and vehicle involved. This is often difficult because the elements of the crime include flight from the scene. Hit & run crashes may involve property, persons or both. As the circumstances are more serious when a human life is involved, these procedures are primarily directed at hit & run investigations involving persons.

II. POLICY:

It is the policy of the Malden Police Department to respond to and investigate all traffic crashes requiring a police response.

III. PROCEDURES:

A. Crash Response, Investigation & Reporting

1. Crashes Requiring a Police Response: Officers should respond to traffic crashes involving:

- a. Injury or death; **61.2.2 (a)**
 - b. Hit & Run; **61.2.2 (b)**
 - c. Impaired operator (*drugs or alcohol*); **61.2.2. (c)**
 - d. Damage to government vehicle or property; **61.2.2 (d)**
 - e. Hazardous materials; **61.2.2 (e)**
 - f. Disturbances; **61.2.2 (f)**
 - g. Significant traffic congestion; **61.2.2 (g)**
 - h. Damage to a vehicle requiring it to be towed **61.2.2 (h)**
2. Crashes Requiring Police Report & Investigation:
- The following types of crashes, whether occurring on a *public or private* property, shall require a police report and investigation. Some crashes will require a more detailed investigation beyond a crash report: **61.2.1 (f)**
- a. All those involving personal injury or death; **61.2.1 (a)**
 - b. Property damage crashes with estimated damage to any one vehicle in excess of **\$1,000; 61.2.1 (b)**
 - c. Hit & run crashes which involve personal injury, and those property damage crashes where investigative techniques can be applied; **61.2.1 (c)**
 - d. Those involving operator impairment (*drugs or alcohol*); **61.2.1 (d)**
 - e. Those crashes involving **HAZMAT; 61.2.1 (e)**
 - f. Crashes caused by a flagrant moving violation, defective equipment or other circumstances which impeded the safe operation of a vehicle;
 - g. Those which appear to have been caused by the incompetence of an operator. **61.1.2**

B. Duties of First Officers on the Scene

1. Upon Arrival
 - a. The first Officer on scene shall be in charge until relieved by a Superior Officer or an investigator and:
 - 1) If necessary, request other units, EMT's or the Fire Department;
 - 2) Identify injured persons, determine the extent of injuries and treat the most serious until assistance arrives;
 - 3) Secure the scene;
 - 4) Identify hazardous materials or fire hazards;
 - 5) In the event of **HAZMAT**, isolate the area and evacuate nonessential personnel.

- b. The Officers shall be responsible for preliminary hazard identification (*spill, leak, fire*) and identification of vehicle and container placards, until the arrival of the Fire Department.
 - c. The Officer should collect operator's licenses, passenger ID's, vehicle registrations, and witness identifications, as appropriate and arrange for the removal of damaged vehicles from the roadway.
2. Property

When Officers are required to handle the personal property of a victim, they shall do so, whenever possible, in the presence of a witness, who shall be identified in the Officers' reports. If property is to be held, it shall be turned over to the Property/Evidence Officer and documented in accordance with the department policy ***Property & Evidence Control***.

C. Preliminary Investigations

1. Duties of Investigating Officer
 - a. The initial responding Officer may be assigned to investigate the crash.
 - b. The assigned investigating Officer shall conduct an investigation and when appropriate take the following actions
 - 1) Interview and ID operators and passengers. Check validity of their license, registration and insurance.
 - 2) Interview principals and witnesses, if possible.
 - 3) Examine and record vehicle damage.
 - 4) Examine and record effects of crash on the roadway and other infrastructure.
 - 5) If possible, take measurements and photographs, as appropriate.
 - 6) Collect and preserve evidence, as appropriate.
 - 7) Collect and record operator and vehicle information for report and exchange among principals.
 - 8) Complete a RMV Motor Vehicle Crash Police Report.
2. Duties of the Supervisor:
 - a. In cases of serious crashes that result in a major disruption of traffic, a supervisor should respond and take charge until relieved by either an investigative Detective or Superior Officer. **81.2.4 (f)**
 - b. The Supervisor shall:
 - 1) Coordinate the response of other public safety services;
 - 2) Request additional resources as needed;

- 3) Coordinate the re-routing of traffic, if necessary;
 - 4) Supervise the treatment of injured until medical personnel arrive; and
 - 5) Supervise the investigation.
3. Crash Reconstruction **83.1.1:**
- a. When appropriate, a Supervisor shall request an Officer trained in *Accident Reconstruction* to respond (*from within or the State Police*).
 - b. An Accident Reconstruction Team shall be called in cases involving *fatalities & serious injury* which is likely to result in death.
 - c. The Accident Reconstruction Team may be called in for cases where in the opinion of the Officers, and with the approval of a supervisor, their expertise is necessary.

D. Follow-Up Investigations

1. Follow Up Services
 - a. The Department shall perform follow-up crash investigation services in support if on-going or anticipated criminal prosecution whenever necessary. The discretionary authority of a supervisor within the traffic dept. generally activates the use of this type of investigation.
 - b. If warranted, this follow-up should include, but not be limited to:
 - 1) Collecting off scene data;
 - 2) Obtaining formal statements from witnesses and suspects;
 - 3) Reconstructing crashes; and
 - 4) Preparing formal reports to support criminal charges arising.
2. Expert/Technical Assistance
 - a. Accident Reconstruction Services: Trained personnel may be able to determine:
 - 1) The likely speed, vehicle and pedestrian positions, and who was operating the vehicle and where occupants were seated;
 - 2) The contribution of roadway conditions and design, operation, and vehicle conditions to the crash;
 - b. Experts:

Follow-up crash investigations may require special skills and technical assistance beyond what is available. When necessary, the Department shall utilize outside expert & technical assistance (*i.e., photographers, mechanics, physicians, & crash specialists*). A Supervisor shall make the decision if when to call in an outside specialist.

E. Investigations of Hit & Run Crashes

1. The Elements of a Hit & Run

The defendant goes away having operated a motor vehicle upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invites or licensees, after knowingly colliding with or otherwise causing injury to any person, or injury to any other vehicle or property without stopping and making known his/her name and residence and the registration number or his/her motor vehicle.

2. On-Scene Duties:

- a. Officers shall first make provisions for the medical treatment of the victim. Investigating Officers should follow-up on the condition of the victim after they are transported if there is any possibility that they could die from injuries.
- b. Officers shall obtain the best possible description of the operator and vehicle. The following information is important:
 - 1) Make, model, year, color, damage, license plate, marking or equipment;
 - 2) Direction of travel before & after and the number of passengers and their descriptions.
- c. Descriptive information obtained shall immediately be communicated to Dispatch.
- d. Officers shall search the area, the vehicle or other property which was struck, and the clothing of any victim for physical evidence, including:
 - 1) Personal property left behind by the offender;
 - 2) Glass fragments or paint chips;
Note: If a pedestrian is struck & injured, Officers should meet the ambulance at the hospital, if possible, to secure any evidence which may have been dislodged from the victim's clothing during transport. Also, hospital staff should be requested to give the victim's clothing and any associated paint chips or glass fragments to the police.
 - 3) Pieces of chrome or grill work, hub caps, tire marks, oil, gas or water marks leading away from the scene;
 - 4) Mud or dirt dislodged on impact; and
 - 5) Video from any likely security cameras.
- e. Photographs and measurements shall be taken when required.
- f. Officer shall examine the victim and their clothing. Traces of paint or parts of the vehicle are valuable. An Officer may take and preserve articles of clothing or other samples of evidence, such as hair, blood, etc. Outer clothing should be examined for indentations left from the suspect vehicle, as these may serve to ID the vehicle. If such indentations exist, the clothing should be carefully preserved.

- g. Officers should be observant for persons foreign to the scene or acting suspicious.
 - h. Where appropriate, Officers should conduct a door-to-door canvas of residences and businesses in the vicinity or the hit & run.
 - i. A preliminary search for the suspect car and driver shall be conducted as soon as possible.
 - j. Neighboring departments & the State Police should be notified and given a description of the suspect(s) over Bapern (*Area Wide 3*).
 - k. The media may be contacted to alert and enlist the aid of the public in locating the suspect vehicle and driver.
 - l. The investigation Officer shall prepare a report in accordance with Department procedures.
3. Follow-Up Investigations:
- a. In-depth or follow-up investigations shall be conducted upon the direction of a Supervisor.
 - b. The Follow-Up Investigation, if any, may include the following:
 - 1) Communication of the description of the vehicle and offender to other Officers, departments and the State Police;
 - 2) A second search of the crash scene covering a larger area;
 - 3) Repeated visits to and surveillance of the scene at the same time of the day the crash occurred;
 - 4) Canvassing of local businesses for video of the crash or traffic leading to or from the scene; and
 - 5) Visits to garages, auto parts dealers, auto glass dealers, car dealers, auto body repair shops, car wash facilities, etc.
 - c. If the vehicle involved is located, it shall be carefully examined.
 - 1) Measure dents and body damage as to width, depths and pattern, taking photographs, if possible.
 - 2) Obtain samples of paint chips, broken glass, pieces of clothing, dirt, evidence of blood, hair, flesh, etc.
 - 3) Inspect the interior for articles which may ID the offender.
 - 4) Observe and note any signs of recent repair or any broken or missing parts.

***Note:** The above steps must be taken in accordance with the Department policy on **Search & Seizure**. In the event a search warrant is sought, the vehicle would be kept under surveillance until it is obtained. The ID of any*

person attempting to enter the vehicle or to destroy evidence should be established.

- d. If the operator of the suspect vehicle is located, they should be questioned promptly. If applicable, Miranda procedures must be followed (*see policy on **Interrogating Suspects & Arrestees***). Prompt interrogation is important. If he/she cannot provide an alibi or if it is later discredited, they will be critical factors contributing to a successful prosecution.
- e. A hit & run driver is not necessarily the operator responsible for the crash. They may be fleeing for various reasons. It is also not unusual for a hit & run driver to abandon his/her vehicle and then report it stolen in order to escape responsibility for the crash.
- f. A full and complete report shall be made of the crash and the particulars of any follow-up investigation, in accordance with departmental procedures.

F. Crash Reporting: Data and Crash Form Use

1. Crash Investigation Form

- a. When an Officer investigates a crash in which there is personal injury/property damage in excess of **\$1,000** to any one vehicle, or any other property damage in excess of **\$1,000** the Officer shall be required to complete a *Commonwealth of Massachusetts Motor Vehicle Crash Police Report*.
- b. When an Officer is in doubt as to the extent of damage or injury, the *Commonwealth Form* should be used (*the report shall be noted for departmental use only*). If a crash is minor and no further information is needed, Officers may advise Dispatch, in lieu of a written report, and ask that the information be entered into the Dispatch call narrative.
- c. Supplemental Report Form: A supplemental report narrative shall be attached when appropriate, such as when a citation is issued or when the Officer feels it is necessary to further explain the actions taken.
- d. Fatal Accident Reporting **61.2.1 (a)**

In accordance with Massachusetts General Law, Chapter 90, Section 29; the police department having jurisdiction over the place or the way where such accident occurred shall notify the registrar forthwith of a fatal accident.

In the event of a fatal accident occurring in the City of Malden, whether or not the Malden Police Department is investigating the accident, the Shift Commander (OIC), or his/her designee shall notify the Massachusetts Registry of Motor Vehicles of the fatal accident via the LEAPS computer utilizing the ***Fatal Message Request Screen***.

All required information shall be included in the appropriate fields. If all the required information is not available at the time of the accident, the Shift

Commander (OIC) or his/her designee shall notify a CID Detective who will obtain the information when it becomes available and who will then notify the Shift Commander (OIC) when the information is obtained and the Shift Commander (OIC) or his/her designee shall ensure that the information is submitted via LEAPS.