



Fitchburg State University Police Department

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| Subject: TRAFFIC COLLISION INVESTIGATION | |
| Reference: IACLEA: 10.2.1, 10.2.2 MPAC: 61.2.1, 61.2.2, 61.2.3, 61.2.4 | |
| Rescinds: Section 70 | |
| Effective Date: November 23, 2020 | Review Date: |
| By Order of: Michael J Cloutier, Chief of Police | |

General Order

10.2

PURPOSE:

The purpose of this policy is to establish guidelines for the proper handling of traffic accidents and for the collection and use of data that will reduce automobile accidents on the Fitchburg State University campus resulting in property damage, injury or death.

POLICY:

It will be the policy of the Fitchburg State University Police Department to perform a variety of functions regarding motor vehicle accidents. This department will, among other things, provide emergency service to the injured, protect the accident scene, conduct accident investigations and follow-ups, prepare reports and take proper enforcement action.

PROCEDURES:

- A. Accident reports and investigation, general:
 - 1. The department will conform to the standards set forth by Massachusetts law and will use standard report forms issued by the Massachusetts Registrar of Motor Vehicles.
 - a. The form shall be accessed digitally in the Record Management System utilized by the department.
 - 2. Massachusetts General Laws concerning the reporting of traffic accidents include:

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- a. Massachusetts General Law Ch. 90 § 26 requires that every person operating a motor vehicle which is involved in an accident in which any person is killed or injured or in which there is damage in excess of one thousand dollars to any one vehicle or other property shall, within five days after such accident, report in writing to the registrar on a form approved by him and send a copy thereof to the police department having jurisdiction on the way where such accident occurred.
 - b. Massachusetts General Law Ch. 90 § 29 requires that the police department having jurisdiction over the place or the way where such an accident occurred shall notify the registrar forthwith of any fatal accident or accident involving serious injury. Further, the police department shall notify the registrar within fifteen days, in a form prescribed by him, of the particulars of every accident referred to in section twenty-six which happens within the limits of his jurisdiction in which a motor vehicle is involved, together with such further information relative to such accident as the registrar may require.
3. Officers shall respond to all traffic collisions reported within the jurisdiction of the Fitchburg State University Police³ Department and the collision shall be investigated thoroughly, using proper techniques and utilizing outside resources (Fitchburg Police Department, Massachusetts State Police, Fitchburg Fire, etc.) if the scene is beyond the scope of the officer's training. A report and preliminary investigation shall be completed for all reported collisions.
- a. All collisions will have an accident report generated regardless of damage amount.
 - b. Upon arrival, officers should conduct an immediate assessment of the scene to determine if fire and medical personnel need to respond.
- B. Death or Serious Physical Injury;
1. In the event of a death or serious physical injury where death may occur, the responding officer or shift supervisor shall notify the Fitchburg Police Department and the Massachusetts State Police and utilize those resources that are available, i.e., accident reconstruction, crime scene services and state police detective unit.
 2. The responding officer, while waiting for assistance from the Fitchburg Police Department and/or Massachusetts State Police, shall render basic and advanced life support until fire/rescue personnel arrive. A preliminary investigation should also be done to include but not limited to securing witnesses, photographing the scene, identification of victims, etc., if scene safety allows it.

IACLEA 10.2.1 a, 10.2.2 a, b / MPAC 61.2.1 a

C. Physical Injury;

1. In the event of physical injury, the responding officer should secure the scene and render basic and advanced life support until fire/rescue arrives.

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2. The officer should attempt to identify the operators as well as other victims as a result of the collision.
 3. Witnesses to the collision should be identified and statements should be obtained.
 4. Photographs of the scene shall be taken and injuries and damage shall be recorded.
- D. Hit and Run;
1. In the event of a hit and run, the officer will attempt to gather as much information on the vehicle that fled in an attempt to complete their investigation.
 2. Area police departments, including the Fitchburg Police Department or Massachusetts State Police may be notified and an administrative message may be generated on the DCJIS computer system.
 3. Medical care shall be rendered to victims if needed.
IACLEA 10.2.1 c / MPAC 61.2.1 c
- E. Accidents Involving Operators Under the Influence of Alcohol or Narcotics;
1. If scene safety allows it, officers should conduct Standardized Field Sobriety Tests to determine the operator's level of impairment, if the operator does not require immediate medical attention.
IACLEA 10.2.1 d / MPAC 61.2.1 d
- F. Hazardous Materials;
1. The Fitchburg Fire Department (Haz-Mat team) shall be notified.
 2. Officers shall secure the scene and set up a perimeter and isolate the area, keeping on-lookers away for their safety.
 3. Attempts to identify vehicles and placards should be made
MPAC 61.2.1 e
- G. Damage to Private Property or Vehicles;
1. In the event that privately owned property or vehicles are damaged by another vehicle, the responding officer will complete an accident report.
IACLEA 10.2.1 h / MPAC 61.2.1 f
- H. All University Owned Vehicles;
1. In the event that a Fitchburg State University vehicle or property is damaged, an officer will complete the appropriate report, either incident or accident depending on the circumstances. The shift supervisor shall also be notified.
- I. Disturbances Between the Parties Involved;

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1. In the event of a disturbance at a motor vehicle collision, the responding officer will attempt to de-escalate both parties as quickly as possible to complete their investigation. If one or more of the parties refuse to cooperate, the officer may utilize other legal options at their disposal.

IACLEA 10.2.2 i

J. Major traffic congestion as a result of the accident;

1. In the event of a major traffic congestion as a result of the collision the responding officers should attempt to have assisting officers divert traffic to alternate routes in an attempt to relieve the congestion.

IACLEA 10.2.2 e

K. Damage to the Extent that Vehicles Need to be Towed;

1. In the event of a collision where the damage to a vehicle poses a safety hazard if driven, that vehicle will be towed from the scene. A vehicle may also be towed from the scene based upon criminal actions and at the owner's request (at a cost to them).

L. Damage to Public Property or Vehicles;

1. In the event that there is damage to public property (not owned by the University) or vehicles, the owners of that property or vehicle will be notified. Also, the City of Fitchburg Police will be notified. Officers of this department will offer aid and assistance as requested.

IACLEA 10.2.1 b / MPAC 61.2.1 b

M. Investigating Officer

1. The dispatch center will assign an officer to investigate the accident, who will also be in charge of the scene, unless relieved by a shift supervisor. Additional officers may be assigned based on the information that the dispatch center may have. The first arriving officer on the scene should:
 - a. Protect the collision scene and any physical evidence by keeping nonessential personnel away;
 - b. Provide basic or advanced life support for collision victims until fire/rescue personnel arrive;
 - c. Identify potential or actual fire hazards or other hazardous materials so that appropriate action can be taken;
 - d. Request additional assistance, if needed;
 - e. Controlling the property belonging to collision victims by either placing it into the appropriate vehicle or some other means of identifying it's owner;
 - f. Preserving short-lived evidence
 - g. Establish a safe traffic flow around the scene;

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- h. Identify and interview witnesses and record accident information;
- i. Ensure the exchange of information between involved individuals;
- j. Expedite the removal of vehicles, persons and debris from the scene.
- k. Secure property of involved parties.
- l. For incidents involving hazardous material, the first arriving officer should secure the scene by setting up a perimeter and isolating the immediate area. Fitchburg Fire Department Haz-Mat team shall be notified immediately. Officers should attempt to identify vehicles involved as well as container placards. Only properly trained and equipped personnel should attempt to enter areas where hazardous materials may be encountered or suspected.

IACLEA 10.2.2

2. The investigating officer is encouraged to use all the resources necessary to conduct a reasonable investigation, taking into consideration the amount of damage or injury involved. The officer should:
 - a. Interview all drivers and witnesses thoroughly;
 - b. Obtain written statements, if available, from drivers and witnesses;
 - c. Examine and record vehicle damage;
 - d. Examine and record the effects of the accident on the surrounding area;
 - e. Record driver's license and vehicle registration information;
 - f. Obtain measurements and photographs if necessary;
 - g. Collect and preserve evidence;
 - h. Assist in the exchange of information between drivers.
3. To ensure thoroughness, it is sometimes necessary to conduct a follow-up investigation, (that portion of the investigation which occurs after the scene has been cleared). The resources devoted to the follow-up investigation should be reasonable, taking into consideration the seriousness of the accident. The follow-up investigation should include, but is not limited to:
 - a. Collection of off scene data, e.g., at hospital/locations;
 - b. Collision reconstruction;
 - c. Obtaining and recording formal statements from witnesses;

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- d. Prepare formal reports to support criminal charges;
 - e. Using expert and technical assistance;
 - f. Reconstruction of the accident scene;
4. In the event of a fatality or serious injury accident, an officer shall request assistance of expert and/or technical personnel for accident reconstruction. The Massachusetts State Police would be the recipient of such a request.
 5. The Tri-Tech/Perform Software system of report writing shall be utilized.
 6. Upon completion of the accident investigation, and if probable cause exists that a law has been violated, enforcement action will be considered based on the officers assessment of the situation. Citations or warning may be issued at the discretion of the officer.
 7. Traffic direction and control should be conducted in accordance with GENERAL ORDER 10.3 TRAFFIC DIRECTION AND CONTROL
 8. Actions at Scenes With Injuries, Fire Hazards and/or Hazardous Spills:
 - a. In the event of injuries, the first officer on the scene shall:
 - (1) Secure the scene
 - (2) Provide emergency first aid
 - (3) Request and facilitate emergency medical response
 - b. If a fire hazard is present, the first officer on the scene shall eliminate the fire hazard, if possible. If fire equipment is needed to eliminate the hazard, he shall evacuate the area and request the proper fire response. The scene shall remain evacuated until the danger is past.
 - c. In the event of a hazardous spill, the officer on the scene will request the assistance necessary to evacuate the area and request the assistance of the Fire Department and the area Haz-Mat team.

IACLEA 10.2.2 h

N. Property and evidence collected at accident scenes:

1. The officer in charge at the scene of an accident should ensure that property belonging to accident victims is protected from theft or pilferage and is removed to a place of safe keeping if the owner is unable to care for it.
 - a. If a vehicle is impounded or towed, the officer will adhere to the guidelines set forth in department's policy GENERAL ORDER 10.3.3 TOWING AND ABANDONED VEHICLES

IACLEA 10.2.2 d & j

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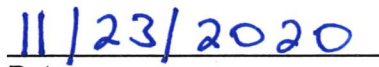
- O. If the accident or incident occurs off campus on private or public property, the City of Fitchburg Police Department will be notified.
- P. Any accident involving an on duty Fitchburg State University Police Department officer operating a department vehicle will be investigated by the Massachusetts State Police and /or the City of Fitchburg Police Department.
 - 1. If the accident occurs away from the jurisdiction of the university police department, the department of jurisdiction may investigate. This occurs if cruisers are taken for training, or other official trips.
 - 2. If an accident occurs on private property, the owner of the property shall be notified.

IACLEA 10.2.1. g

Approval:



Chief of Police



Date