

BATON ROUGE POLICE DEPARTMENT

General Order
No.225

Effective Date
01-10-2000

Revised Date
10-16-2018

Subject: Traffic Crashes

Reviewed 8/9/18

POLICY

It is the policy of the department to respond to traffic crashes reported immediately after occurrence and stabilize the scene as soon as possible. Furthermore, the department will investigate all crashes reported pursuant to LRS 32:398 (A) & (D) when the crash resulted in injury to or death of any person, or property damage of Five hundred dollars.

The investigating officer's first responsibility is the treatment of injured persons and opening the roadway to traffic.

Officer shall wear department's approved reflective traffic vest, rain coat (reflective side), or winter jacket (reflective side) when investigating at traffic crash where the scene is within the traffic way.

Officers will conduct as thorough an investigation at a crash scene as possible. These cases sometimes involve protracted litigation and large monetary awards. Officers may be subpoenaed years after the crash has occurred and the report completed at the scene may be the only record made.

Officers will endeavor to complete crash investigations as quickly and professionally as possible. Officers should keep in mind this may be the only contact the drivers will ever have with a police officer and as a result will form an opinion of law enforcement in general.

Fatality crashes and those involving serious injury will be investigated in the same manner as any death or serious crime.

PROCEDURES

I. Minor Traffic Crashes

- A. Upon arrival at any crash scene, the first concern is to check for injuries and coordinate the response of emergency services.
- B. The second area of concern is clearing the roadway to eliminate the possibility of a second crash and allow traffic to pass unimpeded. (If the crash occurs on the expressway, the officer will if possible, remove all vehicles involved off of the expressway.)
- C. Once the above has been accomplished and the scene has been stabilized, the investigation and completion of the crash report may begin.
- D. If possible, officer will clear the trafficway of all vehicles and parties involved in the crash to ensure the safety of all, officers, parties involved, the motoring public, thus to expedite normal traffic flow.
- E. Officers will collect the data and attempt to determine if any violations have occurred, particularly those that may have contributed to the crash.

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- F. If an officer has probable cause to believe a violation has occurred, it is up to his discretion to issue traffic citations or not.
- G. A wrecker authorization form shall be completed for all vehicles towed from the crash scene. The requested wrecker company shall have forty five (45) minutes to arrive on scene. If this can not be accomplished by a specified wrecker company, an unspecified wrecker company will be summoned if the party can not retain a local wrecker service.
- H. Officer shall be responsible for the clearance of all debris from the crash within the trafficway.

II. Major Traffic Crashes

- A. A crash will be classified as a major traffic crash if:
 - 1. There are life threatening injuries involved or there has been a fatality or;
 - 2. There is an extremely large number of vehicles involved blocking the roadway necessitating a lengthy investigation or;
 - 3. There is any situation, such as a chemical spill, involved which will cause the roadway to be blocked for an extended period of time.
- B. Major traffic crashes require the on scene response by a supervisor. It will be the responsibility of the supervisor to assign tasks to field personnel to complete the investigation as quickly and thoroughly as possible. The supervisor will coordinate the response of emergency services and any other services such as wreckers, which may be needed.
- C. The Commander on call will be notified in the event of a traffic fatality who in turn will notify the appropriate divisions and agencies.
- D. Any driver involved in a fatality will be given the opportunity to take a chemical test for intoxication. Officers will be knowledgeable of the provisions which govern the requirement to submit to a chemical test if a fatality has occurred and the driver is unable to submit to a field sobriety test.
- E. Blood samples will be taken from all deceased persons and submitted to the crime lab for analysis relative to alcohol and drug content.
- F. Traffic crashes involving serious injury will be investigated as if a fatality had occurred.
- G. If any major thoroughfare remains closed to traffic for an extended period of time, traffic will be diverted via an alternate route.

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- H. During the hours of operation, the Traffic Division will have the primary responsibility for directing traffic. However, if the closure will be for a short period of time or the Traffic Division is secured, additional uniform patrol units may be summoned to assist.

III. Hit and Run Crashes

- A. The Baton Rouge City Code Title 11 Section 34 defines Hit-and-run driving as: "the intentional failure of the driver of a vehicle involved in or causing a crash to stop such vehicle at the scene of the crash, to give his identity and to render reasonable aid".
- B. Initial responding officers will conduct the preliminary crash investigation and will complete the Uniform Crash Report. **A Hit and Run crash should never be written under an Incident Report with a file number.** The following items should be completed.
 - 1. Complete Admin Page
 - 2. Complete Person's Pages for drivers, passengers, pedestrians, and witnesses.
 - 3. Complete Diagram
 - 4. Complete Narrative.
 - a. Direction of travel of all vehicles and/or pedestrians involved including travel lane occupied at the time of the hit and run.
 - b. Description of damage observed by the officer on the vehicle(s). Include possible location of damage of the suspect vehicle.
 - c. Witness and Driver statements made to officers either verbally or written during the investigation.
 - d. Any information related to the suspect driver including possible name, description, or address.
 - e. Any license plate information for the suspect whether complete or partial.
 - f. Whether video surveillance was present and viewed by the officer.
 - g. Any follow-up investigation conducted by the officer.
- C. **The Hit and Run Preliminary Report is no longer required.**
- D. The Hit and Run Office of the Traffic Division will conduct additional follow up investigations of all hit and run cases not cleared by the officer making the preliminary investigation.
- E. If all of the drivers are present, regardless of how long ago the crash occurred, this will not be considered a hit and run crash, but a late reported crash.

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F. Official Storage for Hit and Run

1. Any vehicle involved in a hit and run crash and left unattended by a driver who flees the scene will be impounded by an official storage wrecker.
2. A file number is not needed for the official storage based on a hit and run, the crash number is sufficient.
3. Only draw a file number if the vehicle is being stored for other evidentiary purposes.
4. If a confirmed stolen vehicle is involved in a hit and run, **DO NOT** officially store the vehicle for the hit and run. If the vehicle cannot be released to the owner, remove the vehicle as an unspecified tow unless it is needed for other evidentiary reasons such as collection of evidence.
5. In the event the uniform patrol officer locates the wanted vehicle/driver and clears the investigation based on issuing a citation or arrest for Hit and Run, **DO NOT** officially store the vehicle.
6. Notify the Hit and Run Division when a vehicle is officially stored via email at hitandrun@brla.gov.

G. Collection and Documentation of Evidence

1. Identifiable vehicle parts from the suspect vehicle should be collected and/or photographed.
2. Photographs taken at the scene should be forwarded directly to the Hit and Run Division either by interdepartmental mail or emailed to hitandrun@brla.gov.

IV. Private Property Crashes

- A. A officer will be dispatched to a private property crash only if one or more of the following circumstances exist:
1. As a result of the crash, death, visible injuries, or serious bodily injury occurs (serious bodily injury is unconsciousness, extreme physical pain, prolonged loss or impairment of the function of a body part or mental faculty) or an individual is transported to a hospital for treatment.
 2. Major property, structure, or vehicle damage.
 3. A BRPD vehicle is involved.
 4. Driver involved is under the influence of alcohol or drugs and is still on the scene.
 5. Occurrence on a municipally maintained traffic way or property, fire house driveways, or other property open to the public for travel or access and maintained by a local governmental agency.
 6. Hazardous spills or leakages.
 7. Disturbance between the principals involved at the scene.

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Note: These limitations should not rule out the completion of an incident report, if necessary, or at the discretion of a supervisor. A crash report may be taken at the discretion of any supervisor. Those involved in a private property crash may be referred to a District or to the TRU, if an incident report is needed.

- B. **ALL** Hit and Run crashes occurring on private property **MUST BE** completed on the Uniform Crash Report.

V. Late Reported Crashes

- A. A late reported crash is defined as a motor vehicle crash where the vehicles involved are no longer at the scene and notification was not made by the quickest means of communication as required by L.R.S. 32:398.
- B. In these cases the Uniform Crash Report form will not be used; a supplemental report form will be completed detailing the complainant's version of how the crash occurred along with whatever identifying information he is able to supply relative to the identities of the other parties or vehicles involved. No assessment of damage or fault will be made.

VI. Police Unit or City Vehicle Involved In Crash

- A. If a police vehicle becomes involved in a crash, it will be investigated by a supervisor assigned to uniform patrol. No officer appointed to acting sergeant will investigate these crashes.
- B. When any party involved in the crash is transported by ambulance Crime Scene personnel will be called to the scene of all officer involved crashes to photograph the scene.
- C. Written statements will be taken from all drivers, passengers and other witnesses. These will be attached to the crash report.
- D. Supervisors are responsible for taking photos of the crash scenes to include all traffic controls, property damage, and vehicle damage. If any party is transported by ambulance to the hospital, Crime Scene shall be summoned to the location if THU is not utilized. **All photos of police unit crash scenes shall be forwarded to Crime Scene Division which will be responsible maintaining these photos.**
- E. Health and Safety shall be notified in all police involved crashes. The Health and Safety officer will determine whether City Parish Office of Risk Management will be notified. (F.A. Richard (225)293-2438)

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VII. Crashes Involving Hazardous Material Carriers

Crashes involving hazardous materials will be handled as outlined in General Order 293. The investigation of the crash should be jointly conducted with the Fire Department HazMat team.

- A. The magnitude of the incident will dictate the level of Fire Department response.
- B. The supervisor will be dispatched to all HazMat involved crashes. The supervisor will assign the necessary personnel to complete the crash investigation.
- C. The appropriate DPS forms will be completed by the first responding officer, unless he is incapacitated. In that case, the supervisor will assign an officer to complete the form(s).

VIII. Reporting Driver Condition or Behavior

- A. When an officer during the course of crash investigation or reporting determines that a driver's behavior or medical condition may have contributed to the crash he will report this to the Office of Motor Vehicles(OMV);
 - 1. The section designated as "OMV review" on the Uniform Crash report will be checked.
 - 2. The OMV Report of Driver Condition or Behavior will be completed and sent to the Traffic Office.
- B. Officers who suspect that one or more of the drivers involved in a crash may be under the influence of drugs or alcohol should conduct the crash reporting or investigation in conjunction with a (criminal) DWI investigation outlined in General Order 221.