

# WINTER HAVEN POLICE DEPARTMENT

## GENERAL ORDER 61.4

### TRAFFIC CRASH INVESTIGATIONS

**ACCREDITATION STANDARDS: CFA – 18.03, 18.04, 18.05**

**EFFECTIVE DATE: March 28, 1996**

**RESCINDS: G.O. 61.4 January 5, 2018 and all applicable Amended/Temporary Orders prior to December 10, 2019**

**LAST REVISED DATE: December 10, 2019**

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#### **POLICY**

It shall be the policy of the Winter Haven Police Department to provide traffic law enforcement services to include the investigation of motor vehicle crashes.

#### **PURPOSE**

The purpose of this General Order is to establish procedures in assigning responsibilities for traffic crash investigations.

#### **SCOPE**

This General Order shall apply to all Department members.

## **PROCEDURES**

### **I. Traffic Homicide Investigations**

- A.** All Traffic crashes involving death or serious bodily injury shall be investigated by the Motorcycle Traffic Unit. It shall be the responsibility of the on-scene supervisor to request the Motorcycle Traffic Unit. (CFA 18.03a)
- B.** It is the Motorcycle Traffic Unit member's duty to ensure the following:
  - 1. The deceased is properly identified.
  - 2. The next of kin is notified.
  - 3. The Chief of Police or their designee is notified.
  - 4. The Medical Examiner's Office is notified.
  - 5. The State Attorney's Office is notified.
  - 6. The fatality information is sent to HSMV in Tallahassee via DAVID FSBI reporting module.
  - 7. The Public Information Officer is notified.
  - 8. The Medical Examiner's fatality form is completed.
  - 9. The autopsies are attended.
  - 10. To consult with the State Attorney's Office to determine the appropriate charges.

### **II. Reporting Procedures**

- A.** The Department shall classify motor vehicle traffic crashes in accordance with the statewide crash classification system as specified by the Florida Highway Safety and Motor Vehicles.
- B.** Members shall respond to motor vehicle crashes when they involve:
  - 1. Death or injury; (CFA 18.03a)
  - 2. Hit and run; (CFA 18.03b)
  - 3. Impairment of an operator due to alcohol and/or drugs;
  - 4. Hazardous materials; (CFA 18.03e)
  - 5. Damage to public vehicles or property including government owned; (CFA 19.03c)
  - 6. Disturbance between principals;
  - 7. Major traffic congestion as a result of the crash;

8. Damage to vehicle(s) to the extent that towing is required;
  9. A collision between a vehicle and a pedestrian where damage or injury occurs;
  10. Property damage; and/or
  11. Occurrences on private property.
- B.** Members shall conduct an investigation of a traffic crash when a crash occurs within the city limits of Winter Haven. The members shall complete a Florida Crash Report Long Form, HSMV 90010S, when it is found to involve any of the following: (CFA 18.03a)
1. Death or injury;
  2. Hit and Run crashes involving death or bodily injury;  
(CFA 18.03b)
  3. Leaving the scene of a crash resulting in property damage in which the property was occupied or attended;
  4. Leaving the scene of a crash resulting in property damage in which the property was unoccupied or unattended, if investigative leads exist;
  5. Impairment of an operator due to alcohol and/or drugs;
  6. Hazardous materials;
  7. Commercial Motor Vehicles;
  8. Damage to vehicles to the extent towing is required.
- C.** Parking lots, which are open to the general population, are not considered to be private property in the context of crash investigations. They carry the same rules and regulations as public streets and highways, with the exception that speed and traffic control violations are not enforceable if signs are not erected as required by law.
- D.** Members shall conduct private property crash investigations when they involve death or injuries which could result in death; a criminal traffic violation as defined in Florida State Statute 316.655 or the crash involves a Police Department vehicle.
- E.** If the crash does not meet any of the previous criteria, the investigating/reporting member may utilize a Law Enforcement Short Form Report, HSMV 90010S.
1. The short form report may be used under the following circumstances:
    - a. The crash involves a driver leaving the scene of unoccupied or unattended property where there are no investigative leads, and the crash is not on private property.
- F.** Members may issue the driver(s) a Drivers Report of Traffic Crash (self report) HSMV 90011S under the following conditions:
1. The driver of the vehicle wishes to report damage to their vehicle which occurred at an unknown time or unknown location.

2. The driver was involved in a crash at a location outside the city limits of Winter Haven.
  3. The driver wishes to file a report of a crash and 24 hours has elapsed. The driver wishes to file a report where law enforcement was not called to investigate and the drivers exchanged information on scene.
  4. The total value of damage to all vehicles and property is under \$500.00.
- G.** Forms shall be completed as specified in the Florida Department of Highway Safety and Motor Vehicles Publication, Instructions for Completion of Florida Traffic Crash Report Forms.
- H.** It shall be the responsibility of the member investigating a traffic crash to ensure that all drivers involved in the crash are supplied with the following information:
1. The name and address of the owner and driver of each vehicle involved;
  2. The license number of each vehicle involved;
  3. The name of the liability carrier of each vehicle involved;
  4. The Department incident number and the name and ID number of the investigating/reporting member; and
  5. A copy of the Drivers Exchange of Information, HSMV 90011S, may be used to satisfy these requirements. No copy of the form should be forwarded to the Records Division.

### **III. Approach and Arrival at Scene**

- A.** Members should respond safely to the scene, in accordance with General Order 41.4.
1. Upon encountering an unreported traffic crash, member shall notify the Emergency Communications Center (ECC) of the crash location and any other pertinent circumstances.
- B.** While approaching traffic crash scenes, members should be alert for and avoid destroying evidence.
- C.** During the approach to the scene, members should be alert for specific conditions that may present safety hazards.
- D.** Upon arrival members shall park police vehicles in such a way as to provide maximum protection to the scene, without endangering the public. (CFA 18.04c)
1. Members should not jeopardize their police vehicles by placing them on the roadway or at other hazardous locations, unless the terrain makes this necessary.
  2. Emergency lights shall be activated to warn others of the situation.
- E.** The first arriving member on scene shall be in charge of the investigation unless relieved by a supervisor or another trained member.

- F. Members shall assess the scene to determine needs for assistance in protecting the scene and/or controlling traffic, and should summon appropriate assistance. (CFA 18.04b,c)
- G. Members shall assess the scene to determine if the traffic crash involves serious life-threatening injury or death. The Motorcycle Traffic Unit may be summoned to the scene after approval.

#### **IV. Protecting the Crash Scene/Clearing the Roadway**

- A. The first responding member(s) shall use the police vehicle's overhead lights, flares, cones, and other appropriate warning devices, as necessary, to protect the scene and to alert approaching traffic.
- B. Members shall remove vehicles from the roadway in accordance with Florida State Statute 316.061. (CFA 18.04g)
  - 1. Members shall consider the need to preserve evidence prior to the removal of debris or vehicles from the roadway. (CFA18.04d)
  - 2. Members shall direct all vehicles, emergency or otherwise, to be parked safely off the roadway as soon as practical.
  - 3. Members shall establish a safe traffic pattern around the scene as soon as practical. (CFA 18.04e)
- C. Members shall direct bystanders to leave the scene with the exception of witnesses.
- D. Members shall be alert to both actual and potential dangers at scenes, including but not limited to the following:
  - 1. Fire hazards;
  - 2. Hazardous materials
    - a. Members will initiate appropriate preventive actions, in accordance with General Order 46.7.
- E. Crash scene traffic direction and control activities shall conform to all applicable Department written directives.

#### **V. Property belonging to Crash Victims (CFA 18.05)**

- A. Members responding to crash scenes have a responsibility to help safeguard a victim's personal belongings to prevent the loss of property. This responsibility is heightened when the victim is dead or incapacitated by injury.
- B. When members are required to handle victim's personal property, this should be done, in the presence of a witness. The witness shall be identified in the crash report.
- C. A property receipt shall be completed when transferring the property to another person or agency/department.

- D. If the property is taken into police custody, the evidence and property control procedures shall be followed as outlined in General Order 83.1 and 84.1.

**VI. Dealing with Personal Injuries**

- A. If a member witnesses, discovers, or is dispatched to a crash, the member shall: (CFA 18.04)
  - 1. Check injured persons to identify those most seriously injured.
  - 2. Provide first aid and basic life support consistent with their training. The Department shall provide, and members shall participate in, basic and refresher training in emergency medical techniques first aid and cardiopulmonary resuscitation (CPR). (CFA 18.04a)
  - 3. Not permit incompetent volunteers to treat injured persons.
  - 4. Summon Fire Department personnel and Emergency Medical Services to the scene. Members shall ensure the safety of all personnel and assist as requested. (CFA 18.04b)
  - 5. Handle injury/safety prior to investigative activities.

**VII. Fire Hazards and Hazardous Materials (CFA 18.04h)**

- A. The Department shall be cognizant of the responsibilities, practices and procedures of other agencies that respond to and/or provide technical assistance relating to fire hazards and hazardous material incidents.
  - 1. Members shall be kept informed of these responsibilities, practices and procedures.
- B. Members shall be cognizant that any crash has the potential to involve hazardous materials. Members should be observant for an indication of hazardous material before approaching the vehicles.
- C. Members shall handle hazardous materials in accordance with General Order 61.8.
- D. Handling Fire Hazards
  - 1. When members encounter a potential fire hazard they shall:
    - a. Control movement of vehicles in the vicinity.
    - b. Remove citizens from the immediate area.
    - c. Summon technical resources from the Fire Department.
  - 2. Members should attempt to eliminate sources of possible ignition.

**VIII. Collecting at scene information**

- A. Questioning Drivers and Witnesses: (CFA 18.04f)

1. The questioning of drivers and witnesses by members shall be done separately and individually concerning the traffic crash. Members shall discourage drivers and witnesses from discussing the crash.
  2. When questioning drivers, the member shall be alert to any physical or emotional impairment, temporary or permanent, which may have affected the person's driving ability. This shall include, being alert to evidence of alcohol and/or drugs impairment.
  3. Members should question drivers relative to trip plan, emotional state, point at which danger was first perceived, evasive action taken, and condition of the vehicle prior to the crash.
  4. Witnesses shall be questioned, as to their exact location when they witnessed the crash and what they saw, heard, or performed in response.
- B.** Members shall examine vehicle damage/conditions in accordance with their training and experience.
1. Members shall observe the obvious damage sustained by each vehicle in the collision. A thorough examination and evaluation of the damaged area may coincide with other evidence and statements as to how the crash occurred.
- C.** Photographs of a traffic crash scene, involving death or serious bodily injury, shall be taken in accordance with General Order 83.1.
- D.** Members shall observe and document road and weather conditions as it pertains to the traffic crash.
- E.** Members shall complete sketches and measurements of traffic crash scenes as required per Florida Highway Safety and Motor Vehicle standards and in accordance with their training and experience.
- F.** Exchanging Information among Principals:
1. Members shall explain to drivers their individual responsibilities in reporting the crash.
  2. Members shall assist the drivers in obtaining pertinent information to/from the other involved drivers in accordance with Florida State Statute 316.070.
- IX.** Follow up Traffic Crash Investigation:
- A.** Criminal traffic crash investigations, involving death or serious bodily injury, shall include but not limited to the following:
1. Collecting "off scene" data.
  2. Obtaining/recording formal taped statements from witnesses.
  3. Reconstructing crashes.
  4. The use of expert and technical assistance.

5. Completing formal reports.

- B. Members assigned to investigate hit and run traffic crashes not involving death or serious bodily injury may conduct their own follow up investigation. Hit and run traffic crashes with investigative leads may be forwarded to the Motorcycle Traffic Unit. (CFA 18.03b)
- C. Hit and run traffic crashes involving death or serious bodily injuries shall be forwarded to the Motorcycle Traffic Unit.

**X. Crashes Involving Police Department Vehicles**

- A. Police Department vehicle crashes shall be investigated by a supervisor unless involving death or serious bodily injury. The Chief of Police or their designee shall be notified immediately of those crashes involving death or serious bodily injury. A copy of the traffic crash report shall be forwarded to the Chief of Police.
- B. Department vehicle traffic crashes occurring outside the city limits of Winter Haven will be investigated by the law enforcement agency having jurisdiction. The driver/member shall notify their supervisor immediately.
- C. When requested to work crashes involving police vehicles from, other agencies, a supervisor or Motorcycle Traffic Unit member should be assigned.

APPROVED



**Charles E. Bird**  
**CHIEF OF POLICE**