



**BURLINGTON POLICE DEPARTMENT
DEPARTMENT DIRECTIVE
DD 7.1 Crash Investigation**

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I. PURPOSE

Crash investigations play an important role in keeping our streets safe by providing data to our Department and the state. Crashes are generally the result of law violations that should be investigated and enforced. Additionally, more serious crashes result in injuries and damages that necessitate thorough investigation.

II. DEFINITIONS

- A. Traffic Crash: Refers to an unintended event causing death, injury, or property damage involving a motor vehicle, as defined by Title 23 V.S.A. § 4 (21), on a public highway, as defined by Title 23 V.S.A. § 4 (13).
- B. Uniform Crash Report (UCR): Refers to the Department of Motor Vehicle State of Vermont Uniform Crash Report.
- C. Short Form: Refers to the Burlington Police Department's Non-Investigated Crash Report.
- D. Level 1 Crash: Refers to a crash that did not result in a complaint of injury or meet the financial threshold (currently \$3,000), as estimated by a reasonable officer, as specified in Title 23 V.S.A. § 1129.
- E. Level 2 Crash: Refers to a crash resulting in a complaint of non-serious injury; resulting in property damage that meets the financial threshold for UCR reporting, as specified in Title 23 V.S.A. § 1129; or that involves a pedestrian, bicyclist, municipal vehicle, commercial vehicle, or school bus.
- F. Level 3 Crash: Refers to any crash resulting in death or serious bodily injury, as defined by Title 13 V.S.A. § 1021.

III. POLICY

- A. Officer(s) shall respond to the scene of any crash that involves death, injury, property damage, impaired operation of any kind, violations of motor vehicle law, City or other municipally owned vehicles, and crashes causing traffic congestion or hazards.
- B. Initial On Scene Responsibilities and Priorities: Officers responding to crash scenes are responsible for safety, and numerous other, sometimes conflicting, demands. They should use their judgment to determine the priority of the following responsibilities, which are in addition to their investigation:
 - 1. Scene hazards due to fire or other hazards should be mitigated by providing adequate protection to the scene, isolating the area, removing persons from the vicinity of the hazard (if possible), suppressing the hazard and summoning resources from the Burlington Fire Department.
 - 2. Rescue victims (if rescue can be done safely), administer emergency medical care or basic life support. Check those injured to identify those most seriously injured, and administer appropriate emergency medical aid to injured persons within their training and capabilities.
 - 3. Hazardous cargo is usually identified by placards and other signs by the carrier. Officers should follow the procedures specified in the Department of Transportation Emergency Response Guidebook to complete the identification of hazardous materials, take appropriate emergency action, and notify the Vermont Emergency Management Duty Officer at 1-800-641-5005.
 - 4. Protect the crash scene.
 - 5. Establish traffic control.
 - 6. Remove vehicles and debris from the roadway and report any roadway damage.
 - 7. If vehicles have leaked fluids, notify the Burlington Fire Department.
 - 8. Safeguard valuables of operators or victims.
- C. Road Closures and Traffic:
 - 1. In incidents other than those involving death, probable death, or assaults via intentional ramming; if officers require measurements, they should promptly photograph vehicles in place, mark the pavement, and then direct the removal of vehicles from the roadway to open up traffic and reduce hazards before continuing with their crash duties.
- D. Enforcement
 - 1. Officers are encouraged to take enforcement action whenever their investigation reveals clear and convincing evidence that a violation of the law has occurred. Enforcement action may range from arrest, citation, traffic ticket or warning.
 - 2. Officers are expected to thoroughly investigate any suspected alcohol and drug impairment consistent with current DUI enforcement training. If an operator is processed

for DUI as a result of the crash, generally the first officer on scene will handle the processing, and a second officer will handle the crash.

E. Crash Reconstructionist / Technician

1. At the discretion of the Officer in Charge and at the request of the investigating officer, an on duty Crash Reconstructionist /Technicians may be called to the scene of a Level 2 or 3 crash to evaluate and assist. Reconstructionist / Technicians will not assume primary investigation barring extenuating circumstances such as a technical skill-set being required to complete the investigation. In the event no Reconstructionist / Technicians are on duty at the time of a crash, they may be called at the discretion of the Officer in Charge to discuss the scene and the appropriate steps to preserve evidence or have an officer with the appropriate level of training respond.

F. Late Reported

1. Generally, officers will not investigate a crash unless they are called to the scene within 24 hours of discovery. For crashes reported within 24 hours in which a vehicle has left the scene (LSA), an investigation is warranted. Other crashes may be reported to the Department using the online reporting system, if reported 24 hours or more after discovery. Dispatch personnel should remind callers for those events that they may be required to report the crash to the State of Vermont.

G. Private Property

1. Injuries that occur off public highways and/or on private property will be investigated consistent with DD06 Investigations and Criminal Procedure.

IV. PROCEDURES of INVESTIGATIONS and REPORTING

A. All level crashes

Conduct the required investigative steps and include their documentation:

1. Photograph the scene and vehicles, with level of detail corresponding to crash severity and in compliance with training standards.
2. Check validity of licenses, registrations, vehicle inspections, and insurance.
3. Investigate law violations.

B. Level 1: (Short Form)

1. The above investigative and reporting steps.
2. Complete the Short Form, generally by end of shift.
3. Written narratives will not be completed. If enforcement is taken, it will be documented via traffic complaint or affidavit as needed.

C. Level 2: (UCR)

1. Note that Burlington City Ordinance Sec. 20-11 requires involved operators to immediately report these crashes to the Department.
2. The steps included in Section IV, A.
3. Complete UCR with narrative report, generally by end of shift but never beyond 30 days.
4. Complete a field sketch.
5. Interview involved parties and witnesses.
6. Inform operators they must complete an Operator's State Crash Report Form and mail it to the Department of Motor Vehicles within 3 business days, as required by Title 23 V.S.A. § 1129.

D. Level 3: (full investigation)

1. The steps in Section IV, A and Section IV, C except a detailed diagram in place of a sketch.
2. Locate operators and witnesses and obtain sworn statements.
3. Record injuries and damages to vehicles and property.
4. Examine and record effects of crash on the roadway, to include skid marks, gouges, etc.
5. Take and record measurements.
6. Collect and process other evidence, as appropriate.
7. Conduct follow-up investigation including, but not limited to, breath and blood tests, medical records and lab reports, mechanical inspections of vehicles, sworn, written, or recorded statements from operators or witnesses that left the scene.
8. For crashes involving serious bodily injury or fatalities, a detailed investigation is required. The investigating officer may need expert and/or technical assistance to ascertain the causes and chain of events leading up to the crash and may request assistance from: officers trained in Crash Reconstruction; physicians, and/or other medical personnel, mechanics, other experts or specialists, as necessary.

E. Commercial Vehicles:

Investigate commercial vehicle crashes pursuant to the above prescribed levels. Depending on the complexity of the factors involved, officers may, at the discretion of the Officer in Charge, request assistance from the DMV.

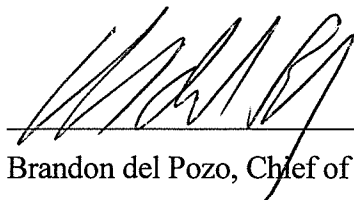
V. CRASHES INVOLVING DEPARTMENT VEHICLES - CRASH REVIEW BOARD

- A. In all cases of traffic crashes involving a Department vehicle, the field supervisor should respond to the scene. The Department vehicle will not be moved from its point of final rest until the supervisor or investigating officer arrives at the scene and directs its removal, except when movement of the vehicle is necessary to prevent injury or death to any person or for other reasonable cause.
- B. If the Department vehicle's airbag deploys, disconnect the battery prior to movement to retain onboard crash data.

- C. Department vehicle crashes will require a minimum of a Level 2 investigation, or higher depending on injuries or damage. A complete report of the crash shall be forwarded to the Deputy Chief of the Operations Bureau for review. In case of a crash resulting in injury, death, or extensive property damage, the OSB Deputy Chief will appoint three Officers of various ranks to serve as an Accident Review Board.

- D. The Review Board will review the accident report and any supplementary information. It will recommend further investigation, if needed, and will determine if any violation(s) of state or local laws or Department directives occurred. Findings of the Review Board will be submitted to the Chief of Police for recommendation and any further action.

Reviewed and adopted by the Burlington Police Commission on October 24, 2017.



Brandon del Pozo, Chief of Police

November 8, 2017

Effective Date