


<p>RABUN COUNTY SHERIFF'S OFFICE</p>  <p>General Order Number: 6.11</p>	<p>Date of Issue</p> <p>2/23/2016</p>	<p>Effective Date</p> <p>2/23/2016</p>	<p>Revision Date</p>
<p>Subject: TRAFFIC ACCIDENT INVESTIGATIONS</p>	<p>Amends:</p>		<p>Rescinds:</p>
<p>Index as:</p> <p>Traffic Accident Investigations Uniform Patrol Division</p>	<p>State Certification Standards:</p>		
<p>Special Instructions:</p>			

PURPOSE

The purpose of this General Order is to prescribe the Rabun County Sheriff's Office Policies and Procedures regarding Traffic Accident Investigation.

STATEMENT OF POLICY

It shall be the policy of the Rabun County Sheriff's Office that all traffic accidents assigned to this department will be fully and completely investigated in order to safeguard the citizens of Rabun County.

DISCUSSION

The department will investigate traffic accidents to properly determine the causative factors involved and to utilize these factors to develop education programs and enforcement measures to reduce such accidents.

DEFINITIONS

ARREST — The restraint of liberty of a person to come and go as he or she pleases, no matter how slight. An individual has been arrested when he or she is not free to go, regardless of whether formal words have been used.

CITATION — Any traffic enforcement action that involves a written notice to the accused to appear and contemplates adjudication or disposition to determine the guilt or innocence of the person charged with a violation.

CUSTODY — The legal or physical control of a person: legal, supervisory or physical responsibility for a person.

EMERGENCY — An actual or potential condition that poses an immediate threat to life or property.

FOLLOW-UP INVESTIGATION — means an extension of the preliminary investigation. The purpose is to provide additional information in order to close a case, arrest an offender, and/or recover stolen property.

O.C.G.A. — The Official Code of Georgia Annotated.

OTHER TRAFFIC LAW VIOLATIONS — A violation of any law, ordinance, or regulation affecting the use or protection of streets or highways but not enacted primarily to regulate safe movement of vehicles and pedestrians.

PRELIMINARY INVESTIGATION — The activity that begins when deputies arrive at the scene of an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation.

ROAD — That portion of a highway that includes both the roadway and the shoulder.

ROADWAY — The portion of a highway, improved, designed, or ordinarily used for vehicular traffic, exclusive of the shoulder.

SERIOUS PHYSICAL INJURY — A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

Patrol Division --- Those deputies assigned to the Uniform Patrol Division.

TRAFFIC ACCIDENT INVESTIGATION — The collection of factual information identifying and describing people, roads, and vehicles involved in an accident; description of the results of the accident in terms of damage to vehicles and roadside objects, injuries to people, marks and residue on the road, and final positions of vehicles and bodies; interpretation of these facts in terms of behavior of road users involved; and sometimes, an attempt to specify the peculiar combination of factors required to produce that particular accident.

TRAFFIC ACCIDENT REPORTING — Basic data collection to identify and classify a traffic accident and the persons, vehicles, time/location, planned movements involved, and possible contributing factors, such as traffic law violations.

TRAFFIC LAW VIOLATION — A violation of any statute, ordinance, or legally authorized regulation relating to the use of the streets and highways or the operations or the operation and ownership of motor vehicles and other road vehicles.

WITNESS — A person who as determined by the law enforcement officer who has information or evidence relevant to the investigation of an incident.

I. RESPONSIBILITIES

The Rabun County Sheriff's Office is responsible for responding to, investigating, providing necessary emergency services, and when necessary, for rendering assistance to the Georgia State Patrol at traffic accidents.

II. REQUIRED RESPONSE

An officer will be dispatched to the scene of all traffic crashes, to include situations involving:

- A. Death or injury;
- B. Hit and run;
- C. Impairment of an operator due to alcohol or drugs;
- D. Damage to public vehicles or property;
- E. Hazardous materials;
- F. Disturbance between principals;
- G. Major traffic congestion as a result of the crash; or
- H. Damage to vehicles or property involving a second party, or when towing is required. (O.C.G.A. 40-6-274).

III. ACCIDENT REPORTING AND INVESTIGATION

A. An accident report shall be prepared and an investigation conducted when an accident occurs within the jurisdiction of Rabun County, and involves any of the following:

- 1. Death or injury;
- 2. Property damage of \$500 or more;
- 3. Hit and run;
- 4. Impairment due to alcohol or drugs;
- 5. Hazardous materials; and/or
- 6. Damage to county vehicles or property.

B. Occurrences on Private Property shall be investigated if (O.C.G.A. 40-6-3):

- 1. They occur in areas normally open to the public, such as shopping centers and parking lots or similar areas customarily used by the public;
- 2. They involve reckless driving, DUI, or homicide by vehicle; or
- 3. They involve hit and run, a failure to stop and locate the driver after colliding with an unattended vehicle, or a failure to locate and notify owner after striking a fixture when the event occurs in a parking area or within an area customarily open to the public or within 200 feet of such areas.

C. Exceptions

The requirement to conduct an investigation for non life threatening, minor, or non-injury producing crashes shall be suspended during periods of unusual occurrences involving severe inclement weather, natural disasters, or other significant/catastrophic events involving agency personnel in an emergency response situation. Reports can be filed after the emergency has passed or is finished.

IV. INITIAL OFFICER RESPONSIBILITIES

- A. The officer initially dispatched to the scene of a traffic accident shall normally be in charge of all on scene activities unless he or she requests and is properly relieved by a officer with a higher degree of training or the Georgia State Patrol; the incident is under the control of the fire department personnel for HAZMAT, fire fighting, or victim extraction; or when otherwise directed by the Field Supervisor. The officer's specific responsibilities are to:
1. Assess the situation and summon additional help as required;
 2. Provide emergency first aid within capabilities pending the arrival of EMS personnel;
 3. Perform emergency fire suppression and make a hazardous material assessment pending the arrival of fire fighting personnel;
 4. Initiate appropriate traffic control measures to facilitate the safe and orderly flow of non-affected vehicles and pedestrians;
 5. Collect necessary information from witnesses and participants;
 6. Obtain driver's license and proof of insurance documents;
 7. Question all drivers, passengers, and witnesses and ensure that they not leave the scene until released; and
 8. Obtain the names and addresses from all involved personnel and witnesses.
 9. Complete accident report.
- B. In cases of minor property damage and no injuries and after the preliminary investigation is complete, clear the roadway as quickly as possible and when necessary, obtain a wrecker in accordance with the procedures below.
1. Instruct the drivers to exchange the following information (O.C.G.A. 40-6-273.1):
 - a. The name and address of the owner and driver of the vehicle;
 - b. The license number, and
 - c. The name of the liability insurance carrier.
 2. When a violation of traffic law is involved, issue the appropriate citation(s) when necessary and allow all parties to leave, unless a driver is impaired due to alcohol/drugs in which case an arrest will be made if probable cause exists.
- C. In cases of death, serious injury(s) or extensive property damage, protect the accident scene and preserve short-lived evidence such as broken parts, skid marks, etc. until the arrival of follow-up investigative personnel.

V. TRAFFIC CONTROL AT TRAFFIC CRASHES

- A. Normally minor traffic accidents do not present a major problem relative to traffic direction and control. In such cases, the responding officer should note the position of each vehicle and other relevant physical evidence and have the vehicles moved to a safe location to restore the traffic flow.
- B. Serious traffic accidents involving death, injury, or extensive property damage may require protection of the incident scene for a more thorough investigation. In such cases, deputies shall follow these procedures:
 - 1. Request sufficient manpower to handle traffic direction responsibilities;
 - 2. Detour traffic as necessary;
 - 3. Secure the scene until the arrival of other investigative personnel if necessary;
 - 4. Continue traffic control duties until traffic flow is normal.
- C. Traffic accidents on US 441 (Ga. 15), and on any roadway with two or more lanes in the same direction of travel, present special control and safety considerations.
 - 1. When an accident occurs with no personal injury, death, or extensive property damage, the vehicle(s) shall be immediately removed from the roadway into a safe refuge on the shoulder, emergency lane, or median so that the normal traffic flow can continue as soon as possible. (O.C.G.A. 40-6-275)
 - 2. Serious traffic accidents involving death, injury, or extensive property damage may require the closing of one or more lanes of traffic until the completion of all investigative responsibilities and the removal of damaged vehicles. The Georgia Department of Transportation will be notified whenever it becomes necessary to close any portion of an interstate or state highway.
- D. Disposition of vehicles and wrecker services
 - 1. If the person in charge of a vehicle prefers, she/he may elect to leave the vehicle at the scene, pending its removal/repair, IF the vehicle can be parked off the roadway in a manner not to create a traffic hazard. Parking the vehicle is subject to the following restrictions:
 - a. Permission must first be obtained if the vehicle is to be parked on private property;
 - b. No parking will be allowed on the 4 lane state route; and
 - c. The vehicle will be considered abandoned if left unattended on a public road/property for five days or on a state route for 24 hours.
 - 2. No departmental employee shall recommend or suggest the use of a particular towing service. When it is necessary to obtain a wrecker, the following procedures shall be followed:
 - a. If the individual has a preference of service, relay the information to the Rabun County Central Communications Center for necessary action, or
 - b. Inform the individual that a wrecker will be provided from the agency's rotation roster of services by the Rabun County Central Communications Center.
 - 3. The towing service is responsible for the removal of all parts belonging to the vehicles being towed and to clear the street of small particles of broken glass unless directed not to do so for investigative reasons. (O.C.G.A. 40-6-276)

4. Vehicles towed from the scene are to be stored on the premises of the wrecker service, unless otherwise designated by the officer. Only vehicles held for condemnation or evidence will be stored in the agency's vehicle impoundment lot.

VI. TRAFFIC ACCIDENT REPORTS AND REVIEW

The following reports shall be completed as appropriate:

- A. Uniform Motor Vehicle Accident Report with approved supplements or
- B. Uniform Private Property Accident Report; and
- C. Incident Report in cases involving an arrest or other unusual circumstances.

VII. PATROL COMMANDER REVIEW

- A. All traffic accident reports shall be submitted to the Field Supervisor before the investigating officer goes off duty unless circumstances require extensive follow-up.
- B. The Patrol Commander shall review the reports for completeness and accuracy of information.
- C. Those reports requiring additional information or corrections shall be returned to the investigating officer for necessary action.

VIII. SPECIAL SITUATIONS

- A. Fatal and serious bodily injury accidents:
 1. Deputies will not alter the crash scene or move any evidence or involved vehicles, unless absolutely necessary to administer first aid or rescue others.
 2. If possible, photographs or video taping of the crash scene and of all evidence, vehicles and bodies will be taken should their removal be required before the arrival of investigative personnel.
 3. Note the position of all vehicles, evidence, and bodies involved;
 4. Vehicles may be impounded and held for further investigations;
 5. Notifications shall be made to the County Coroner.
- B. The blood screening and/or urine test will only be performed at a medical facility. (O.C.G.A. 40-6-392)
- C. Breath testing may be done by departmental personnel in accordance with established procedures. (O.C.G.A. 40-6-392)
- D. Next of kin notifications will be made in accordance with departmental procedures.

IX. HIT AND RUN ACCIDENTS

Officer(s) responding to the scene of hit and run accidents will:

- A. Check for injuries, and notify the Rabun County Communications Center on the status of such. If a fatality is involved, the officer shall notify their immediate supervisor, who shall request that the Georgia State Patrol (GSP) respond.
- B. Obtain applicable information for the Rabun County Communications Center to broadcast a "lookout" on the vehicle(s) that left the scene of the accident.
- C. Require the person reporting the hit and run accident to complete a written statement on what occurred, if the reporting officer cannot identify evidence at the location where the accident was reported to have occurred. The statement is to be written on an official Rabun County Sheriff's Office form, and will be signed and dated by both the reporting officer and the person providing the statement. The person should also be advised on the consequences of providing false statements, according to State Law. If it is determined that a statement is not applicable for the accident, the reporting officer should complete the accident report as necessary, including as much information as possible.
- D. Complete a Uniform Motor Vehicle Accident Report, to include the information gained from the reporting party's statement.
- E. Attempt to list the cause(s) and fault(s) of the accident, including a diagram, if possible.
- F. All second party damage, other than vehicles, should be listed with the appropriate owner's name(s), address, and phone number.
- F. Submit the hit and run report to an immediate supervisor, to be forwarded through the proper chain of command for submission to the Records Unit.
- G. If the Rabun County Sheriff's Office is the completing agency the investigating officer is in charge of the follow up of a Hit and Run accident.
- H. One the investigating officer has exhausted all leads, he or she shall contact the parties involved and notify them of the status of the case. The report will then be forwarded to the Patrol Commander for review and approval.

X. ACCIDENTS INVOLVING COUNTY VEHICLES

- A. Departmental personnel who are involved in any traffic accident, with or without injuries, regardless of the extent of damages, will immediately report the situation to their Supervisor or if off duty to an on duty supervisor.
- B. Single vehicular accidents involving agency owned vehicles or crashes solely between one or more county owned vehicles with no injuries, each operated by a departmental employee, will be first referred to on-duty Supervisor for investigation. If the accident involves the on duty supervisor the Patrol Commander shall be notified. In any case involving a Sheriff's Office vehicle the Patrol Commander shall be notified.

- C. If a county owned vehicle is involved in an accident with a privately owned vehicle or resulting in major property damage the Georgia State Patrol will be contacted to conduct the investigation and the on duty supervisor or Patrol Commander will complete the Rabun County Sheriff's Office Departmental Accident Report.
- D. Any employee involved in an accident with a county vehicle shall be required to submit to a drug screen.
- E. Crashes as outlined above will be investigated and documented on an Accident Report. Photographs of all damages to county vehicles and to private property will be taken. Completed reports and photographs will be forwarded through the chain of command to the Sheriff of Rabun County or his designee(s) no later than 72 hours following the incident.
- F. If an accident occurs outside the jurisdiction of Rabun County, the involved officer will insure that the appropriate agency with jurisdiction or the Georgia State Patrol is contacted for the accident investigation. The officer will also notify the Patrol Commander as soon as possible.
- G. Under certain circumstances, the Field Supervisor of Patrol Commander may conduct the investigation. Example of this would be an extended length of time before the Georgia State Patrol could response, no injury, or minor damage.

XI. ACCIDENT INVESTIGATION FOLLOW-UP ACTIVITIES

Not all follow-up investigation activities are required in each traffic accident investigation. However, based upon the extent of property damage, the involvement of hazardous materials, the seriousness of injuries, the involvement of criminal charges or in all cases of death, the following activities should be performed to the degree necessary:

- A. Collecting off-scene data;
- B. Obtaining formal witness statements;
- C. Performing accident reconstruction;
- D. Obtaining expert and technical assistance; and
- E. Preparing formal reports to support criminal charges.

XII. ACCIDENT CLASSIFICATION SYSTEM

All traffic crashes are classified in accordance with the Manual on Classification of Motor Vehicle Traffic Accidents published by the National Safety Council.

XIII. CONTROL OF PROPERTY

- A. All deputies shall try to protect private property from theft and pilferage. If the victim is not present or able to assume custody of property:
 - 1. Private Property will be inventoried and processed in accordance with the procedures outlined in the Property and Evidence General Order; and
 - 2. When a vehicle is to be towed, the inventory shall take place prior to the removal of the vehicle from the accident if the owner is not present.
- B. High value items, such as currency, jewelry, and/or firearms should be immediately counted/inventoried in front of witnesses, if available, noting their identity on the inventory report, and properly secured pending release to the Property and Evidence Officer.



By Order of the Sheriff: **Chad K. Nichols**
Sheriff, Rabun County