

Bowie Police Department - General Orders



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AUTHORITY Chief John K. Nesky	ACCREDITATIONS STANDARDS CALEA STANDARDS: 61.2.1, 61.2.2, 61.2.3, 61.2.4	TOTAL PAGES 10
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I. POLICY

It is the policy of the Department to respond to collisions involving death, personal injury, hit-and-run, impaired drivers, and disturbances between principals. In addition, the Department will investigate collisions resulting in property damage occurring on roadways if the damage disables one or more vehicles. When dispatched to a collision scene, officers shall respond without unnecessary delay and in accordance with the response classification assigned by Communications.

II. DEFINITIONS

- 1. Critical Injury:** Any injury where death or loss of limb/s is expected or medical personnel believe it is probable.
- 2. Fatal Accident/Crash:** Any traffic collision in which the victim dies of injuries sustained in the collision and death occurs within 30 days.
- 3. Personal Injury:** Any injury that is visible or obvious, or for which an involved person is transported by ambulance.

III. OFFICER RESPONSIBILITIES

The first officer to arrive at the scene of a motor vehicle collision shall:

1. Immediately check for injuries, provide first aid and summon medical assistance. Although injured parties may refuse medical attention, officers shall request an ambulance in instances where they suspect serious injury.
2. Identify hazardous materials, dangerous conditions, or fire threats. Officers shall request assistance and protect the public from those threats or conditions when possible.

3. Locate Witness if any.
4. Preserve evidence, pending a determination of investigative responsibility, for processing and analysis.
5. Protect involved persons and property from further injury or damage through the positioning of the police vehicle, direction of traffic, or using flares or other warning devices.
6. Restore traffic flow around collision scene, relieve congestion, remove involved vehicles and debris from the roadway as quickly as possible unless investigative or rescue considerations require that they be left at the scene. If a driver request that a vehicle be left at the scene, officers shall ensure the vehicle is legally parked and secured.
7. Ensure the safekeeping of property for collision victims who are incapable of caring for their property.

IV. PROCEDURES

Officers shall review and comply with duties detailed in section III. Officer Responsibilities. Officers may request assistance from other officers, the fire department, government agencies, or utility companies to carry out these duties.

On collisions with serious injuries, death, or conditions that meet the criteria officers shall contact a member of the Collision Reconstruction Unit to determine whether a reconstruction investigation is needed.

A. Investigations

1. After the scene is stabilized, officers shall examine the facts of the collision to determine whether an investigation and ACRS report are required. They shall base their determination on:
 - i. Interviews of witnesses and drivers
 - ii. Observations of vehicles and the collision scene
 - iii. Other physical evidence
 - iv. Status of vehicle registration and driver's licenses
2. Officer shall assist involved parties in exchanging driver's license, registration, and insurance information. They shall also take time to answer questions.
3. Officers shall initiate a validity check on all drivers and vehicles involved in a collision even if the involved parties display valid vehicle registration and driver licenses. If a validity check cannot be performed and validity cannot be verified, officers shall complete an ACRS report and any other necessary reports.
4. An investigation and collision report are required for motor vehicle collisions involving:
 - i. Buses with passengers or any without passengers owned by a government agency (except county vehicles and State vehicles)

- ii. Collisions between a train and motor vehicle (PG County PD handles under certain circumstances)
 - iii. Collisions with buildings regardless of whether damage to the building is evident
Officers shall request notification to a County building inspector via Communications.
 - iv. Damage to electrical, natural gas, water, or commercial utilities.
 - v. Damage to street signs and other government fixed assets.
 - vi. Departmental Collisions
 - vii. City Government vehicles, or collisions alleged to have been caused by these vehicles including federal government vehicles. Prince George's County Police shall investigate all collisions involving County owned vehicles and Maryland State Police shall investigate all collisions involving State owned vehicles
 - viii. Injury, visible or obvious, or for which a person involved is transported by ambulance.
 - ix. Must appear traffic offenses whether or not a citation is issued, and unregistered motor vehicles.
 - x. Issuance of a citation.
 - xi. Property damage occurring on a roadway that results in disabling damage to a motor vehicle, other than flat tires.
 - xii. Vehicles with valid temporary tags or transporter stickers (Note: Vehicles bearing dealer tags and recycler tags are considered registered.)
5. Investigations and reports are required even if vehicles have been moved before the officer's arrival. However, if any of the vehicles have left the general vicinity and cannot be examined by the officer, and information has been exchanged between the involved drivers the incident may be cleared as CODE 309 (no report written, information exchanged), provided:
- i. No building was struck;
 - ii. No damage occurred to electrical, natural gas, water, or commercial utilities;
 - iii. No government vehicle or City owned fixed asset was involved;
 - iv. No fatality or critical injury occurred;
 - v. No person at the scene requires ambulance;
 - vi. No vehicle was impounded;
 - vii. No hazardous material were spilled.
6. Officers may issue traffic citations when probable cause of a traffic law violation exists. When officers issue citations, they shall summons all involved witnesses. If a citation is issued an ACRES report shall be completed

B. Collision Occurred or discovered earlier

An officer shall not be dispatched to investigate a collision that occurred on or was discovered on a previous date with the delay in contacting police renders investigation of no value. A property damage Incident Report shall be written.

C. Parties/Vehicles Left Scene

Response of an officer is optional for collisions where all involved vehicles and persons have left the scene and there is no indication that debris or site damage poses a public hazard

V. DETERMINATION OF INVESTIGATIVE RESPONSIBILITY

- A. Usually, patrol officers will be the first units dispatched to investigate collisions. When appropriate, other personnel shall be requested to conduct the collision investigation:
 - 1. City of Bowie Collision Reconstruction Unit shall investigate:
 - i. All collisions involving critical/serious injuries;
 - ii. All Hit and run fatalities;
 - iii. All collisions resulting in one or more deaths;
 - iv. All collisions involving City of Bowie vehicles ;
- B. A Collision Reconstructionist may be requested to assist with any collision in which topography of scene, equipment defects, or other unusual circumstances are believed to be factors.
- C. Supervisors are to contact the Collision Reconstructionist and may request their call-out when none are on duty.
- D. When a disagreement arises regarding a Reconstructionist's response, the decision of the on duty Commander prevails.
- E. If a member of the BPD Collision Reconstruction Unit is called to respond to the scene of a collision, Patrol officers are to close the roads in the area and hold the scene until the Reconstructionist arrives and takes control of the scene. When the Reconstructionist arrives they become the officer in charge of the scene and investigation regardless of rank.
- F. Other instances when other Police personnel shall be requested to conduct a collision investigation:
 - i. Maryland State Police investigates collisions involving State government vehicles as well as collisions that occur on State roads that are under their primary responsibility.
 - ii. Prince George's County Police investigates collisions involving County vehicles as well as collisions that occur on County roads outside of the City limits

VI. DEATH OF VICTIM WITHIN 30 DAYS OF COLLISION

- A. When an individual dies within 30 days of a collision not investigated by BPD Collision Reconstruction Unit, the investigating officer shall:
 - i. Immediately notify a member of the Collision Reconstruction Unit;

ii. Provide the Collision Reconstruction Unit with copies of reports and other available documents associated with the collision.

B. BPD Collision Reconstruction Unit shall perform duties as outlined by their SOP for fatal collisions, provided the time delay has not rendered such performance impractical.

VII. SNOW EMERGENCIES

A. Response by officers to collisions during snow emergencies is required when any of the following exist:

- i. The collision is a hit-and-run;
- ii. There is damage to government property;
- iii. A public hazard exists from debris or site damage;
- iv. Injuries are involved;
- v. Vehicles are inoperable.

If any of these conditions exist, officers shall be dispatched to the scene.

VIII. COLLISION REPORTS OPTIONAL

A. Subject to the requirements in this section, collision investigations are optional in the following cases:

- i. Single-vehicle property damage collision in which the vehicle is not disabled and publicly-owned property is not involved; i.e car is damaged but not private property
- ii. Property damage collision occurring on private property, regardless of the extent of damage; i.e fender bender occurring on someone's private property.
- iii. Property damage collisions occurring on public roadways not resulting in disabling damage to any involved vehicle.

B. Procedures

1. Officers shall respond to the scene and determine:

- i. Vehicle registration
- ii. Validity of drivers' licenses
- iii. VIN plates against registration documents and plates
- iv. Wanted status of drivers and vehicles

2. If discrepancies exist, officers shall investigate the collision, complete an ACRS report, and take proper enforcement action

3. When not formally investigating the collision, officers shall not make judgements concerning fault or issue citations.

4. When an ACRS is not written, officers shall instruct the parties to exchange driver's license, registration, and insurance information.

5. Officers will identify owners of damaged property, notify them of the damage, and give them information regarding the vehicle operator.
6. When an officer initially declines to write a collision report in accordance with the provisions of this directive, he or she is not required to write a report on a later date because of new information, provided that the facts known to the officer at the time of the initial decision did not require an investigation.
7. In these instances, officers shall complete an ACRS report and required supplementary reports:
 - i. An individual dies of injuries sustained in the collision.
 - ii. It is later determined that an involved party fraudulently or incorrectly identified himself with intent to commit a hit-and-run.

IX. HIT AND RUN COLLISIONS

A. Investigator's Duties

1. Officers handling hit-and-run collisions shall attempt to identify the striking vehicle and the vehicle's driver. They shall make reasonable efforts to collect physical evidence and develop investigative leads.
2. When a suspect description is available, a lookout shall be broadcast from the scene.
3. When investigative leads are developed, officers shall automatically conduct a follow-up investigation. Leads requiring an automatic follow-up include, but are not limited to:
 - i. Suspect registration information
 - ii. Eyewitness identifications of suspects
 - iii. Physical evidence suitable for forensic examination
4. When a striking vehicle's registration information is known, the investigating officer shall document all efforts to contact the registered owner on either the initial report or supplementary reports. Officers shall include any explanations or relevant statements the owner may have offered. Officers shall document all follow-up activities regardless of whether an arrest occurs.

B. Arrests of Suspects

Full custody arrests of hit-and-run suspects are authorized, but not required. Officers may issue citations, or they may apply for a warrant.

X. INCIDENT REPORTS AUTHORIZED FOR HIT AND RUN

- A. In cases where information or physical evidence fails to identify the striking vehicle, officers may document the incident on an Incident Report in lieu of an ACRS Report. When an Incident Report is completed, officers shall:

- i. Indicate “PROPERTY DAMAGE” in the TYPE OF INCIDENT block;
- ii. Ensure that the VEHICLE section is complete;
- iii. Write a detailed narrative;
- iv. Provide the reporting person with the CCN;
- v. Advise the reporting person that copies of the incident report may be obtained from the Department after paying the applicable fee.

XI. FOLLOW UP INVESTIGATIONS

- A. With supervisory approval, officers may continue investigations outside of their assigned area, as well as extend their investigations to subsequent tours of duty.
- B. Examples necessitating a continued or extended investigation include:
 - i. Collecting additional evidence;
 - ii. Obtaining witness statements;
 - iii. Preparing reports;
 - iv. Testing vehicles and safety equipment;
 - v. Duties associated with Collision reconstruction.
- C. In unusual circumstances, officers may enlist the assistance of technical experts during a follow-up investigation (i.e. CIS, DRT, etc.)

XII. SUSPENSION OF FOLLOW-UP

- A. Supervisors may authorize officers to cancel or suspend follow-up investigation when the investigation is unlikely to result in prosecution for violations of traffic or other criminal laws. Investigations shall not be continued merely to improve any party’s civil or insurance claim. When deciding whether to authorize suspension of investigation activity, supervisors shall consider whether:
 - i. Investigative leads exist and whether they are of meaningful quality;
 - ii. Manpower and workload factors provide opportunities for follow-up work;
 - iii. Physical or forensic evidence is likely to identify the suspect vehicle or driver;
 - iv. Severity of injuries and property damage justify the continued commitment of law enforcement resources;
 - v. Suspect’s vehicle registration address is geographically close enough to the City to make further investigation practical;
 - vi. Witnesses can identify the suspect driver in court.

XIII. AIRCRAFT, BOAT, or TRAIN COLLISIONS

A. Aircraft Collisions

MSP (Maryland State Police) investigates aircraft collisions/accidents within the City and County. Officers responding to aircraft collisions/accidents shall preserve the scene and take life-saving action

Officers who perform significant assistance such as rendering rescue and first aid services or collecting evidence shall complete an Incident Report.

B. Drowning Accidents

In any water-related incident involving a death, officers shall notify the Prince George's County Homicide Unit. The Prince George's County Homicide Unit shall conduct an investigation. The Prince George's County Homicide Unit shall investigate drownings in swimming pools.

C. Train/Motor Vehicle Collisions

1. Investigation of train collisions/accidents involving a motor vehicle shall be conducted in accordance with the ACRS reporting system, which does not define trains as motor vehicles. Since the train information will not be included in the vehicle fields of the report (e.g., Vehicle #1, Vehicle #2) the following information shall be placed in the narrative:
 - i. Name and addresses of passengers who are visibly injured or who inform officers of an alleged injury. Identities of uninjured need not be included.
 - ii. Name and assignments of engineers, brakemen, conductors, and other crew members.
 - iii. Train company name, engine number, and the specialized name or schedule number for the train.
2. The train may be detained at the scene while preliminary investigation and rescue efforts are in progress. Investigating officers shall allow the train to depart soon as these efforts are complete. When necessary, officers may request a member of the crew or company representative to remain behind for additional interviews.
3. Officers shall notify the National Response Center (NRC) through communications in the event of:
 - i. An evacuation of the train or surrounding community
 - ii. Fuel Leakage
 - iii. A grade crossing accident involving a death or injury
 - iv. A hazardous material spill
 - v. Train derailment
4. In the event that collision involves a fatality, the City of Bowie Police Collision Reconstruction Unit shall be notified.

D. Pedestrian/Train Collisions/Accidents

1. The Department shall enlist the assistance of Prince George's County Police Homicide Unit to investigate collisions/accidents in which a pedestrian is struck and killed by a train.
2. The Department's CIS shall investigate non-fatal train/pedestrian collisions/accidents to determine whether foul play or attempted suicide is involved.

3. The first officer on scene of such collisions/accidents shall take appropriate life-saving and protective action. Additionally, officers shall preserve the scene pending the arrival of the investigator. The investigating officer shall detain witnesses and involved persons. The train shall not leave the scene.
4. Unless directed otherwise by the investigator, officers shall submit an Incident Report when applicable. Other reports and notifications shall be the responsibility of the investigator. No ACRS report will be submitted in pedestrian/train incidents.

E. Train Derailment

1. The railroad and appropriate federal transportation officials investigate accidental train derailments not involving a struck motor vehicle or pedestrian. The City of Bowie Police Department shall render rescue services, crowd, traffic control, and other assistance, as needed.
2. Officers shall notify the NRC via communications of all derailments. Officer shall submit an Incident Report indicating:
 - i. Date/time of notification to NRC;
 - ii. Name of person making notification;
 - iii. Name of NRC official who received notification;
 - iv. Names of the federal officials and the agencies to which they are affiliated that responded to the scene ;
 - v. Name of the engineer and senior company officials at the scene ;
 - vi. Name of the railroad, the train's specialized name or schedule number, engine or locomotive number;
 - vii. Services performed or actions taken by Departmental personnel;
3. When deaths have occurred, officers shall notify the medical examiner and federal investigators to determine the agency responsible for the death reports.

XIV. TRAFFIC DIRECTION

1. Officers shall provide manual traffic direction as assigned of necessary to provide efficient traffic flow. Officers shall wear traffic safety vests when directing traffic.
2. Manual traffic direction includes the use of highway flares or temporary traffic control devices such as cones. When necessary, officers may enlist the assistance of City's Public Works department or the State Highway Administration (SHA) to:
 - i. Operate electronic signal boxes
 - ii. Provide temporary traffic control devices
3. Those agencies may provide temporary traffic control devices when traffic direction may be required for more than one hour. A supervisor or member of the Collision Reconstruction Unit (Bowie Traffic Safety) shall request their assistance.
4. Employees with traffic box keys may phase lights to flash or turn them on or off.

5. A minimum of two officers shall provide direction at any intersection where two of the roadways have three or more lanes.