

Traffic Accidents

501.1 NEXT OF KIN NOTIFICATIONS

Agency Content

Unless otherwise directed, the investigating officer shall be responsible for notifying the next of kin of a citizen when:

- (a) The department investigates an incident that involves the death or serious injury or sudden serious illness of a person.
- (b) A request to notify next of kin regarding a death or serious injury or sudden serious illness is received from another agency or an individual.

Members shall make notifications tactfully, with empathy, and as courteously as possible.

Whenever a notification is necessary, members shall utilize all available resources in an effort to locate and notify the victim's next of kin.

Notifications shall be made in person. When the next of kin are at a location, which makes notification impractical or impossible, a supervisor shall request that an appropriate law enforcement agency make the notification. When the investigating officer cannot make notification, a supervisor will be advised, who shall then determine the appropriate course of action. No termination of an attempt to notify the next of kin will be made without a supervisor's approval.

- (a) When notification can be made by no other means, officers may, with prior approval of the supervisor, make notification by telephone.
- (b) All information concerning the party to be notified shall be recorded in an incident report (e.g. name, address, telephone number, place of business, etc.).
- (c) Document all efforts made to make the notification.
 - 1. Information (e.g. name, address, telephone number, and relationship) as to any persons notified or involved in the notification shall be included in the member's report.
- (d) Request the investigation be assigned for follow-up, when appropriate.

Officers notifying next of kin regarding a death shall attempt to obtain the assistance of a clergyman, relative, or close friend prior to making the notification or as soon as possible thereafter.

If the person to be notified has a known medical problem, a physician or emergency medical service personnel should accompany the notifying officers.

Notification to the next of kin should include such information as the disposition of the body (e.g. Medical Examiner's office, funeral home, etc.) or the name of the hospital to which the injured or ill party was taken.

In instances involving dead body investigations, any officer notifying the next of kin will inform the Medical Examiner's Office of such notification. The Medical Examiner's Office will be provided with

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names, addresses, and telephone numbers of the victim's next of kin, and a copy of the Incident Report.

501.2 REQUESTS TO OTHER AGENCIES

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Requests to other agencies to perform emergency notifications should include all pertinent details. Request that the notification be made in person, as quickly as possible. Request that the agency verify that the notification was accomplished by return telephone call or by teletype.

501.3 REQUESTS FROM OTHER AGENCIES

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Prior to making a death or serious injury notification request from an outside agency, information shall be authenticated. E911 call takers must obtain the caller's telephone number and call back to ascertain the legitimacy of the request. Personnel delivering emergency notifications shall inform the next of kin of the source of information and provide the necessary information to further assist them.

501.4 RELEASE OF VICTIM'S IDENTITY TO NEWS MEDIA

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Unless specifically authorized by the Duty Chief, the identity of a seriously injured, ill or deceased person shall not be released to the news media prior to the notification of the next of kin.

501.5 NOTIFICATIONS

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The Duty Chief shall be notified of all crashes which:

- (a) Result in a fatality.
- (b) Cause serious physical injury.
- (c) Involve Departmental vehicles.
- (d) Result in injury to a Department member.
- (e) Result in injury to an employee of the City of Syracuse.
- (f) Involves a municipally owned vehicle.

The office of the Onondaga County Attorney shall be notified when:

- (a) A serious personal injury or fatal crash occurs on a roadway maintained by Onondaga County.
- (b) The crash involves a vehicle owned by Onondaga County.

The Onondaga County District Attorney's Office shall be notified whenever an accident results in:

- (a) A fatality.
- (b) A felony charge is lodged against a person involved in the accident.

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- (c) Any offense being present as described in the Department's policy governing driving while intoxicated enforcement.

The office of the Onondaga County Medical Examiner shall be notified whenever a crash results in a fatality.

The Department's Traffic Section shall be notified of crashes which:

- (a) Result in a fatality.
- (b) Cause serious physical injury.
- (c) Involve any City of Syracuse owned vehicle.
- (d) Involve any substantial liability issue in which the City of Syracuse may be named.

The Department's Criminal Investigation Division shall be notified when requested by a Command Officer or member of the Traffic Section.

501.6 CRASH REPORTING

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Upon responding to the scene, officers shall conduct an investigation and complete a NYS police accident report, except as stipulated in section 35.18 regarding motor vehicle crashes on private property, when the motor vehicle crash involves any of the following:

- (a) Property damage in excess of one thousand dollars (\$1,000).
- (b) Damage to City of Syracuse, or any other public property.
- (c) Physical injury or death.
- (d) Hit and run.
- (e) Impairment due to alcohol or drugs.
- (f) Law enforcement action such as a police pursuit, roadblock, or checkpoint, etc.
- (g) Hazardous materials.
- (h) The crash involves unusual or extenuating circumstances.
- (i) Directed to do so by a supervisor.

The investigating officer of a motor vehicle crash shall complete the New York State Department of Motor Vehicles form MV104a for all motor vehicle crashes described above. This form shall be completed in accordance with the instructions provided in the Department of Motor Vehicles publication, "Police Accident Report Manual". Officers have the option of completing the MV 104a electronically using the TRACS system, or completing the paper version of the MV 104a issued by the NYS Department of Motor Vehicles.

- (a) If public property is damaged, the type of property damaged, extent of the damage, and ownership of the property shall be documented in the narrative of the MV 104a.
- (b) If a Syracuse Police Department vehicle is damaged, the unit # and C# shall be documented in the narrative of the MV 104a.

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When a motor vehicle crash involves a Departmental vehicle(s) only, a supervisor may direct that the incident and damage be documented using only an Inter-Departmental Memo (form 10.1), provided there are no reported injuries.

Officers shall direct involved parties to the DMV website or to the SPD Front Desk for the civilian accident report (form MV104), upon responding to a scene and discovering all of the following:

- (a) Damage is less than \$1,000.
- (b) There are no reported injuries.
- (c) There is no damage to city or other public property.
- (d) There are no unusual or extenuating circumstances.
- (e) A civilian accident report (form MV104) may also be used if the crash being reported occurred at some earlier point in time and/or location other than the location where the officer is dispatched to answer the complaint, and all the aforementioned conditions exist.

Officers will provide the Accident Information Exchange Form (form 11.7) to the driver of each vehicle involved in a motor vehicle crash. When the crash involves the issuance of a civilian crash report, the officer shall direct the civilian to mail the report to the Department of Motor Vehicle address, as indicated on the back of the form MV 104.

Officers will utilize an affidavit when obtaining witness statements in support of the issuance of traffic citations and/or arrests. A witness may hand write the statement on the form.

Accident investigation technicians, evidence technicians, and members of the Criminal Investigation Division who assist in the investigation of a motor vehicle crash shall prepare supplemental reports, that will contain:

- (a) DR number.
- (b) Names of victims.
- (c) Location of the crash.
- (d) Date and time of dispatch or request for service.
- (e) Date and time of arrival at the crash scene.
- (f) Number of photographs taken and the disposition of the film.
- (g) Measurements taken.
- (h) List of physical evidence recovered and its disposition.
- (i) Actions taken by the officer.
- (j) Name of reporting officer.

In addition to the supplemental report form, accident investigation technicians and evidence technicians may employ specialized report forms as approved by the Department.

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All report forms shall be forwarded to the appropriate supervisor for review and approval. Supervisors shall forward approved reports to the Central Records Division with the exception of crash reports involving a Departmental vehicle and/or hit and run crashes.

All original paper reports involving Departmental vehicles shall be forwarded to the Traffic Section for review and appropriate dissemination. The Traffic Section shall process this accident report information and upon completion shall forward these original accident reports to the Central Records Division. The Traffic Section shall ensure that original paper reports are filed in the Central Records Division. All TRACS reports are routed electronically.

The Central Records Division shall forward copies of all paper accident reports to the New York State Department of Motor Vehicles and to the Traffic Section for classification and statistical analysis, as required. All TRACS reports are routed electronically.

501.7 CRASH INVESTIGATION PROCEDURES

Agency Content

Upon arrival at the scene of a motor vehicle crash the officer's first priority shall be the protection and preservation of life. The responding officer will first determine the need for medical assistance, render first aid to the injured parties, and summon an ambulance or Fire Department rescue, if necessary. Officer will take all measures necessary to prevent other motorists from becoming involved.

Protection of the crash scene shall be the officer's second priority. When a crash causes property damage or minor physical injury, and the vehicles involved are capable of being moved, officers shall have the vehicles removed from the roadway to the closest safe location as soon as possible.

In the event a crash results in serious physical injury or death, or the vehicles cannot be moved due to damage or other factors, officers should protect the accident scene by:

- (a) Properly positioning the police vehicle and activating its emergency lights.
- (b) Using flares or traffic cones to re-route traffic around the crash scene.
- (c) Erecting police line tape around the accident scene, when necessary.
- (d) Requesting additional units or Fire Department personnel to assist and direct traffic.
- (e) Requesting Fire Department personnel to respond to fuel leaks, hazardous material spills, etc.
- (f) Requesting DPW personnel to respond to plow, salt, sand, or sweep the road surface, or to cut and remove fallen trees, limbs, etc.
- (g) Requesting power, telephone, or cable companies to respond to repair damaged lines, poles, and lighting.
- (h) Coordinate through the Public Information Officer to alert the news media to broadcast traffic hazard information to the public.

When a crash results in a fire or fire hazard, officers shall request that Fire Department personnel be dispatched to the scene. Officers shall remove all persons from the area threatened by the fire

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or fire hazard. When appropriate, officers shall attempt to contain the fire or fire hazard using fire extinguishers equipped in all police vehicles.

When a crash results in a hazardous materials cargo or spill, officers shall follow all procedures as specified in the Department's policy governing "Hazardous Materials Incidents".

It is the officer's responsibility to secure physical evidence at the scene for analysis and, if necessary, to call for an evidence technician for assistance with evidence and photographs.

It is the officer's responsibility to identify and interview any witnesses to the incident.

501.8 FATAL AND SERIOUS INJURY MOTOR VEHICLE CRASHES

Agency Content

When a serious injury or fatal motor vehicle crash is apparent the responding officer shall immediately notify a supervisor. The supervisor shall respond to the scene immediately.

An evidence technician will be called to the scene.

The supervisor shall ensure that all required notifications are made and that personnel conduct a thorough follow-up investigation, on all serious-injury and fatal crashes.

- (a) The Traffic Section and/or Criminal Investigations Division will be notified to assist in the investigation and subsequent investigation, if applicable.
- (b) The Death Duty Assistant District Attorney will be notified of all fatal motor vehicle crashes.

The investigating officer shall not leave the crash scene, to continue the investigation, unless authorized by a supervisor.

The Traffic Section will:

- (a) Provide technical investigative assistance for the on-scene investigation of fatal and serious personal injury crashes.
- (b) Complete the MV 104D report when necessary.
- (c) Conduct only necessary and related technical aspects of the continued investigation.
- (d) Determine the necessity of a scale diagram and crash reconstruction and complete the diagram when necessary.
- (e) Complete the initial crash investigation report and coordinate follow-up investigative responsibility with the Criminal Investigations Division.
- (f) Advise evidence technicians on the collection of crash evidence.
- (g) Contact and secure the services of technical specialists as required (e.g. mechanical conditions of vehicles).

The Criminal Investigations Division will:

- (a) Assist the Traffic Section with interviews and securing affidavits, if necessary.
- (b) Taking photographs.

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- (c) Collecting physical evidence.

Involved vehicles will be impounded and examined by technical specialists as required. A detailed search of the vehicle will be made for evidence, especially in those areas of the vehicle that may have been in contact with the person or object struck.

- (a) Impounded vehicles shall be photographed. If possible, at least one photograph should be taken with a measuring scale alongside the area photographed.
- (b) Samples of paint, including all layers, will be taken from all damaged areas of the vehicle. At least one control sample of paint will be collected from an undamaged portion of the vehicle. Parts with fractured edges where metal and pieces of glass are missing will be collected for comparison.

501.9 LEAVING THE SCENE OF A MOTOR VEHICLE CRASH

Agency Content

Whenever an officer investigates a motor vehicle crash in which one or more vehicles leave the scene, in violation of V & T section 600.1A (damage) or 600.2.a (injury), the investigating officer will broadcast a point of information to all Units. The officer shall subsequently notify the Central Records Division with all pertinent information. The Central Records Division will then fax a copy of the General Message to the TA for immediate broadcast.

- (a) Information such as license plate number, color, make, model of the vehicle, damage, direction of travel, and physical description of the driver, if available, will be included in the point and subsequent general message.

If the hit and run vehicle is identified by evidence present at the scene, or by witnesses' statements, the investigating officer will call an evidence technician to process the scene for evidence. The officer and the evidence technician will make every effort to locate the suspected hit and run vehicle, during their current tour of duty.

If the investigating officer must leave the scene of the crash to further the investigation (hospital etc.), a supervisor shall be notified.

If data reveals that the suspect vehicle is owned or operated by someone who resides outside the City of Syracuse, the Data Channel #2 operator will notify the appropriate local police agency. A request will be made for them to dispatch an officer to check the residence and the surrounding area in an attempt to locate the suspect vehicle, and ascertain if it could have been involved in the accident.

- (a) If the suspect vehicle cannot be located immediately, a request shall be made to make periodic checks of the residence and surrounding area.

If the vehicle is located, and sufficient probable cause is established to identify the suspect vehicle that was involved, the investigating officer shall:

- (a) Impound the vehicle if located on a street or other public property.
- (b) If located on private property, a search warrant will be obtained to allow the impounding of the vehicle.

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- (c) During the time it takes to obtain tow service and/or a court order, the vehicle will be secured as evidence.
- (d) Locate the registered owner of the suspect vehicle and attempt to learn the identity of the suspect driver.

When notified by an outside police agency, that the vehicle has been located, the investigating officer shall notify a supervisor. The supervisor shall assign/notify the appropriate personnel to further the investigation.

When an officer is unable to close Hit and Run investigation during his/her tour of duty the following procedure shall be followed:

- (a) The investigating officer shall enter the case into the Traffic Section's Hit and Run Investigation Log, Form #13.40 (Rev. 05/19), located at the front desk. The log may be completed by the investigating officer or via a phone notification to the front desk (CSO).

The Traffic Section's Hit and Run log will include the following required fields of entry:

- (a) Time/Officer/Unit Number;
- (b) DR#;
- (c) Complainant's Name;
- (d) Complainant's Phone Number;
- (e) Location of Incident;
- (f) Date/Time of Incident;
- (g) Injuries (Yes/No), if yes describe injuries;
- (h) Suspect Vehicle Description (Make/Model/Color/Plate # etc.);
- (i) Suspect Driver Description;
- (j) Suspect Vehicle Towed (Yes/No);
- (k) Tow Company;
- (l) Vehicle Parts Collected (Yes/No), if Yes describe parts;
- (m) Witnesses (Yes/No), if Yes (Names/Phone #'s of witnesses);
- (n) Cameras Checked (Yes/No);
- (o) Reporting Officer.

The Traffic Section will review each Hit and Run case and will either:

- (a) Return the case through the chain of command to the Commanding Officer of the member who submitted the case in instances where the preliminary investigation was not completed or;
- (b) Complete the investigation and notify the victim of all relevant data regarding the hit and run vehicle.

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501.10 PROPERTY OF CRASH VICTIMS

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Officers shall make reasonable efforts to safeguard the property of persons involved in crashes. Officers shall be alert to pilferage and theft problems, which may occur at traffic crashes. Officers shall ensure that automotive parts, vehicle papers, and any valuable items are removed with the vehicle and not left littered about the scene.

When officers are required to handle victims' personal property (such as for identification purposes), this should be done, whenever possible, in the presence of witnesses.

When it is necessary to release a victim's property to another person or agency, officers shall properly receipt the transfer of the property.

501.11 DISPOSAL OF DEER KILLED BY COLLISION

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The following provisions shall apply regarding the disposal of deer killed by collision with a motor vehicle when the incident is reported to and investigated by the City of Syracuse Police Department.

- (a) The owner of the motor vehicle, which has been damaged by collision with the deer, may be issued a permit ("deer tag") entitling such owner to possess the carcass for consumption.
- (b) The permit shall authorize the owner of the motor vehicle to transfer the carcass to a designated person for consumption.
- (c) Members are prohibited from accepting the carcass and from recommending a transfer to any party. If the owner of the vehicle does not want the carcass and does not have anyone to transfer it to, the investigating officer shall notify the appropriate DPW/ Highway Department to arrange for disposal of the deer.
- (d) A permit ("deer tag") shall not be issued unless the collision is both reported to and investigated by this Department.

501.12 INITIAL RESPONSE TO TRANSPORTATION CARRIER ACCIDENTS

Agency Content

Whenever a report of a transportation carrier accident is received officers shall:

- (a) If hazardous materials involvement is suspected, the response shall be guided by policies related to hazardous materials.
- (b) Respond immediately to the scene.
- (c) Request the assistance of fire and emergency medical service personnel, as necessary.
- (d) Request additional personnel as necessary.
- (e) Request that the Communications Control Center isolate a radio channel, when necessary.

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- (f) Render aid to injured persons.
- (g) Notify a Supervisor.
- (h) Secure and preserve the accident scene. Establish an inner perimeter around the situation denying access to the area.
- (i) Request additional units to establish an outer perimeter and begin diverting vehicular and pedestrian traffic away from the scene.
- (j) Secure all witnesses at a safe point outside of the inner-perimeter for interviews.

When notified of a transportation carrier accident the Supervisor shall:

- (a) Respond to the scene and assume command/control of police operations.
- (b) Coordinate operations with other agencies and emergency personnel.
- (c) Obtain as much information about the situation as possible from the initial responding officers and immediately advise the Chief/Duty Chief.
- (d) Organize and brief subordinates relative to the incident and their duties.
- (e) Ensure that vehicular and pedestrian traffic has been adequately diverted.
- (f) When appropriate, summon accident investigation technicians, evidence technicians or detectives.
- (g) When appropriate, establish a command post and staging area in accordance with policies on critical incident response and management.

501.13 TRUCKING ACCIDENTS

Agency Content

Trucking accidents are incidents involving truck and trailer components that result in property damage, personal injury or death.

Officers investigating truck accidents involving trucks over 18,000 lbs. shall review and record when necessary, the following information:

- (a) Medical or physical card and/or waiver when the vehicle weighing over 18,000 pounds is carrying a hazardous material cargo.
- (b) Highway use tax sticker
- (c) Department of Transportation (DOT) number (usually printed on the side of the truck.
- (d) Drivers log book to ensure it is up-to-date, accurate and not in violation of law in terms of driving versus rest hours, current date and previous seven days logged.
 - 1. The following are required on a logbook:
 - (a) Date
 - (b) Vehicle numbers (tractor and trailer)
 - (c) Name of carrier
 - (d) Address of carrier

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- (e) Total miles driven today (end of day)
 - (f) Signature and certification
 - (g) Name of co-driver if any
 - (h) Total hours (must be tallied at the end of day)
- (e) License class, inspection and registration violations.

Officers shall utilize the Truck – Bus accident supplement report (form MV104S) when necessary.

501.14 BUS ACCIDENTS

Agency Content

Bus accidents are incidents involving private bus transportation carrier or private or public school bus carrier that result in property damage, personal injury or death.

- (a) Direct the bus driver to record the names, age and sex of all occupants on the bus at the time of the accident.
- (b) Ensure that the “Number of Occupants” box on the accident report, reflects the total number of persons on the bus at the time of the accident.
- (c) List those occupants “injured” in the accident in the “involved persons” section of the accident report.
- (d) Officers shall utilize the “Truck – Bus Accident Supplement Report” (form MV104S) when necessary.