

# Traffic Collision Reporting

## 502.1 PURPOSE AND SCOPE

The Newark Police Department prepares traffic collision reports in compliance with the California Highway Patrol Collision Investigation Manual (CIM) and as a public service makes traffic collision reports available to the community with some exceptions.

### 502.1.1 TRI-CITY ACCIDENT INVESTIGATION TEAM

The Newark Police Department is a member of the Tri-City Accident Investigation Team, in cooperation with the cities of Fremont and Union City. It is the policy of the Newark Police Department to adhere to the provisions of the Tri-City Accident Team Policy regarding the investigation of fatal or serious injury traffic collisions involving public safety vehicles leased or owned by the three cities. If such a traffic collision occurs, the procedure outlined in the Tri-City Accident Investigation Team Policy will be followed. This policy is attached as an addendum to this policy.

## 502.2 PROCEDURE

The basic form of accident documentation shall be the investigation. In some situations a Summary Collision Report may be completed. Whichever form of documentation is utilized, the finished product should exemplify the best possible traffic investigation report writing techniques. The document shall lead to logical conclusions based upon the facts of the situation. Documentation of investigations or reports shall be on Traffic Collision Reports forms CHP 555, 556, 555-03, or 5550 as prescribed herein.

### 502.2.1 COLLISION INVESTIGATION

A collision shall be documented as an INVESTIGATION when one or more of the following conditions exist:

- (a) A motor vehicle collision results in the death of a person (on or off highway).
- (b) A motor vehicle collision results in personal injury (on or off highway) requiring transportation by ambulance.
- (c) A motor vehicle collision results from an identifiable violation of law, and collection of evidence is required to support prosecution. (when the offense to be prosecuted is not collision-related, such as possession or storage of alcoholic beverages or unlicensed driver, proof of insurance an investigation report is not needed.
- (d) The accident involves a vehicle owned by the City of Newark or any other governmental agency (for emergency vehicles refer to C.I.M.). Also refer to the Tri-City Accident Investigation Team policy.
- (e) The collision is a School Bus Accident as defined in C.I.M.
- (f) A hit and run accident with sufficient information or evidence for follow-up and possible later prosecution (on or off highway).

# Newark Police Department

## Newark PD Policy Manual

### *Traffic Collision Reporting*

---

#### 502.2.2 SUMMARY COLLISION REPORT

A Collision Report (Summary Cause) shall be made when one or more of the following conditions exist:

- (a) A vehicle in a private property collision, which involves a minor injury.
- (b) A collision involves those injuries classified as "other visible injuries" or "complaint of pain", (as defined by the C.I.M.) and no immediate medical treatment is provided. (Not transported for medical care.)
- (c) A collision involving damage to property and the responsible driver is unable to notify the property owner in accordance with 20002a CVC. (i.e. parked car or property damage.)
- (d) A collision resulting in property damage only where the officer witnesses the collision causing violation, including driving while under the influence (23152a CVC), and the officer issues a traffic citation or collision notice. (Since the officer witnessed the collision, a report vs. investigation is sufficient.)
- (e) Narrative of the report shall include: Notifications, Summary, Cause, and recommendations. NOTE: A supervisor may require a Summary Collision Report be documented as an investigation.

#### 502.2.3 TRAFFIC ACCIDENT (PRIVATE PROPERTY)

In compliance with the Collision Investigation Manual, traffic collision reports shall not be taken for traffic collisions occurring on private property, unless there is a death or injury to any person involved, a hit and run violation, or Vehicle Code violation. An Incident Report may be taken at the discretion of any supervisor.

#### 502.2.4 SUPPLEMENTAL REPORTS

Occasionally, after submission and processing of Summary Collision Report, new information may reveal death, injury, or a clearly ("wanton and flagrant") prosecutable violation of law. In such cases, an investigation shall be conducted and the original case shall be reclassified appropriately to support any action to follow.

#### 502.2.5 PROSECUTION

Prosecution shall be based on a thorough investigation with adequate evidence to support all necessary elements of an identified offense, and meet any requirements determined necessary by the District Attorney.

- (a) The facts determined by the investigation shall constitute a violation of a specific statute or statutes:
  - 1. Felony
  - 2. Misdemeanor
  - 3. Wanton and/or flagrant violation

## *Traffic Collision Reporting*

---

4. Licensing or insurance violation
  - (b) There shall be sufficient evidence gathered and presented to support each element of the offense(s) charged.
  - (c) The Traffic Supervisor shall be responsible for a system of review and control to ensure that all prosecution resulting from an investigation is in conformance with these standards.

### **502.2.6 INFORMATION EXCHANGE REPORT**

An Information Exchange report should be used when the collision involves: one or more parties, there are no injuries and no prosecution is anticipated or a collision involving a 20002 CVC when the responsible driver cannot be identified.

An information exchange report involves listing both parties information on a CHP 555 form, and splitting the sketch box on the back with a sketch and a brief statement listing the party at fault, (i.e. V-1 backed into V-2 in violation of 22106 or V-1 caused this collision in violation of 22350.) You do not need to write statements or any other information on the report using this format.

In these types of cases dispatch should first advise the parties to exchange their information. If the parties refuse or cannot exchange information or one or more parties does not have the required documents an officer may be dispatched. Officers may assist parties in exchanging information or document the collision using the information exchange format.

### **502.2.7 LATE REPORTED COLLISIONS**

Late Reported Collisions shall be documented using the appropriate format, (collision investigation report or information exchange), in the following circumstances:

- (a) When they involve a hit and run accident, or
- (b) When they involve injuries, or circumstances dictate that the incident be documented.

### **502.3 OFF-DUTY CALLOUTS**

In the event no traffic officer is on-duty, one or more traffic officers may be called out from off-duty status to investigate the following types of accidents:

- (a) Fatal.
- (b) Major injury when death is likely.
- (c) Newark Officer involved with any injury, including complaint of pain. (Refer to TAIT Policy)
- (d) As directed in the Tri-City Accident Investigation Team Policy
- (e) When determined by the supervisor that there is a high probability of City liability and an officer with a high level of traffic expertise would be better suited to investigate.

### *Traffic Collision Reporting*

---

#### 502.3.1 CALL-OUT PROCEDURE

In the event of a traffic call-out, the traffic supervisor shall be immediately notified and advised of the circumstances surrounding the call-out, as well as the number of traffic officers that are responding. Upon arriving, the traffic officer(s) shall meet with the on-duty supervisor and conduct an initial appraisal of that accident scene. The traffic officer(s) shall then update the traffic supervisor who will determine if his/her response, additional traffic officers or other resources are needed.

#### **502.4 ACCIDENT INVESTIGATION RESPONSIBILITIES**

##### 502.4.1 COMMUNITY SERVICES OFFICERS

- (a) Minor, non-injury, both private property and public roadway.
- (b) Hit and run with no suspect.
- (c) Late reports without injury or City vehicle involvement.

##### 502.4.2 TRAFFIC OFFICERS

- (a) All roadway "on scene" roadway accidents.
- (b) Major accidents private property with major injury (likely to result in admittance to a hospital).
- (c) City vehicle involvement.
- (d) As directed in the Tri-City Accident Investigation Team policy.

##### 502.4.3 PATROL OFFICERS

- (a) Accidents normally investigated by traffic officers when no traffic officer is on-duty with the exception of the mandates of the Tri-City Accident Investigation Team policy.
- (b) Late reported, counter or injury private property accidents when a Community Service Officer is not available.