

	KENOSHA POLICE DEPARTMENT			
	POLICY AND PROCEDURE			
	61.3 Traffic Accidents – Investigation and Reporting			
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Purpose

This order establishes procedures for the investigation and reporting of motor vehicle accidents.

II. Policy

It is the policy of the Kenosha Police Department that its officers will respond to traffic accidents, provide aid to injured victims, investigate the scene, and clear the scene/roadway as soon as practicable. Enforcement action should be taken in cases where violations of law caused or contributed to the accident, and where the elements of the offense can be established. Accidents meeting state thresholds will be reported using the Wisconsin Motor Vehicle Accident Report Form (MV4000).

III. Reporting Requirements

- A. The following accidents require the completion of the Wisconsin Motor Vehicle Accident Report Form (MV4000):
 - 1. Accidents resulting in injury or death.
 - 2. Accidents resulting in damage to personal or government vehicles or government property in excess of state thresholds.
 - 3. Accidents resulting in damage to Department vehicles.
- B. In addition to the completion of the MV4000, supplemental reports are required when additional information is required to document the investigation.
- C. Accidents that result in property damage only and that do not meet state damage thresholds require the issuance of the Wisconsin Driver Report of Accident (MV4002).
- D. Accidents that are reported at the Public Safety Building that meet the state reporting requirements will be taken with the notation "Not Investigated at the Scene" at the top of the narrative portion of the MV4000.

IV. Officer Response

- A. Officers responding to accidents where the department has been notified that injuries are involved should respond with emergency lights and siren activated.
- B. Officers responding to accidents involving Hit and Runs will respond at normal speed, unless the accident involves injuries.
- C. Officers responding to property damage only accidents resulting in lane/ road blockage will respond expeditiously and in accordance with state statutes.

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- D. Officers responding to accidents where the involved drivers are reported to be involved in a disturbance will respond expeditiously and in accordance with state statutes. Information that weapons or a physical assault are involved may support an emergency response.
- E. Officers responding to accidents where hazardous materials are known to be involved will respond expeditiously and cautiously. Additional resources and equipment may be required.

V. Accident Scene Procedures

- A. Officers responding to accident scenes will position their squads for scene protection with access for fire/rescue personnel in mind.
- B. The first officer arriving on the scene of an accident is in charge of the scene unless relieved by a higher-ranking officer, or by an accident investigator.
- C. The first officer on the scene will determine the existence/extent of injuries and summon rescue personnel as needed. Injuries, or lack thereof, will be noted in the narrative section of the MV4000.
- D. Determine the need for the Kenosha Fire Department, tow trucks, utility company assistance, or other city department assistance.
- E. Establish a safe traffic route around the scene and broadcast any approach considerations for other responding units.
- F. Involved drivers and passengers will be identified and all information required for completion of the MV4000 will be obtained. Measurements, diagrams, and photographs will be taken as needed. Post-accident scene follow up may be necessary, i.e. contact injured persons at the hospital.
- G. Investigation of the accident shall include the inspection of roadways and vehicles for evidence as well as the interview of drivers, passengers and witnesses, and the documentation of findings.
- H. When an officer is able to identify a violation of law that caused or contributed to the accident and is also able to establish the elements of that offense, should initiate law enforcement action.
- I. Vehicles should be towed from the roadway as soon as practicable but only after any needed information is obtained. Consideration must be given to the need for photographs and measurements prior to requesting a tow.
- J. Complete MV4000 in accordance with the Department of Transportation handbook.

VI. Accidents Involving Serious Injury or Death

- A. Officers will respond in accordance with sections IV and V.
- B. A patrol supervisor will be notified and shall respond to the scene.
- C. Officers with Accident Investigation training will conduct the technical accident investigation. These investigators will collect evidence, take measurements, diagram the scene, and prepare the accident scene diagram.
- D. Vehicles involved in the accident may be impounded for off-scene inspection.

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- E. Completion of the MV4000 shall remain the responsibility of the first responding officer unless it has been assigned to an accident investigator by the on scene supervisor. In most cases, the duty should not be assigned to the investigator.
- F. If the accident results in death, the Medical Examiner shall be notified. The Medical Examiner will make notification of next of kin.
- G. The on scene supervisor may require that a detective respond to the scene to assist with the investigation.
- H. All involved persons will be interviewed. Care must be taken to identify the involved drivers, passengers, and witnesses before they leave the scene.
- I. In addition to the MV4000, investigative and supplemental reports will be completed and submitted in a timely manner.
- J. In cases where a person dies as a result of the accident, or within 30 days due to injuries sustained in the accident, the Fatal Accident Supplement Report (MV3480) will be completed by the accident investigator and the Department of Transportation shall be notified by the end of the accident investigator's tour of duty.
- K. In all fatal accidents where probable cause has been established, a blood sample will be collected as soon as possible from any/all involved surviving operators. In the absence of probable cause, officers will make every attempt to obtain a blood sample with the consent of the operator.

VII. Hit and Run Accidents

- A. Officers will respond to Hit and Run Accidents in accordance with sections IV and V.
- B. Hit and Run accidents will be documented with an investigative report and MV4000 if state reporting requirements are met. In the event of a minor accident where there is no evidence or suspect information, an investigative face page will be completed and a Wisconsin Driver Report of Accident (MV4002) will be provided to the victim.
- C. Photographs will be taken to document available evidence and damage as determined necessary by the investigating officer.
- D. Witness statements will be obtained from available witnesses.
- E. Enforcement action will be taken if the suspect vehicle and/or operator are located.
- F. Follow up investigation will be done by the Hit and Run Unit or by the Detective Bureau if so assigned.

VIII. Accidents Involving Department Vehicles

- A. A supervisor will be notified as soon as possible in the event of any accident involving a department vehicle. A supervisor will respond to the accident scene and coordinate the referral to the outside agency(s) identified in section B. below.
- B. Accidents involving department vehicles which result in damage and/or injury will be referred as soon as possible to the Wisconsin State Patrol (primary) or in the event they are not available, the Kenosha Co. Sheriff's Department (secondary). The outside agency shall be

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responsible for all aspects of the follow-up investigation, including completion of the MV4000. If the accident is non-reportable by State standards, the MV4000 will not be forwarded to the Department of Transportation.

- C. Any enforcement action shall be at the discretion of the outside investigating agency.
- D. Photographs shall be taken of the scene and to document damage to the vehicles involved.
- E. As soon as practical, the involved department vehicle operator will complete investigative and supplemental reports.
- F. The senior patrol supervisor on duty at the time of the accident will ensure that a supervisory review of the accident is completed. The supervisor will notify the Chief of Police, Assistant Chiefs, Shift Commander and the Administrative Captain of the details of the accident. Original reports (when available), shall be forwarded to the Administrative Captain as soon as practical.
- G. The investigating supervisor will make recommendations as to the need for additional investigation. The supervisor will recommend appropriate discipline, if warranted.

IX. Accidents Involving Hazardous Materials

- A. Officers shall respond to and investigate in accordance with sections IV and V.
 - 1. Hazardous materials include explosives, flammable and non-flammable gases, poisonous and corrosive gases, flammable liquids, flammable solids, oxidizers, organic peroxides, poisonous/infectious materials, radioactive materials, and other miscellaneous hazardous materials.
- B. Approach cautiously and attempt to identify the hazard from a safe distance. Placards, container labels, shipping papers, and transporting vehicle operators can help identify the hazard.
- C. The Emergency Response Guidebook for the Initial Response to Hazardous Material Incidents should be consulted. These guidebooks are available in each patrol car. Follow the general guidelines provided in the book until the scene is taken over by the Hazardous Materials Response Team.
- D. Accidents involving hazardous materials may require outside agency involvement.
 - 1. The Kenosha Fire Department shall be notified in the event of a hazardous material accident.
 - 2. CHEMTREC, (800) 424-9300, can provide additional information.
- E. Secure the scene and prevent unauthorized persons from entering the scene. Be mindful of further contamination, persons leaving the scene should not be permitted to enter the gathering crowds. Move people away from the scene and prevent their reentry.
- F. Proceed with accident investigation and reporting duties once the Hazardous Materials Response Team has deemed the scene safe.

X. Accidents Involving Trains

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- A. Accidents involving trains may create conditions that tax staff levels due to roads being blocked, hazardous chemical releases and the inability to quickly move locomotives and cars. Officers must quickly assess the situation and request assistance as needed.
- B. The scene is to be protected; this includes the roadway and the adjacent railroad right-of-way.
- C. The scene is to be documented with photographs, measurements, diagrams and video recording.
- D. The engineer and conductor need to be identified and interviewed.
- E. Record information relative to the train identification, number of cars, distance traveled after impact, grade crossing, visibility and estimated speed of train and vehicles involved.
- F. Coordinate investigation with railroad investigators and the train conductor. The Federal Railroad Administration investigates significant rail accidents and has the authority to require post-accident alcohol and/or drug testing.