



# SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



## Procedure 707 – Crash Investigation

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Office(s) with Secondary Responsibilities:	PSC, PNC, FTC, IDC, SSO	Number of Pages:	8
Forms Referenced in Procedure:	TxDOT Form #CR-2 TxDOT Form #CR-3 SAPD Form #CR-E1 SAPD Form #3-CSS SAPD Form #12-D SAPD Form #12-DAR SAPD Form #602-6	Related Procedures:	402, 507, 606, 607, 704, 802, 916

### .01 INTRODUCTION

This procedure establishes guidelines for handling, investigating and reporting motor vehicle crashes.

### .02 POLICY

Officers respond to, provide for the documentation of, and report motor vehicle crashes occurring on property within the corporate limits of the City of San Antonio. When addressing crashes, officers will adhere to the guidelines established in this procedure.

### .03 DISCUSSION

- A. Officers address most motor vehicle crashes by completing the Web Based TxDOT Form #CR-3, *Texas Peace Officer's Crash Report*. This procedure also establishes a process for documenting crashes where there are no injuries, no complaint of injuries and no exigent circumstances necessitating a police investigation. Drivers involved in these types of crashes will be asked to complete a TxDOT Form #CR-2, *Driver's Crash Report*.
- B. Crash Documentation/Investigation serves three (3) main purposes:
  1. To gather evidence to support prosecution of criminal violations;
  2. To properly obtain and document facts so those individuals involved can properly exercise their rights under civil law; and
  3. To provide statistical information necessary for the development of crash prevention programs.

### .04 RESPONDING TO CRASHES

- A. Responsibilities of first officer arriving at a crash scene:
  1. Park the police vehicle, utilizing emergency lights and flashers, in a manner that best provides warning of the crash to approaching vehicles, to protect persons from injury, and to provide other emergency vehicles access to the scene.
  2. Request EMS for persons requiring medical treatment. Request fire department units if persons need to be extracted from vehicles or if fuel is leaking from vehicles.
  3. Take steps necessary to protect the scene to ensure proper collection of evidence and to gather information or facts needed to accurately investigate if necessary and report the crash.



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4. Take necessary actions to allow for the safe flow of traffic around the crash scene and rapid restoration of traffic flow on the roadway. This includes the use of flares, moving vehicles from the roadway at the earliest opportunity allowable by the investigation, requesting additional officers for traffic or crowd control, wreckers, sand trucks, public works, and fire units.
5. Identify all drivers or pedestrians involved in the crash and check for valid driver's license and proof of insurance. This includes checking each person for active warrants and taking appropriate action if warrants are found.
6. Determine if the crash requires a police investigation or if it meets the criteria for the drivers to report it using TxDOT Form #CR-2:
  - a. The following types of crashes occurring on any street, highway or private property require a police investigation and the responding officer shall report the crash on the Web based TxDOT Crash Reporting and Analysis for Safer Highways, CRASH, Form #CR-3:
    - (1) Crashes resulting in any injury, complaint of any injury, or death to any person;
    - (2) Crashes resulting in damage to any vehicle to the extent the vehicle cannot be "normally and safely" driven from the scene. (Does not require towing and the vehicle can be operated under its own power and in its usual manner, without additional damage or hazard to the vehicle, other traffic, or the roadway.);
    - (3) Crashes involving Federal, State, or City property and/or vehicles;
    - (4) Crashes involving hazardous materials;
    - (5) Crashes involving commercial vehicles;
    - (6) Hit and run crashes;
    - (7) Crashes where any driver is arrested or cited for any criminal or traffic offense, or found to have active warrants of any kind;
    - (8) Crashes with any suspicion that alcohol or any drug may have been involved.
  - b. The following types of crashes occurring on any street, highway or private property do not require a police investigation. In these situations, the responding officer will provide the drivers with TxDOT Form #CR-2 and advise them they are responsible for filling out the report and submitting it to TxDOT within ten (10) days of the crash:
    - (1) Crashes with no injuries, complaints of injury, or deaths;
    - (2) Crashes where vehicles can be "normally and safely" driven from the scene;
    - (3) Crashes where drivers have valid driver's licenses and proof of insurance for the vehicles;
    - (4) Crashes with no other exigent or unusual circumstances which would require a police investigation (if there is any question, the responding officer shall report the crash on the Web based TxDOT CRASH Form #CR-3.
7. Request a member from the Homicide Unit's Traffic Investigation Detail (TID) or a member from the Night Detectives Unit and a Crime Scene Unit Investigator to respond to the scene if a crash involves a death, the probability of a death, or any serious bodily injury where intoxicants or other criminal elements may have



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contributed to the crash (i.e., Racing, Aggravated Assault, Failure to Stop and Render Aid – FSRA), or crashes involving Wrong Way Drivers on Highways regardless of the severity of injuries).

- a. If the crash results in a death or the probability of a death, the first officer arriving on the scene and/or the officer handling the crash will request a supervisor to make the scene of the crash.
  - b. On the Investigator Panel in the TxDOT Web Based CR-3 ensure that “Traffic Investigations” is selected in the District/Area box. This will forward the crash report to Traffic Investigations Detail Detectives for final approval.
9. The officer assigned by the dispatcher to handle a crash has report responsibility and is in charge of the crash scene. Upon arrival of a supervisory officer, the supervisor is in charge of the crash scene.
10. Officers gather and record sufficient information, facts, or evidence to be able to determine if traffic or criminal violations have occurred and to be able to answer any reasonable questions concerning the crash.
11. An officer will remain at the scene of any crash until the vehicles can be towed from the location or safely moved off the roadway.
- B. Officers handling crashes which are required to be handled on the Web based TxDOT Form #CR-3 as outlined in Section .04A of this procedure will:
1. Locate and identify all drivers, passengers, and witnesses. Interview each separately to determine their involvement in or knowledge of the crash.
  2. Distribute SAPD Form #12-DAR, *Crash Information Sheet*, to each driver with instructions to complete the form by exchanging the required information and witness identification with other drivers involved.
  3. Verify valid driver’s license, current liability insurance, and check for active warrants on all drivers involved.
  4. Process non-drivable vehicles in accordance with GM Procedure 607, *Impounding Vehicles*.
  5. Collect any property belonging to drivers and/or passengers who are injured and not able to take custody of their own property. Place the property in the Property Room in accordance with GM Procedure 606, *Impounding Property*.
  6. Authorize the use of special equipment needed in the case of emergency or disaster (i.e., use of inflatable air bags by the contract wrecker).
  7. Clear the street of all debris, if no contract wrecker is called to the scene. Request assistance from Public Works if needed.
  8. At large truck crash scenes, if time and conditions permit, authorize the owner of the vehicle to provide the necessary equipment and personnel to clear any spilled cargo or materials from the scene, provided such personnel and equipment are employed and owned in the regular course of the owner's business and are not hired for the special purpose of clearing the crash scene.
  9. On all crashes involving a death or the probability of a death, submit all reports to the handling Traffic Investigation Detail Detective or supervisor in the Homicide Unit for review and approval.
- C. Officers handling crashes which are not required to be investigated and reported on the Web based TxDOT Form #CR-3 as outlined in Section .04(A) of this procedure will:



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1. Distribute SAPD Form #12-DAR, to each driver with instructions to complete the form by exchanging the required information. The officer shall assist the drivers with obtaining this information, if requested. The officer shall also verify the information on each SAPD Form #12-DAR prior to leaving the scene.
2. Provide the involved parties with TxDOT Form #CR-2.
3. Officers shall advise the reporting parties that a **CFS report** instead of a crash report will be prepared, and document the crash using an N-Code 21 in accordance with GM Procedure 402 (Section .02 D .25), *Differential Police Response*.

### D. Supervisor Responsibilities:

1. Make the scene of all crashes involving a death or the probability of a death and ensure all investigative procedures are thoroughly followed.

## **.05 CRASH REPORT FORMS**

- A. The guide used in completing the Web based TxDOT Form #CR-3 is the CR-100 booklet titled *INSTRUCTIONS to POLICE for REPORTING CRASHES*. (**The CR-100 booklet is available on the SAPDWEB and at the TxDOT CRASH website.**) In addition to the information required by the CR-100 booklet, a written explanation for any contributing factors listed is to be included in the Investigator's Narrative Section of the Texas Peace Officer's Crash Report.
- B. Crashes occurring on any street, highway or private property which require a police investigation are thoroughly investigated and reported using Web based TxDOT CRASH Form #CR-3.
  1. The electronic submission of the Web based TxDOT CR-3 is considered the original report.

## **.06 HIT-AND-RUN CRASH INVESTIGATIONS**

### A. Hit-and-Run Crashes - Personal Injury or Death

1. In addition to the Web based *Texas Peace Officer's Crash Report*, SAPD Form #12-D, *Hit-and-Run/FSRA Supplement*, is completed.
2. A member from the Traffic Investigation Detail or a member from the Night CID Unit and Crime Scene Unit Investigator are requested to make the scene of the crash if serious bodily injury or death occurred.
3. Any charges to be filed against the hit-and-run driver, if located, will be determined by the Traffic Investigation Detail or the Night CID Unit.
4. The complainant or a relative is advised to contact the Traffic Investigation Detail for inquiries relating to the follow-up investigation.

### B. Hit-and-Run Crashes - Property Damage Only (\$200.00 or more):

1. In addition to the Web based *Texas Peace Officer's Crash Report*, the SAPD Form #12-D, *Hit-and-Run/FSRA Supplement*, is completed and submitted to Records.
2. The actor, if located, is identified or arrested; and
3. The complainant is advised to contact the Traffic Investigation Detail to provide a damage repair estimate and give a written statement for the purpose of filing criminal charges.

### C. Hit-and-Run Crashes - Property Damage Only (Less than \$200.00):



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1. In addition to the Web based *Texas Peace Officer's Crash Report*, and SAPD Form #12-D, *Hit-and-Run/FSRA Supplement*, is completed and submitted to Records..
2. The actor, if located, is identified; and
3. The complainant is advised to contact Municipal Court to file charges and to provide a damage repair estimate.
  - a. When the complainant obtains a damage repair estimate and the estimate is two hundred (\$200.00) or more, he should be advised to contact the Traffic Investigation Detail instead of Municipal Court.

### D. Additional Responsibilities at Hit-and-Run Crash Scenes:

1. A description of the vehicle and driver, the direction of travel, and time lapse are obtained and broadcast as soon as possible;
2. When leaving the scene, officer(s) patrol the area in an attempt to locate the hit-and-run vehicle; and
3. Impound hit-and-run vehicles found abandoned in a public place or on private property as evidence in accordance with GM Procedure 607, *Impounding Vehicles*.

### E. Form #CR-2 cannot be used in a hit-and-run crash.

## **.07 DEATH/INJURY NOTIFICATION & FOLLOW-UP AT HOSPITALS**

- A. In traffic crashes resulting in fatalities, the legal next of kin notification will be made in accordance with GM Procedure 704, *Apparent Sudden Deaths*. In cases resulting in serious injury/illness, hospital personnel will make notification to next of kin.
- B. When information or identification is needed from a victim taken to a hospital, the officer assigned the report responsibility shall:
  1. Contact hospital personnel for the identity of the victim;
  2. Request to speak with the victim if additional information is needed for the report; and
  3. Notify the military police prior to contacting the victim at a military hospital.

## **.08 CRASHES INVOLVING CITY VEHICLES**

- A. All City vehicle crashes will be investigated and reported on the Web based TxDOT CRASH, #CR-3 form except; private property crashes involving police vehicles where only the city vehicle is damaged and no other private vehicle or property are damaged. In addition, where no injuries and only minor damage is reported.
  1. City vehicles do not include vehicles belonging to CPS Energy, San Antonio Water Systems (SAWS), San Antonio Housing Authority (SAHA), and VIA Metropolitan Transit.
- B. City vehicle crashes require a UEDI/Crime Scene Unit Investigator to photograph the scene and complete SAPD Form #3-CSS, *Crime Scene Search Report*, with a copy routed to the Traffic Investigation Detail.
- C. Police vehicles that are not drivable are towed to the Central Vehicle Repair Shop at 329 S. Frio St. for inspection of any mechanical defects which the driver claims may have contributed to the crash.
- D. Fire Department vehicles are towed to their vehicle repair shop for inspection of mechanical defects which the driver claims may have contributed to the crash.



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- E. Drivers of vehicles involved in crashes with city vehicles are advised the City is self-insured. If they wish to file a claim against the City, they must contact the City Clerk's Office.

### **.09 CRASHES INVOLVING POLICE VEHICLES**

- A. All members involved in a police vehicle crash (on or off-duty) will be required to consent to post drug/alcohol testing if the crash results in fatality, injury requiring medical treatment (by a physician or hospitalization), significant property damage (as determined by the members supervisor), or vehicle damage with a severity rating of three (3) or more, in accordance with COSA Directive 4.79A, dated 8 April 2010.
1. All members (on or off-duty) involved in a police vehicle crash must notify a supervisor of the crash and remain at the scene of the crash until the supervisor arrives or provides other instructions.
  2. Supervisors will assess vehicle damage by referring to the Texas Department of Transportation Vehicle Damage Guide for Traffic Crash Investigators.
  3. Supervisors developing probable cause for DWI will proceed in accordance with GM Procedure 507, *DWI Arrests*.
    - a. The handling of any incident along criminal investigation guidelines does not exempt a member from mandatory compliance with the administrative post-accident mandates, in accordance with COSA Directive 4.79A.
    - b. Test results stemming from compliance with administrative mandates will not be used for criminal investigations. Test results will be provided only to the Office of the Chief.
    - c. DWI Test results will be annotated on the Web based TxDOT Form #CR-3.
  4. Acting pursuant to administrative guidelines, supervisors will contact A and D Testing, at 210-977-9595 (24 hours). If after business hours, provide answering service with a call-back number, call-back name, and specify "San Antonio Police Department." Supervisors will arrange for testing to be conducted by the testing agency, typically this will be accomplished at the member's duty station.

*Note: The Department of Public Safety (DPS) has informed that administrative testing requirements will not be annotated on the TxDOT Form #CR-3, due to them being non-investigatory in nature.*
  5. Members will be placed on administrative duty for the remainder of their tour of duty/workday.
  6. Results of the tests are only released to the Office of the Chief. Any positive test result for a controlled substance, illegal drug, or any alcohol concentration will result in a formal investigation by Internal Affairs.
  7. Declining a test results in the same consequences as a positive drug test result.
- B. Supervisors are assigned to investigate police vehicle crashes and will complete the, Web based Texas Peace Officer's Crash Report, CR-3 in the TxDOT Web based CRASH system. This report responsibility will not be delegated to a non-supervisory officer. The diagram will be completed only on the Web based TxDOT CRASH, Form CR-3, *Crash Report*.
1. Police vehicle crashes require a UEDI/Crime Scene Unit Investigator to photograph the scene and complete SAPD Form #3-CSS, *Crime Scene Search Report*, with a copy to the Traffic Investigation Detail.
  2. The processing of other reports or charges filed in conjunction with a police vehicle crash (i.e., D.W.I., active warrants, traffic violations, etc.) may be delegated to non-supervisory officers.



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3. If members of the Department are injured in the crash, supervisors will also complete forms in accordance with GM Procedure 916, *Worker's Compensation*.
- C. Supervisors investigating police vehicle crashes shall forward all original reports, including the Texas Peace Officer's Crash Report, to the Traffic Investigation Detail. When the crash report is written on the CRASH system:
1. The electronic submission of the TxDOT CR-3 to Traffic Investigation Detail is considered the original report; and
  2. On the Investigator Panel in the TxDOT Web Based CR-3 the supervisor will ensure that "Traffic Investigations" is selected in the District/Area box. This will forward the crash report to Traffic Investigations Detail Detectives for final approval.
- D. SAPD Form #CR-E1, *Police Vehicle Crash Evaluation Report*:
1. Supervisors are required to complete SAPD Form #CR-E1 and forward through the chain of command for recommendations; and
  2. Attach a draft copy of the TxDOT CR-3, a copy of the SAPD Form #602-6, *Vehicle Crash Report*, and any pertinent AVL, Message Log transcripts, or other documentation.
- E. A member of the Traffic Investigation Detail will be requested to respond to the scene if the crash resulted in serious bodily injury or death to anyone.
- F. The driver of a police vehicle involved in the crash will complete SAPD Form #602-6, *Vehicle Crash Report or Loss Notice*.
- G. Police vehicles (except motorcycles) involved in crashes are removed directly from the crash scene to the Central Vehicle Repair Shop at 329 S. Frio St., regardless of the amount of damage:
1. The police vehicle may be driven or towed by wrecker, depending on the condition of the police vehicle.
  2. If the driver of the police vehicle claims possible mechanical defects may have contributed to the crash, the police vehicle will be towed by wrecker to the Central Vehicle Repair Shop for inspection.
  3. Police motorcycles are towed to the company having the motorcycle lease agreement with the City.
  4. The sergeant will ensure any portable equipment is removed from inoperable police vehicles, including motorcycles, prior to the vehicles being placed in the repair shop.
- H. A work order will be filled out on the wrecked police vehicle listing the reason for placing the police vehicle in the repair shop, the case number of the crash, and the area of damage.
- I. Fleet Services Office personnel will have a damage appraisal performed on the police vehicle and forward a copy of the damage appraisal to the Traffic Investigation Detail.
- J. When repairs are completed on the police vehicle, the Fleet Services Office will place the repaired police vehicle back into service.

### **.10 DAMAGE CAUSED BY POLICE VEHICLE PUSH BUMPERS**

- A. Private property crashes, which are not reportable to the Texas Department of Public Safety, involving only police vehicles and city property, where no injuries and only minor damage is reported will be submitted on an AFR Information Report. The report classification is "Damage to Property."





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- B. Sergeants are assigned to investigate the damage to property incident and will complete the AFR Information Report. Copies of the incident report are routed to the Traffic Investigation Detail and the Risk Management Office.
- C. Damage to property incidents involving police vehicle push bumpers requires a UEDI/Crime Scene Unit Investigator to photograph the damage and complete SAPD Form #3-CSS, *Crime Scene Search Report*, with a copy routed to the Traffic Investigation Detail.
- D. The driver of the police vehicle involved in the damage to property incident will complete SAPD Form #602-6, *Vehicle Crash Report or Loss Notice*.

### **.11 CITATIONS AND ARRESTS**

Traffic citations issued or custodial arrests made during the investigation of traffic crashes are governed by applicable arrest procedures.

### **.12 HAZARDOUS MATERIALS**

- A. Officers encountering a motor vehicle crash involving a vehicle transporting hazardous materials shall:
  - 1. Secure an area around the scene to prevent injury to anyone.
  - 2. Request a supervisor from the Fire Department to respond to the scene.
  - 3. Try to identify the hazardous materials by referring to the Department of Transportation *Emergency Response Guidebook*.
  - 4. TxDOT Form #CR-2 **cannot** be used in a hazardous materials crash.
- B. The Fire Department, upon arrival, assumes incident command.
- C. A police supervisor is assigned and provides any assistance requested by the Fire Department and refers to GM Procedure 802, *Unusual Occurrences and Critical Incidents*, for guidance.