

RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Steven Pitts		
Approving Deputy Chief: Mac Venzon		
General Order No: P-380-11	Issued: August 29, 2011	Reviewed: Aug 15, 2012
General Order Title: TRAFFIC ACCIDENT/INCIDENTS INVOLVING GOVERNMENT EMPLOYEES AND INTER-AGENCY PROTOCOL		

POLICY

It is the policy of the Reno Police Department to ensure that fair, efficient and thorough investigations of traffic accidents or incidents involving City of Reno employees, takes place in a manner that is impartial and transparent.

DEFINITIONS

Administrative Accident Investigation (ACC) – internal investigation, conducted by an employee's supervisor, reported up the employee's chain of command, which could result in discipline.

Traffic Accident – Incident involving a City of Reno vehicle which is in any manner involved in an accident on a highway or on premises to which the public has access, if the accident results in bodily injury to or the death of any person or total damage to any vehicle or item of property to an apparent extent of \$750 or more (adopted from NRS 484E.070)

Traffic Accident Investigation – investigation by law enforcement reported on state approved forms, which could result in criminal charges.

Traffic Incident – when a vehicle collides with or is in any manner involved in an accident with another vehicle or property and the incident does not occur on a highway or premises to which the public has access, or the damage causes to property does not exceed \$750, or the incident does not otherwise fit the definition of a Traffic Accident.

PROCEDURES

RPD Employees Involved in a Traffic Accident or Incident

RPD employees involved in traffic accidents or incidents, while on-duty, or while driving city owned vehicles, will follow the "Traffic Crash Investigation Procedures" delineated in the Traffic Enforcement G.O.

Additionally, on-duty RPD employees, or RPD employees driving city owned vehicles, must immediately notify a supervisor of the accident or incident, unless they are incapacitated and unable to do so.

Supervisors of an RPD Employee Involved in a Traffic Accident or Incident

When notified that their employee has been involved in a traffic accident or incident, the supervisor will respond to the scene unless mitigating circumstances prevent them from doing so. The supervisor will evaluate the circumstances of the accident and determine what level of response is necessary under the below listed categories.

For all on duty RPD employee involved traffic accidents or incidents, or when a city owned vehicle is driven by an RPD employee and is involved in a traffic accident or incident, a supervisor must conduct an administrative investigation and forward his or her findings through their chain of command to Internal Affairs.

Internal Affairs will review and track all employee-involved accidents and incident investigations.

Internal Affairs will forward completed sworn employee involved traffic accidents or incident investigations to the Discipline Review Board for recommendations about discipline or performance based corrective action.

Internal Affairs will forward completed non-sworn employee involved traffic accident or incident investigations through the employee's chain of command for recommendations on discipline or performance based corrective action. Internal Affairs will forward these recommendations to the Chief of Police for the final determination.

TRAFFIC ACCIDENT OR INCIDENTS INVESTIGATED BY OTHER AGENCIES

Inter-Agency Protocol

Whenever any of the following categories of traffic accidents or incidents occur, another law enforcement agency will be requested to respond and investigate in accordance with the Inter-Agency Protocol (attached below):

- Any government employee, whether on duty or off duty, involved in a traffic accident/incident involving serious injuries.
- Any government employee, whether on duty or off duty, involved in a traffic accident/incident involving death.
- Any government employee, whether on duty or off duty, involved in a traffic accident/incident when the arrest of the employee is likely.

Other RPD Involved Accidents

Whenever any of the following categories of traffic accident or incidents occur, another law enforcement agency will be requested to respond and investigate, although these types aren't classified in the Inter-Agency Protocol:

- Any on-duty Reno Police Officer involved in a traffic accident/incident that involves any injury.
- Any on-duty Reno Police Officer involved in a traffic accident/incident that causes major damage to another person's property.
- Any other traffic accident/incident in which, in the opinion of the on-scene supervisor, a significant conflict of interest exists.

Once a supervisor is made aware of an accident or incident involving any of the above listed circumstances, the supervisor will make every effort to notify the investigating agency immediately (but no later than 10 minutes) to allow the investigating agency enough time to respond and initiate their investigation

RPD personnel may conduct any of the above accident/incident investigations only when other agencies are unable to respond.

Requests by Other Agency

RPD officers will respond, upon request by any other law enforcement agency, to assist with accident investigations. Officers will investigate traffic accident/incidents involving the other agencies' employees/vehicles per the Inter-Agency Protocol.

TRAFFIC ACCIDENTS OR INCIDENTS INVESTIGATED BY RPD PERSONNEL

The following categories of traffic accidents or incidents, involving City of Reno employees, occurring within the City of Reno's jurisdiction, may be investigated by RPD personnel and reported on the state approved forms:

- Any on-duty Reno Police Officer, involved in a traffic accident/incident that causes minor damage to another person's property.
- Any City of Reno employee, whether on-duty or off-duty, involved in any traffic accident or incident with a fixed object, that results in property damage only.
- Any off-duty City of Reno employee, involved in an traffic accident that does not result in serious injury, death or the arrest of the employee.
- A parked, unoccupied City of Reno vehicle, involved in a traffic accident or incident with another vehicle.

Any traffic accident/incident involving city employees, occurring in another jurisdiction, will be investigated by the agency having jurisdiction.

ADMINISTRATIVE ACCIDENT INVESTIGATION (ACC) OF RENO PD EMPLOYEES

Only an administrative accident investigation is required for traffic accidents or incidents involving on duty RPD employee, in a City of Reno vehicle, that only result in damage to city property. They do not require a traffic accident investigation nor must they be reported on state approved forms.

CRIMINAL INVESTIGATION

Sworn employees do not have statutory exemption to criminal sanctions for any violation of State or City laws pertaining to on-duty traffic accidents or incidents. For accidents or incidents that fit the criteria set forth in the Inter-Agency Protocol, the investigating agency will normally submit cases to the Washoe County District Attorney's Office for prosecutorial review.

For all other cases, the agency investigating the traffic accident or incident will make a determination, based on the facts of the case, whether to submit the case for prosecutorial review, or to handle the case administratively through the agency's internal disciplinary and/or risk management processes.

**D.A. OFFICE GUIDELINES
AND
PROTOCOL
MOTOR VEHICLE
ACCIDENTS/INCIDENTS**

PURPOSE

The purpose of this Protocol is to establish procedures which will provide for uniformity in:

1. Investigating and Reporting all Serious Injury and Fatal Accidents.
2. Investigating and Reporting all Injury or Fatal Accidents/Motor Vehicle Incidents and All Arrests which have the involvement of Governmental Agency Vehicles or Governmental Personnel whether acting in their official capacity or in off-duty status.

INITIAL LAW ENFORCEMENT OFFICER

ON SCENE

(SECTION I)

I. **FIRST UNIT ON SCENE: LAW ENFORCEMENT OFFICER**

(Includes Hasty Team, Fire Department, Emergency Medical Personnel, and all Law Enforcement Personnel)

THE FIRST LAW ENFORCEMENT OFFICER ON-SCENE SHALL:

- A. Make the scene as safe and secure as possible by establishing traffic control to prevent injury or further injury to involved parties and other motorists, while preserving the evidence at the scene.
- B. Whenever possible, establish a single controlled entry/exit point which will cause the least disturbance/contamination to the evidence.
- C. Restrict entry to **Authorized Personnel** only. Document why they are there and the time they entered the scene.
- D. If it is determined that a Governmental Agency Vehicle or Personnel are involved whether in official capacity or in off-duty status, immediately notify the Dispatch Center and the On-duty Supervisor.
- E. If a driver or victim is to be moved to a medical facility, every effort should be made to accurately outline the exact position of the person by the best available means. In doing so, every reasonable effort

should be made to avoid disturbing any evidence.

F. If a driver or victim is transported to the hospital prior to the arrival of the investigating agency, the Investigating Agency's Dispatch Center is to be immediately advised so an officer can be dispatched to the hospital to conduct post scene investigation activities.

G. The First On-Scene Officer shall begin the investigative process as though his agency is the primary investigating authority by interviewing the drivers/witnesses involved to determine preliminary causation factors and other related matters. The interviewing procedure will follow normal investigative guidelines. All activities shall be documented or tape recorded as they occur. (Follow the steps as outlined under the Investigating Agency First On-Scene Law Enforcement Officer).

This procedure shall remain in effect until relieved by the First On-Scene Investigating Agency Officer.

H. Upon arrival of the Investigating Agency, the First On-Scene Law Enforcement Officer shall brief the Investigating Agency Officer as to the information he obtained (witness statements, driver(s) statements, both verbal and written, provide any and all other information obtained or observed), and provide any assistance requested until relieved by the On-Scene Supervisor.

I. Upon completing the assignment, provide a detailed written account of involvement, to include all verbal conversations with on-scene parties, actions taken and emergency services provided. (This is to be inclusive of all conversations whether they occur at the scene, post scene, or at other times throughout the process of judicial proceedings).

INVESTIGATING AGENCY

FIRST ON-SCENE

LAW ENFORCEMENT OFFICER

(SECTION II)

II. INVESTIGATING AGENCY, FIRST ON-SCENE LAW ENFORCEMENT OFFICER SHALL:

A. Upon the exiting of rescue, fire and medical emergency personnel, secure the scene until the arrival of the Investigating Agency

Supervisor, or F.I.S. personnel.

B. Make a preliminary assessment of the scene with respect to accident/incident type, (property damage, injury, fatality), lane or road closures or other pertinent information and advise Agency Supervisors.

1. If it is determined that a Governmental Agency Vehicle or Personnel are involved whether in official capacity or in off-duty status, immediately notify the Dispatch Center and the On-Duty Supervisor.

2. If the injured are transported to the hospital, the First On-Scene Investigating Officer shall ensure that the Officer Assigned to the Hospital receives as much information as possible about the accident to properly conduct post scene investigation activities.

C. Immediately list all individuals to the extent possible (witnesses who actually witnessed the accident/incident or who spoke to the driver(s) and/or passenger(s), bystander(s), other agency personnel, etc.) found at the scene at the time of arrival. This list should include all Law Enforcement Personnel, whether on-duty or off-duty, and all vehicle license plate numbers. (This officer will be responsible for contacting the First On-Scene Law Enforcement Agency Communications Centers to secure radio and telephone communication logs concerning the accident).

D. Note and accurately record the location of all physical evidence which might be disturbed during life-saving efforts or which is short-lived in duration. If possible, begin photographing the scene immediately to preserve any evidence which may be disturbed or which is short-lived. Although the body of a deceased may not be removed until the on-scene investigation is completed, or has progressed to a point where the investigation will not be compromised, if an injured or deceased person is to be removed from the scene or where the body came to final rest after the accident, make every effort to accurately outline the exact position of the body/ person before removal and document who moved or removed the body/person and why the body/person was removed or moved.

1. Determine, in accordance with agency policy, if the nature of the accident/incident dictates notification and response of Accident Reconstruction Personnel. If so, immediately notify Dispatch and the On-Duty Supervisor. (Agencies are to follow internal Division/Department Procedures).

E. Locate and verify the identity of all drivers and passengers of the vehicles involved, including non-contact vehicles, if appropriate.

1. Exhaust all means possible at the scene to establish each driver(s) identity.

2. Document the position of the occupants in the vehicles. Injuries and secondary impacts are indicative of an occupant's position at initial impact and therefore the location and extent of injury to each person is to be documented.

3. Do not allow people to leave the scene until they are interviewed. If the circumstances dictate otherwise, at the very minimum, the person's name, physical residence, telephone number, and place of employment should be obtained as well as the person's vehicle license plate number.

4. Where possible, obtain tape recorded statements from the suspect driver(s). At the very minimum obtain a written statement from the suspect driver(s). In any event, accurately record all verbal statements made by the suspect driver(s). This information is to be inclusive of all conversations, regardless where they occur throughout the duration of the investigation, post investigation or any other contacts).

5. Obtain all available information regarding the ownership/insurance certificates on the vehicles involved and book into evidence all ownership/insurance documents.

F. Refer all News Media contacts to the Investigating Agency Supervisor On-Scene or In Charge of the investigation. List all Media Representatives on-scene for future reference whether or not interviews were conducted, video taped, etc.

G. If the First On-Scene Investigating Agency Officer is other than the primary investigating officer assigned, this officer will be required to prepare a detailed written report of his/her activities upon completing his/her assignment. (This is to be inclusive of all conversations between non-investigative personnel, actions taken, etc.).

GOVERNMENTAL AGENCY/EMPLOYEE

INVOLVEMENT

(SECTION III)

III. GOVERNMENTAL AGENCY VEHICLE AND/OR PERSONNEL INVOLVEMENT

A. Whenever a Law Enforcement Officer or a Law Enforcement Dispatch Center has knowledge that an accident/incident

involves a Governmental Agency Vehicle and/or Personnel, or a Governmental Agency Employee, whether acting in his/her Official Capacity or in Off-Duty status, is subject to ANY ARREST, the Officer or Dispatch Center having this information shall:

1. Immediately notify the On-Duty Supervisor.

B. **SUPERVISORY:**

1. The On-Duty Supervisor shall initially obtain as much information as possible to properly assess the situation while immediately responding to the scene of the accident/incident.

a. If the accident/incident meets the criteria established in Section IV, the On-Duty Supervisor shall ensure that all procedural steps are followed to include immediate notification of Commander(s) and the Appropriate On-Call Prosecuting Attorney.

b. The On-Duty Supervisor shall ensure that the Governmental Agency involved is notified and shall confirm the On-Duty Governmental Agency Supervisor is advised.

c. If the accident/incident does not meet the criteria established in Section IV, the On-Duty Supervisor shall follow the appropriate Division/Department Policy/Procedures in investigating and reporting the accident/incident.

SUPERVISORY

(CORPORAL/SERGEANT)

(O. 1. C.)

(SECTION IV)

IV. **INVESTIGATING AGENCY SUPERVISOR**

THE INVESTIGATING AGENCY SUPERVISOR SHALL:

A. Immediately respond to the scene of the accident/incident and assume total responsibility for the on-scene investigation and post scene investigation activities until relieved by another with higher authority.

1. In cases where a Governmental Agency Vehicle and/or Personnel are involved, whether in official capacity or in off-duty status and the accident/ incident involves serious injury or death, or in cases where a Governmental Employee is subject to any arrest, immediately notify the Investigating Agency Command Officer.

2. Ensure that the appropriate Prosecuting Attorney's Office having jurisdiction is contacted and is apprised of the facts and circumstances involved.

3. Ensure that the responsibilities required of the Initial On-Scene Agency and the First On-Scene Investigating Agency Law Enforcement Officer has been met.

4. Familiarize self with the facts of the investigation to date.

5. Take whatever action necessary to correct any deficiencies or problems noted or identified

6. Make all necessary/required assignments of personnel that are needed to maintain the integrity of the scene and post scene investigation activities, including follow-up activities required at the hospital, interviews, leads developed, or claims by the suspect driver(s) which could be used as a defense for their actions or inactions.

B. Notify other required personnel, Commanders, Coroner, etc.

C. Where individuals are deceased, ensure that the body(s) is not moved until the investigation has progressed to the point where the removal will not compromise the investigation's integrity.

D. Ensure that all personnel entering the scene for any reason prepare a detailed report of their activities, documenting any conversations participated in or overheard.

E. Ensure that all evidence is properly processed, i.e., marked, identified, inventoried, photographed, handled, and entered as evidence in the appropriate storage facilities.

F. Ensure that all reports, diagrams, statements, and facts pertaining to the investigation are collected, reviewed, and presented as a complete report to the Appropriate Prosecuting Attorney's Office for consideration for criminal prosecution.

G. Ensure that all follow-up reports and investigation activities are completed and reviewed promptly and that the reports are submitted to the appropriate Prosecuting Attorney's Office.

H. Shall prepare a detailed written report of all activities performed or action taken This will include, but is not limited to, who was notified, time, reason for notification, etc. Shall also prepare a written report of conversations with witnesses, drivers, passengers, etc., involved and actions taken to correct investigation deficiencies.

COMMAND OFFICER

(LIEUTENANT OR HIGHER IN RANK)

(SECTION V)

V. INVESTIGATING AGENCY COMMAND OFFICER

THE INVESTIGATING AGENCY COMMAND OFFICER, WHEN NOTIFIED SHALL:

A. In cases where a Governmental Agency Vehicle and/or Personnel are involved whether in official capacity or in off-duty status and the accident/incident involves serious injury or death, or in cases where a Governmental Employee is subject to any arrest. the Investigating Agency Command Officer shall immediately respond to the scene and assume command over the entire case investigation:

1. Will immediately ensure that he is briefed on all investigative activities to date and that all procedural steps have been followed and all procedural responsibilities have been met.

2. Will immediately identify and ensure that deficiencies noted are corrected or dealt with in the appropriate manner

3. Will ensure that all necessary/required assignments have been made or are completed.

4. Will ensure that appropriate staffing levels are maintained to ensure a competent investigation is conducted.

5. Will contact and act as the Liaison Officer between the Investigating Agency and other involved Governmental Agency Supervisors/Command Officers.

6. Will be the Liaison Officer between the Investigating Agency and the News Media
7. Will be held responsible and accountable for all investigation activities and reporting.
8. Will coordinate Investigative Agency activities with the Appropriate Prosecuting Attorney's Office.
9. Shall prepare a detailed written report of all activities performed or action taken. This will include, but is not limited to who was notified, time, reason for notification, etc. Shall also prepare a written report of conversations with witnesses, drivers, passengers, etc., and actions taken to correct investigation deficiencies.
10. Will be responsible, in conjunction with the Appropriate Prosecuting Attorney's Office, for staffing post investigation meeting within eight (8) hours after the on-scene investigation is completed. (8-hour requirement may be waived based on concurrence with the Appropriate Prosecuting Attorney's Office and the Department/Division Chief or his designee).
11. Will be responsible, in conjunction with the Appropriate Prosecuting Attorney's Office, for staffing periodic meetings prior to the scheduled court proceedings. (Times, frequency of meetings to be determined at the discretion of the Investigating Agency and/or the Appropriate Prosecuting Attorney's Office, refer to Section VIII).

INVESTIGATING AGENCY

LAW ENFORCEMENT OFFICER

ASSIGNED TO HOSPITAL

(SECTION VI)

VI. INVESTIGATING AGENCY, LAW ENFORCEMENT OFFICER ASSIGNED TO HOSPITAL

A. The officer(s) assigned to the hospital is responsible for maintaining the integrity of all evidence related to the driver(s) and victim(s) and conducting post scene investigation activities.

1. If it is determined at the hospital that a Governmental Employee is involved whether in official capacity or

in off-duty status, the On-Scene Supervisor is to be immediately notified through the appropriate Dispatch Center.

2. It will be the responsibility of the Officer(s) Assigned to the Hospital to obtain as much information as necessary from the On-Scene Investigator(s) or Supervisor to properly conduct the post scene investigative activities at the hospital.

B. Clothing/Photographs:

1. If items of clothing are removed, the items shall be handled carefully to avoid transfer or loss of blood or trace evidence and carefully dried prior to packaging.

a. Clothing shall be photographed to the extent possible without disturbing the article where trace evidence may be destroyed.

2. Clothing items shall be packaged separately in paper bags and labeled by the Collecting Officer and processed as evidence,

a. Where paper bags are not available, the clothing shall not be packaged; it shall be separated and preserved until the arrival of F.I.S.

b. If a driver or victim is D.O.A., the officer will make every reasonable effort to ensure that hospital personnel do not wash blood, dirt, or other materials from the body.

i. The body shall remain in the emergency room pending the arrival of the Coroner.

ii. The officer will not order any blood, urine, or any other bodily fluids removed from the body if D.O.A.

3. Photographs should be taken of all persons taken to a medical facility. (Photographs of injured person(s) should be discretely taken to preserve the individual's dignity). Photographs to the extent possible should include face, head, and all other parts of the body where injuries were sustained, if possible, and within reason.

4. If the person is D.O.A., or succumbs to his injuries while in the emergency room, photographs shall be taken

of the victim. No evidence or clothing shall be disturbed or removed from the victim in the emergency room after the victim is deceased unless permission is granted by the Coroner.

5. If the Coroner has not been notified of the D.O.A. by the hospital staff, the Officer Assigned shall contact his Supervisor and Dispatch Center to have the Coroner advised.

6. The body will be removed to the Coroner's Morgue under the supervision of the Coroner.

7. Any needed access to the body prior to the autopsy will be with the cooperation of the Coroner.

C. **SUSPECT DRIVER**

1. Interviews

All verbal statements made by the suspect driver shall be accurately recorded. Whenever a suspect is taken into custody, he is to be advised of his constitutional rights per Miranda. A written statement should thereafter be obtained, if possible. All verbal statements made by the suspect at anytime are to be accurately recorded.

a. Taped statement (preferably video) of the suspect driver should be made as soon as possible after the accident/incident, inquiring into the twelve-hour period prior to the accident/incident (including location, food or beverages consumed, medication taken, physical or mental problems, contacts with third persons) as well as the accident/incident itself and the aftermath.

2. Evidence

a. Obtain driver's license information and other forms of identification from the driver.

b. Whenever possible, the driver is to be photographed fully clothed, including both a full body and facial photograph.

c. Seize the suspect(s) clothing and package each article in paper bags only.

d. Hair samples should be taken to identify the suspect(s) position in the vehicle. Efforts should first be made to obtain a voluntary sample. If there is a refusal, contact the Appropriate On-Call Prosecuting Attorney before proceeding

further.

3. Alcohol - Drug Testing

a. If there is reasonable cause to believe that the suspect is under the influence of alcohol and/or controlled substances, and that the suspect has caused the death or substantial bodily harm of another, the suspect is not entitled to a choice of tests. The assigned officer shall immediately demand and use reasonable force to obtain an evidentiary blood sample consisting of three (3) blood draws, each taken at 30 minute intervals. The Appropriate On-Call Prosecuting Attorney should be contacted for assistance, if necessary.

b. If the suspect represents that he has a life-threatening medical problem which may prevent a blood test, hospital emergency staff is to be contacted for verification of the condition(s) and possible alternate blood testing methods. The Appropriate On-Call Prosecuting Attorney must be contacted in this regard.

D. **PASSENGER(S)**

1. Statements

a. A written statement should be obtained from each passenger if possible. All verbal statements shall be accurately recorded.

2. Evidence

a. Obtain a driver's license or other forms of identification.

b. If possible, photograph the passenger fully clothed and include facial photograph.

c. Hair samples should be taken to identify the passenger(s) position in the vehicle. If the passenger does not voluntarily consent to the sample, the Appropriate On-Call Prosecuting Attorney must be contacted if there is suspicion that the passenger may be the driver.

d. Where they may have evidentiary value, the passenger's clothing should be seized and packaged separately, in paper bags only.

E. **NON-SUSPECT DRIVER**

1. Statements

a. Written statement shall be obtained from any other non-suspect driver where possible. All verbal statements shall be accurately recorded.

2. Evidence

a. Obtain driver's license information or other forms of identification.

b. Photograph the driver fully clothed and include all facial photograph.

c. Photograph all injuries where appropriate.

d. In only those cases where they have evidentiary value, the clothing shall be seized and packaged separately, in paper bags only.

F. ALCOHOL/DRUG TESTING

1. Voluntary testing (preferably blood) is to be taken whenever possible. Testing helps to avoid a defense that the non-suspect driver was under the influence. Where problems arise concerning this issue, the Appropriate On Call Prosecuting Attorney shall be contacted.

2. Where there is a reasonable basis to believe that the non-suspect driver is under the influence of alcohol/controlled substances, yet from the evidence it is clear this driver was not the cause of the accident/incident, the matter will be handled as a regular misdemeanor D.U.I. investigation involving the standard implied consent admonishment. **(Exception to this is where provisions apply under N.R.S. for previous D.U.I. convictions).**

G. OTHER INVOLVED DRIVERS/PEDESTRIANS/PASSENGERS

If there is reasonable cause to believe that more than one driver/pedestrian/ passenger was under the influence of alcohol/controlled substances and that their act may in some way have been a contributing factor to the injury or death of another, then the evidentiary blood samples should be taken from these individuals, using reasonable force if necessary. The Appropriate On-Call Prosecuting Attorney's office must be contacted under these circumstances.

EVIDENCE

(SECTION VII)

VII. EVIDENCE

All evidence shall be processed in accordance with the Investigating Agency evidence processing procedures.

A. EVIDENCE TO BE RETAINED BY INVESTIGATING AGENCY

1. All photographs taken pursuant to the investigation, including autopsy photos.
 - a. All photographs will be processed as soon as possible in 3" x 5" format for review.
 - b. All photographs selected for court will be in 8" x 10" format.
2. All physical evidence such as clothing, debris, vehicle parts, etc., that are not submitted to the Lab.

B. EVIDENCE SUBMITTED TO THE LAB:

1. All evidence submitted to the Lab must be accompanied by a Lab Request Form identifying what is to be done and requesting that the items be processed immediately. The results shall be made available to the Appropriate Prosecuting District Attorney's Office as soon as possible upon return receipt from the Lab.
2. The Lab shall return to the Submitting Agency all physical evidence upon completion of test procedures. The evidence that requires refrigeration or specialized care in retention will be retained by the Appropriate Testing Facility.

C. VEHICLE(S) RETENTION:

1. **All vehicles involved in an accident/incident where death or substantial bodily harm is involved or where felony prosecution may be involved, shall be impounded and processed as evidence.**
 - a. The Investigating Agency will provide for the secured storage of the vehicle(s).
 - b. The Officer who is charged with the responsibility of completing the Impound/Inventory

Forms on the vehicle(s) at the scene of the accident/ incident shall be responsible for obtaining a written statement(s) from the tow truck operator(s). This statement shall be inclusive of all items which were moved or displaced on the vehicles (inside and outside) to prepare the vehicle for removal, tow and securement at its destination.

2. The vehicle(s) and their contents shall remain in Law Enforcement custody either at a Law Enforcement facility or at a Secured Storage area until such time the vehicle(s) are released by a **written authority from the Appropriate Prosecuting Attorney's Office**. A copy of the written release shall be placed in the Investigating Agency's case file.

a. It will be the responsibility of the Appropriate Prosecuting Attorney's Office to **secure Written Verification from the defense attorney's involved or the court having jurisdiction authorizing the release of the vehicle(s). Written verification authorizing release shall be in the possession of the Prosecuting Attorney's Office prior to issuing a written letter of release to the Investigating Law Enforcement Agency.**

D. VEHICLE INSPECTIONS:

All vehicles involved or believed to have contributed to a fatality or injury accident/incident, shall be inspected by proper authority to document or eliminate mechanical problems as factors in the case.

1. All vehicle inspections shall be performed by a Qualified Mechanic.

2. Notification of the date of inspection is to be made to the On-Scene Accident Investigator, Reconstructionist, F.I.S. Representative, and the Appropriate Prosecuting Attorney's Investigative Staff.

3. The inspection shall be photographed and if possible video taped.

4. The Appropriate Prosecuting Attorney's Office shall be notified as soon as all inspections or tests have been completed.

5. All Investigating Agency persons involved or witnessing the inspection process or any parts thereof, shall prepare a detailed written account of their involvement which will be placed in the file case.

STAFFING
(SECTION VIII)

VIII. STAFFING

A. Post Scene Investigation Meeting

1. A meeting shall be held within eight (8) hours after the On-Scene Investigation is completed. The eight hour time limit may be adjusted to facilitate responsible agency demands. (One Post Scene Investigation Meeting is required at a minimum. Agencies involved have the discretion of staffing as many meetings as necessary prior to submission of the case to the Prosecuting Attorney's Office).

2. The following individuals shall attend the meeting:

a. On-Scene and Post Scene Investigating Agency Personnel/Supervisor/Command Officer.

b. Involved Governmental Agency Supervisor/Command Officer

c. On-scene F.I.S. or Evidence Personnel.

d. Prosecuting Attorney assigned.

e. Prosecuting Attorney Investigations Staff.

f. Coroner.

g. Any others necessary to coordinate efforts.

3. The staffing shall:

a. Evaluate the status of the Investigation to date.

- b. Determine what further Investigation is needed in the Case.
- c. Determine what Lab requests will be necessary.
- d. Discuss the timing and extent of Vehicle Inspections and Releases.
- e. Discuss any or all matters pertaining to witness notification availability for court procedures.
- f. Determine if all witness statements and Governmental Agency requested/required reports have been submitted to the Investigating Agency.

B. Prosecuting Attorney Investigation:

1. When a case is submitted for prosecution, the Prosecuting Attorney's Office Investigation Division is responsible for meeting with the Investigating Agency to determine if the Prosecuting Attorney's File and the Investigating Agency's File are identical.
2. Once a case is set for trial, the case will again be staffed by the Parties Involved in the Original Staffing to determine if the file is complete and that all investigative matters are complete.
3. Prior to the trial date itself, a final Pre-Trial Meeting will be held at a time set by the Prosecuting Attorney.

AUTOPSY

(SECTION IX)

IX. AUTOPSY

The Coroner's Office will be responsible for notifying all involved agencies of the date and time of the Autopsy.

1. All attendees will sign in on the form provided.
2. The following shall be in attendance:
 - a. No more than two Law Enforcement

Officers from the Investigating Agency, at least one of whom should have been at the accident scene.

b. No more than two F.I.S. personnel, at least one of whom has been at the accident scene.

c. The On-Scene Coroner personnel.

d. No more than two Prosecuting Attorney Staff members.

e. Crime Lab personnel as required.

3. Attendees should remain throughout the entire Autopsy. Once an Autopsy is commenced, no unauthorized personnel should be allowed to enter.

4. F.I.S. or Investigating Agency Personnel will photograph the body prior to undressing it. The photographs are to include defects to the clothing sustained during the accident and obvious wounds to the body. Photographing will continue throughout the Autopsy procedure and will record internal correlation to external wounds when possible.

a. If the body is nude at the beginning of the Autopsy, the body is to be photographed in its present state.

b. Facial photographs of the victim will be taken. These must be adequate for identification purposes.

c. Areas considered sensitive or inadmissible in court should be covered. Inadmissible or sensitive areas of the body may include photographs of genitals or wounds caused by the autopsy.

d. Polaroid pictures should be taken by the attendees to document wounds if this information is necessary for a staffing or to be used at a preliminary hearing prior to the completion of the Autopsy Report.

5. When the Autopsy Procedure is commenced, the Pathologist will normally remove the clothing and give the items directly to the F.I.S. representative.

All projectiles or other foreign objects found internally will be removed by the Pathologist, sufficiently identified and given directly to the F.I.S. personnel. These items will be placed in an envelope, sealed and initialed by the coroner's staff and the F.I.S. representative receiving same.

6. Evidence, including loose trace evidence and blood,

should be collected identified and sealed in proper containers.

7. Notes of the Pathologist may not be used by the Attendees.

8. Upon completion of the Autopsy, a meeting is to be held immediately between the Attendees and the Pathologist to review the results of the autopsy and correlate the identified injuries with body movement during secondary impacts. Body diagrams should also be reviewed to assure that they are consistent with the Autopsy results.

NEWS MEDIA

(SECTION X)

X. News Media functions in these types of situations shall be handled at all times in a professional manner. It is imperative that constitutional rights of those involved are preserved and at the same time, the public's best interest is served.

A. News Media representatives shall be afforded the opportunity to conduct their business in a reasonable manner. News Media Personnel shall not be allowed to enter a controlled area unescorted.

1. **On-Scene:** All inquiries will be directed to the Investigating Agency Supervisor. This person will be responsible for making the decision as to the content and timing of the statement to be given to the News Media. All releases by the Investigating Agency, are to conform with the appropriate Division/Department Procedures.

2. **Case Submitted to Appropriate Prosecuting Attorney's Office:** Once the case has been submitted to the Appropriate Prosecuting Attorney's Office all releases to the News Media regarding the details and progress of the investigation and prosecution will be prepared by the Prosecuting Attorney's Office.