

CITY OF OCONOMOWOC POLICE DEPARTMENT
POLICIES & PROCEDURES

DATE: August 25, 2022

HISTORY: January 12, 2011
January 27, 2021
July 27, 2022

SUBJECT: Traffic Crashes-Investigating & Reporting

POLICY NUMBER: 11-055

I. PURPOSE

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

II. POLICY

It is the policy of the City of Oconomowoc Police Department that its officers will respond to all traffic crashes, provide aid to injured victims, investigate the scene, and clear the scene/roadway as soon as practicable. Enforcement action shall be taken in cases where violations of law caused or contributed to the crash, and where the elements of the offense can be established. Crashes that meet state damage thresholds will be reported using the Wisconsin Motor Vehicle Accident Report Form (MV4000).

III. PROCEDURE

A. Reporting Requirements

1. The following accidents require the completion of the Wisconsin Motor Vehicle Accident Report Form (MV4000):
 - a. Crashes resulting in injury or death
 - b. Crashes resulting in damage to personal or government vehicles or government property in excess of state thresholds
 - c. Crashes resulting in damage to department vehicles
2. In addition to the completion of the MV4000, supplemental reports are required when additional information is required to document the investigation.
3. All crashes, including those where the drivers plan to work out the damage between themselves, that result in property damage only and do not meet State damage thresholds, require the completion of the Non-Reportable MV4000 Accident Report Form.
4. Crashes reported to the City of Oconomowoc Police Department, after the vehicles have left the scene and when someone complains of injury, require the completion of the MV4000 Accident Report Form in TraCS. The officer will make the notation "*Not Investigated At The Scene*" at the top of the narrative position of the MV4000.
5. With crashes after the fact and with no injuries, drivers will be referred to the Driver Report of Accident Report Form (MV4002). However, officers are required to put names and vehicle information into the CAD.
6. Crashes involving off-duty personnel, or an employee of the City of Oconomowoc Police Department will be reported to the on-duty supervisor. If the supervisor determines the crash is reportable, a request will be made to an outside agency to investigate the crash and complete the crash report. If the supervisor determines a crash is considered non-reportable,

the crash can be investigated and completed by this department on a “Non-Reportable” crash report.

B. Officer Response

1. Officers responding to crashes where the department has been notified that injuries are involved, should respond with emergency lights and sirens activated.
2. Officers responding to a crash involving a hit and run will respond at normal speed unless the accident involves injuries.
3. Officers responding to property damage only crashes resulting in land/road blockage will respond at normal speed. If needed, upon arriving on scene, the officer can utilize their emergency equipment to maneuver through backed up traffic.
4. Officers responding to crashes where the involved drivers are reported to be involved in a disturbance or physical assault may support an emergency response.
5. Officers responding to crashes where hazardous materials are known to be involved will respond at normal speed. Upon arriving on scene, caution should be used. Additional resources and equipment may be required. Contact Western Lakes Fire Department for cleanup of major spills.

C. Crash Scene Procedure

1. Officers responding to accident scenes will position their squads for scene protection with access for fire/rescue personnel in mind. Crash location with posted speed zone of 35 mph, fire will be dispatched.
2. The first officer arriving on the scene of a crash is in charge of the scene unless relieved by a higher-ranking officer. This officer should call “command”.
3. The first officer on the scene will determine the existences/extent of injuries and summon rescue personnel as needed. Injuries, or lack thereof, will be noted in the narrative section of the MV4000.
4. Determine the need for Western Lakes Fire Department, tow trucks, utility company assistance, or other city department assistance.
5. Establish a safe traffic route around the scene and broadcast any approach considerations for other responding units.
6. 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 crash scene follow up may be necessary, i.e., contact injured persons at hospital. Phone numbers for all subjects must be obtained.
7. 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. Witnesses should complete written statements.
8. Officer will determine if any drivers are impaired.

9. When an officer is able to identify a violation of law that caused or contributed to the accident, he/she shall initiate law enforcement action.
 10. 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.
 11. Complete MV4000 in accordance with the Department of Transportation Handbook.
 12. The officer completing the original MV4000 will be responsible for completing any supplemental reports, unless the case has been assigned to another officer.
- D. Crashes Involving Serious Injury or Death
1. Officers will respond in accordance with Section D and E.
 2. A patrol supervisor will be notified and shall respond to the scene.
 3. The patrol supervisor will determine if reconstruction is required. If so, the supervisor will request Waukesha County Communications (WCC) to contact WSP or WSD for mutual aid assistance. Once the investigator has arrived, the initial officer and patrol supervisor will meet with them to determine responsibilities.
 4. Vehicles involved in the crash may be impounded for off-scene inspection.
 5. Completion of the MV4000 shall remain the responsibility of the first responding officer unless that responsibility has been re-assigned by the on-scene supervisor.
 6. If the crash results in death, the medical examiner shall be notified. The medical examiner will make notification of next of kin.
 7. The on-scene supervisor may request that a detective squad respond to the scene to assist with the investigation.
 8. All involved persons will be interviewed. Care must be taken to identify the involved drivers, passengers, and witnesses before they leave the scene.
 9. In addition to the MV4000, investigative and supplemental reports will be completed and submitted in a timely manner.
 10. In cases where a person dies as a result of the crash, the Motor Vehicle Fatal Supplement Report (MV3480) will be completed by the first responding officer and the Department of Transportation shall be notified by the end of the officer's shift. If a person dies within thirty (30) days due to injuries sustained in the crash, the MV3480 will be completed and sent to the Department of Transportation. It will be the responsibility of the on-duty supervisor to ensure that MV3480 is completed by the end of their shift.
 11. If a person is the operator of a vehicle that is involved in a crash that causes substantial bodily harm and the officer detects any presence of alcohol, controlled substance, any other drug, or a

combination thereof, the officer may request, under Implied Consent, that the operator provide one or more samples of breath, blood, or urine.

12. If the person is the operator of a vehicle that is involved in a crash that causes the death or great bodily harm and the officer has "reason to believe" that the person violated any state or local traffic law, the officer may request, under Implied Consent, that the operator provide one or more samples of breath, blood, or urine.
13. Failure to provide the requested samples, as noted in Sections K and L listed above, is a Refusal under Implied Consent, and would count as a prior OWI-type conviction, so this is significant.

E. Hit And Run Crashes

1. Officers will respond to hit and run crashes in accordance with Sections D and E.
2. Hit and run crashes with suspect or vehicle information, or evidence will be documented with an investigative report and MV4000 if state reporting requirements are met. In the event of a non-reportable crash, where there is no evidence or suspect information, a MV4000 with diagram Non-Reportable Accident Form will be completed by the officer.
3. Photographs will be taken to document available evidence and damage as determined necessary by the investigating officer.
4. Witness statements will be obtained from available witnesses.
5. Enforcement action will be taken if the suspect vehicle and/or operator are located.
6. Follow up investigation will be done by the initial officer, unless assigned to the detective bureau.

F. Crashes Involving Department Vehicles

1. A supervisor will be notified as soon as possible in the event of an 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.
2. Crashes involving department vehicles which result in damage and/or injury, will be referred as soon as possible to Wisconsin State Patrol (primary), or in the event they are not available, to Waukesha County Sheriff's Department (secondary). The outside agency shall be responsible for all aspects of the follow up investigation, including completion of the MV4000.
 - a. If a crash involving a department vehicle occurs outside the city limits, it will be that agency's determination as to who will investigate the crash
3. Any enforcement action shall be at the discretion of the outside investigating agency.
4. Photographs shall be taken of the scene and to document damage to the vehicle(s) involved.
5. As soon as practical, the involved officer will complete an administration memo.
6. The supervisor will notify the Captain.

G. Crashes Involving Hazardous Materials

1. Officers shall respond to and investigate in accordance with Sections D and E.
2. 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.
3. Approach cautiously and attempt to identify the hazard from a safe distance. Placards, containers labels, shipping papers, and transporting vehicle operators can help identify the hazard.
4. 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.
5. If possible, responding officers should position themselves up wind from accident scene involving hazmat spills.
6. Crashes involving hazardous materials may require outside agency involvement.
 - a. Western Lakes Fire Department shall be notified in the event of a hazardous material accident
 - b. CHEMTREX (800)424-9300 can provide additional information
7. 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 re-entry.
8. Proceed with the crash investigation and reporting duties once the Hazardous Materials Response Team has deemed the scene safe.

H. Crashes Involving Trains

1. Crashes 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.
2. The scene is to be protected; this includes the roadway and the adjacent railroad right-of-way.
3. The scene is to be documented with photographs, measurements, diagrams, and video recordings. Trained photographer should be dispatched to the scene.
4. The engineer and conductor need to be identified and interviewed.
5. Record information relative to the train identification, number of cars, distance travelled after impact, grade crossing, visibility, and estimated speed of train and vehicles involved.
6. 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.

III. EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE

This policy is effective immediately
and will supersede any directives or understandings in conflict