

Traffic Crashes

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic crashes.

501.2 POLICY

It is the policy of the University of Maryland, Baltimore Police Department to respond to traffic crashes and to render or summon aid to injured victims as needed. The Department will investigate and prepare reports according to established minimum reporting requirements with the goal of reducing the occurrence of crashes by attempting to identify the cause of the crash and through enforcing applicable laws. Unless restricted by law, crash reports will be made available to the public upon request.

501.3 RESPONSE

Upon arriving at the scene, the responding member shall assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by the Shift Supervisor.

The Shift Supervisor should be called to the scene when the incident:

- (a) Is within the jurisdiction of this department and there is:
 - 1. A life-threatening injury.
 - 2. A fatality.
 - 3. A department vehicle involved.
 - 4. A department official or employee involved.
 - 5. Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction, depending on the location of the jurisdiction, and there is:
 - 1. A department vehicle involved.
 - 2. A department official involved.
 - 3. Involvement of an on-duty member of this department.

501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.
- (d) The potential for involvement of hazardous materials.

Traffic Crashes

- (e) The need for additional support as necessary (e.g., traffic control, emergency medical services, fire department, HAZMAT, tow vehicles).
- (f) Clearance and cleanup of the roadway.

501.4 NOTIFICATION

If a traffic crash involves a life-threatening injury or fatality, the responding officer shall notify the Shift Supervisor, or if unavailable, the Shift Commander. The Shift Commander or Shift Supervisor may assign an officer or other appropriate personnel to assist BPD with the life-threatening injury or fatality traffic crash. The Shift Commander will ensure notification is made to the Commander of the Operations Bureau or designee, in accordance with the Major Incident Notification Policy #327.

501.4.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the law enforcement agency where the victim resides. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic crash shall not be released until notification is made to the victim's immediate family.

In the event of a fatality, members involved in notification shall ensure that family members of the victim are provided with a victim's representation notification form, and advised of their right to file the form, as appropriate (Md. Code TR § 12-206.1). The form allows family members to request notice of a hearing on a moving violation related to the victim's death.

501.5 MINIMUM REPORTING REQUIREMENTS

A crash report shall be taken when (Md. Code TR § 20-107; Md. Code TR § 20-113):

- (a) A fatality, any injury (including complaint of pain), driving under the influence, or hit and run is involved.
- (b) An on-duty member of the department is involved.
- (c) The crash results in any damage to any department owned or leased vehicle.
- (d) The crash involves any other public agency driver or vehicle.
- (e) There is damage to public property.
- (f) The crash involves a public or private school bus.
- (g) There is damage to any vehicle to the extent that towing is required.
- (h) Prosecution or follow-up investigation is contemplated.
- (i) Directed by a supervisor.

Crashes involving a Maryland Transit Administration (MTA) vehicle should be handled by MTA.

Traffic Crashes

501.5.1 PRIVATE PROPERTY

Generally, reports should not be taken when a traffic crash occurs on private property unless there is an injury or fatality, a hit-and-run violation or other traffic law violation. Members may provide assistance to motorists as a public service, such as exchanging information and arranging for the removal of the vehicles.

501.5.2 DEPARTMENT VEHICLE INVOLVED

A traffic crash report shall be taken when a department vehicle is involved in a traffic crash that results in property damage or injury.

An incident report may be taken in lieu of a traffic crash report at the direction of a supervisor when the incident occurs entirely on private property or does not involve another vehicle.

Whenever there is damage to a department vehicle, a vehicle damage report (Form 95 or detailed memorandum) shall be completed and forwarded through the chain of command to the appropriate Bureau Commander. The traffic investigator or supervisor at the scene should determine what photographs shall be taken of the scene and the vehicle damage.

501.5.3 INJURED ANIMALS

Department members should refer to the Animal Control Policy and make appropriate notifications when a traffic crash involves the disposition of an injured animal or when learning that a domestic animal has been struck by a vehicle (Md. Code TR § 20-106(b)).

501.6 INVESTIGATION

When a traffic crash meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on the appropriate forms.
- (f) Controlling property belonging to individuals involved in the crash.

501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Shift Supervisor or Shift Commander shall request that the Baltimore Police Department's Crash Unit investigate and complete a traffic crash investigation when a life-threatening injury or fatal traffic crash/collision occurs within the jurisdiction of the University of Maryland, Baltimore Police Department

Traffic Crashes

Members operating department vehicles that are involved in a traffic crash outside of the department's jurisdiction shall promptly notify the Shift Supervisor of the departmental crash. The traffic crash investigation and report shall be completed by the agency having jurisdiction.

501.7 ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the accident, authorized members should issue a citation or arrest the offending driver, as appropriate.

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

501.8 REPORTS

Department members shall utilize forms approved by the MSP as required for the reporting of traffic crashes. All such reports shall be forwarded through the chain of command for review and approval. The Records Section will be responsible for filing the forms and ensuring they are retained in accordance with the established retention schedule (Md. Code SG § 10-615).

501.8.1 REPORT MODIFICATION

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member.

501.8.2 RECORDS SECTION'S RESPONSIBILITIES

The responsibilities of the Records Section include, but are not limited to:

- (a) Ensuring the monthly and quarterly reports on traffic crash information and statistics are forwarded to the applicable Bureau Commander or other persons as required.
- (b) Forwarding traffic crash reports to the MSP (Md. Code TR § 20-107(f)).

501.8.3 VICTIM'S REPRESENTATIVE NOTIFICATION FORM

[See attachment: Victims Representatives Notification Form.pdf](#)

501.9 REVIEW PROCESS FOR DEPARTMENT CRASHES

501.9.1 CRASH INVESTIGATION

- (a) All crash/damage involving a UMBPD vehicle shall be documented on the appropriate UMBPD report.
- (b) After a motor vehicle crash involving a UMBPD vehicle, the operator will notify the Communications Center immediately.

Traffic Crashes

- (c) A Patrol Supervisor shall respond to the scene and make an independent review of the circumstances of the crash. The Patrol Supervisor shall ensure that a thorough investigation of the crash is completed.
- (d) The police report shall include a narrative made by the operator or investigator that includes the following information:
 - 1. Details of the events including contributory information;
 - 2. Statements of witnesses,
 - 3. Name and insurance information on involved drivers; and
 - 4. Photographs of damage and crash scene, if applicable.
- (e) The Patrol Supervisor will provide the investigative packet to the Shift Commander, who will review the crash investigation and make additional comments (if required) on a Supplemental Report or endorsement and forward the investigative packet to the member's respective Bureau Commander.
- (f) The member's Bureau Commander will review the circumstances involving the departmental crash, endorse the investigative findings, and forward the packet to the Professional Standards Bureau Commander, who will convene an Crash Review Board.

501.9.2 CRASH REVIEW BOARD

The Crash Review Board will be comprised of at least three (3) members but no more than five (5) members. At a minimum, the Crash Review Board shall be comprised of a Command Staff Officer (Chairperson) and a rank-and-file member. The Board shall meet as required at a time and place designated by the Chairperson.

501.9.3 RESPONSIBILITIES OF THE CRASH REVIEW BOARD

The responsibilities of the Crash Review Board are:

- (a) Conduct reviews involving motor vehicle crashes that involves members operating UMBPD vehicles.
- (b) Review all aspects of the crash to identify causative and contributory factors where possible.
- (c) Determine conclusions (preventable/non-preventable and chargeable/non-chargeable) regarding officer culpability in motor vehicle crashes but may not recommend discipline or other personnel action.
- (d) May require additional reports or investigations when it is determined that the information available is incomplete, inadequate, or missing.
- (e) A vote shall be made and a decision rendered by a simple majority.
- (f) If a crash is found to be preventable, the file shall be returned to the member's Bureau Commander for recommendations of discipline.

Traffic Crashes

501.9.4 REMEDIAL TRAINING

- (a) Members of the UMBPD who require remedial training shall be referred to the Education and Training Section for insertion into a remedial driving program.
- (b) The Education and Training Section shall notify the affected officer in writing as to the time and date of the training, and shall be responsible for monitoring their progress.

501.9.5 PREVENTABLE CRASH DISCIPLINE

Preventable Crash Discipline:

- (a) Preventable crashes are considered disciplinary matters and are considered part of the progressive disciplinary philosophy.
- (b) Sworn members shall be disciplined in accordance with the Statewide Police Disciplinary matrix, which must be approved by the Chief of Police.
- (c) The crash dispositions will be filed in the member's personnel file by the Records Section.

If required, discipline will be initiated based on:

- (a) The seriousness of the crash;
- (b) Traffic violations;
- (c) The circumstance surrounding the crash;
- (d) The member's previous disciplinary record and work performance;
- (e) The impact on the department; and
- (f) The likelihood of future similar problems.

Attachments

Victims Representatives Notification Form.pdf

VICTIM'S REPRESENTATIVE NOTIFICATION FORM
Vehicle Laws - License Suspension Hearing
INSTRUCTIONS

As the Victim's Representative, you are entitled to be present at the offender's administrative hearing regarding a conviction as a result of this crash. You also have the right to provide either a written or oral impact statement for consideration by the administrative law judge. Please read the instructions below before completing this form.

This form must be completed and received by the Maryland Department of Transportation, Motor Vehicle Administration, (MVA) at least 30 days prior to the offender's hearing date. The form can be hand delivered or mailed to the Motor Vehicle Administration, Administrative Adjudication Division, Room 213, 6601 Ritchie Highway, N.E., Glen Burnie, MD 20162. Upon receipt of the completed form, the Motor Vehicle Administration will provide a notice, at least 21 days before the hearing that contains information about the upcoming driver's license suspension hearing and how to request a copy of the hearing documents. A victim's representative who intends to submit a written statement to MVA must do so at least 10 days before the hearing. A victim's representative who intends to make an oral statement must notify MVA about the intent to do so at least 10 days before the hearing.

Your hearing notice will be sent to the address listed below. It is important to notify the Motor Vehicle Administration at (410) 787-7928 if any of your contact information changes. If, at any time, you wish to stop being notified about your case, or no longer want to exercise your rights as a victim's representative, you must put your request in writing and send it to the Motor Vehicle Administration at the above address.

THIS FORM WILL BECOME PART OF THE PUBLIC RECORD IN THIS CASE. IF YOU DO NOT WANT YOUR ADDRESS AND PHONE NUMBER IN THE RECORD, CHECK THIS BOX TO REQUEST SHEILDING OF THIS INFORMATION.

PLEASE PROVIDE AN ADDRESS AND PHONE NUMBERS TO RECEIVE ALL NOTICES.
THIS FORM WILL BECOME PART OF THE PUBLIC RECORD.

Victim Representative's Name:
Ms./Miss/Mrs./Mr. _____ Relationship _____
Address: _____
City _____ State _____ Zip _____
Telephone (Day) _____ (Evening) _____
(Cell) _____ Email: _____

I REQUEST TO RECEIVE NOTIFICATION OF A LICENSE SUSPENSION HEARING AS A RESULT OF A MOVING VIOLATION THAT CONTRIBUTED TO A FATALITY. I UNDERSTAND THAT IF I DO NOT COMPLETE THIS FORM AND RETURN IT TO THE MOTOR VEHICLE ADMINISTRATION THAT I MAY NOT BENEFIT FROM MY RIGHTS AS A VICTIM'S REPRESENTATIVE.

Date _____

Signature of Victim's Representative

Date of Incident _____ Police Report No. _____
Location, Street, County of Accident _____
Investigating Officer _____
Law Enforcement Agency Contact Information _____
Date of Filing Notification _____

Victim's Information:
Ms. /Miss/Mrs. /Mr. _____ Date of Birth _____ / _____ / _____
Address: _____
City _____ State _____ Zip _____
State/Driver's License Number _____

Offender's Information:

Ms. /Miss/Mrs. /Mr. _____ Date of Birth _____ / _____ / _____

Address: _____

City _____ State _____ Zip _____

State/Driver's License Number _____

The Maryland Police Training and Standards Commission (MPTSC) must distribute the form to each law enforcement agency in the State. An investigating agency must provide the victim's representative with a copy of the notification form in conjunction with informing the representative of the right to file the form, as specified. If a victim's representative has timely filed a notification form and the violator has requested a hearing, the Motor Vehicle Administration (MVA) must notify (1) the victim's representative of any suspension hearing because of the moving violation and (2) the Office of Administrative Hearings (OAH) that a victim's notification form has been filed.

DEFINITIONS

Victim: A person who dies as a result of the commission of a moving violation by another person.

Victim's Representative: A member of a family of a victim or the victim's guardian or personal representative.

Notification Requirement for Law Enforcement Officers: During the investigation of a moving violation, existing provisions require a law enforcement officer to inform a victim's representative of the right to file a victim's representation notification form with MVA for notification of an offender's suspension hearing. The investigating agency must inform a victim's representative of this right during the investigation of a moving violation and provide a copy of the notification form at that time.

Filing a Notification Form: A victim's representative must file a notification form at least 30 days before the driver's suspension hearing on the moving violation.

Notification Requirement for the Motor Vehicle Administration: MVA is required under State law to provide a notice to a victim's representative that contains specified information about an upcoming driver's license suspension hearing at least 21 days before the hearing, including a notice that a copy of the license suspension hearing is available on request and of the cost to obtain a copy. The MVA is required to offer the copy of the hearing procedures to the victim's representative at no cost.

Additional Services Available in Maryland for Victims of Crime

VINE NOTIFICATION: The State of Maryland provides all victims and victim representatives a second, automated system of notification for your privacy and convenience. VINE will provide you with court case and jail status information 24 hours/7 days a week. You may also register with VINE to receive phone notification the day before upcoming court hearings or the release or escape of an offender. When calling VINE, if you have any difficulty, please press "0" for the operator. **While VINE provides you with automated notification, do not rely solely on VINE for your notification of court hearing events or local jail/state prison information.** Please be aware that you may always contact your State's Attorney's Office and speak with a victim service provider for all your court related questions or concerns. Call VINE at **1-866-MD4VINE (1-866-634-8463)** and follow the prompts or register for notification on-line at www.vinelink.com.

VICTIM RIGHTS COMPLIANCE INITIATIVE: As a victim of crime in Maryland, you have the legal right to: obtain information on the status of your case, attend all adult and certain juvenile criminal justice proceedings, request no contact with an offender, request restitution, request confidentiality, submit a written Victim Impact Statement and/or speak at sentencing/juvenile disposition, be informed of the release, transfer, escape, or death of an offender, attend, and speak at parole hearings. If you have unresolved questions about your rights or have a complaint regarding the criminal or juvenile justice system, you may contact the Victims' Rights Compliance Initiative either by calling the Compliance Coordinator Monday through Friday at 410-697-9338.