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640.50 Traffic Crash Investigations

First Universal Review: 3/1/24 – 3/31/24

Refer:

- ORS 801.400 Premises Open to the Public, defined
- ORS 810.460 Officer’s Crash Report; Use
- ORS 810.470 Forwarding Crash Reports to DMV
- ORS 811.720 Traffic Crash Reporting Requirements
- DIR 220.40 Lawsuits and Claims
- DIR 315.30 Satisfactory Performance
- DIR 630.05 Vehicle Intervention and Pursuits
- DIR 630.60 Vehicle Disposition and Impoundment
- DIR 640.52 Collision Review Board
- DIR 640.54 Prisoner/Suspect Damage to City Property
- DIR 700.00 National Incident Management System and Incident Command System
- DIR 860.10 Traffic Citations and Arrests
- DIR 905.00 Non-Force After Action Reporting
- DIR 1010.00 Use of Force
- DIR 1010.10 Deadly Force and In-Custody Death Reporting and Investigation Procedures
- Oregon Police Traffic Crash Report (Traffic)
- Oregon Traffic Collision and Insurance Report (Traffic) Report of Automobile Collision or Loss (City)
- Traffic Crash Exchange Form (Traffic)
- Uniform Traffic Citation and Summons (Traffic)

Definitions:

- Fatal vehicle crash: A traffic crash that causes the death of one or more persons.
- Non-traffic crash: A vehicle crash that occurs on private property or premises that is not open to the public.
- Potential fatal crash: A traffic crash that produces critical injuries that are likely to result in death as determined by EMS personnel.
- Traffic crash: Any unintentional crash involving a motor vehicle and another vehicle, person or object, originating on a public highway or on premises open to the public, which results in property damage, personal injury or death. Incidents involving structured training exercises (i.e., In-service, Advanced Academy, etc.) through the Training Division (Training) or Traffic Division (Traffic) are not classified as traffic crashes.

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- Vulnerable road users: A person such as a pedestrian, highway worker, person riding an animal or a person operating a farm tractor, a skateboard, roller skates, in-line skates, scooter, or a bicycle on a public way, crosswalk or shoulder of the highway.

Policy:

1. The directives establishes the procedures for members responding to and investigating traffic crashes.

Procedure:

1. Investigation Criteria.
 - 1.1. Members shall investigate the following types of crashes:
 - 1.1.1. Fatal crashes.
 - 1.1.2. Physical injuries with entry into the Regional Trauma System by on-scene Emergency Medical Services (EMS) personnel.
 - 1.1.3. Accidents involving physical injury to vulnerable road users where the vulnerable road user is transported by ambulance.
 - 1.1.4. Drivers who are under the influence of intoxicants.
 - 1.1.5. Drivers that fail to perform the duties required of them at the scene of a traffic crash (hit and run).
 - 1.1.6. Hazardous material spills: Members should determine if a trained motor carrier officer is on duty from Traffic or other precincts to assist in the investigation.
 - 1.1.7. An emergency code run by the police, whether or not a police vehicle was involved.
 - 1.1.8. Members will disposition the call with the following new codes instead of R1. Use RV if vehicle only involved, RP if pedestrian involved (including wheelchairs), and RB if bicycle involved.
 - 1.1.9. When a citation is issued to a driver involved in a crash for a violation other than a vehicle licensing, operator licensing or financial responsibility statute.
 - 1.2. Deliberate police action used in a vehicle pursuit (e.g., pursuit intervention strategies) shall be reviewed in accordance with Directive 630.05, Vehicle Interventions and Pursuits and investigated, if applicable, under Directive 1010.00, Use of Force.
 - 1.3. Members shall complete an Oregon Police Crash Report in their investigation.
2. Trauma Injury and Non-Injury Crashes.
 - 2.1. Members dispatched by the Bureau of Emergency Communications (BOEC) shall treat all crashes as potential crime scenes.
 - 2.2. Upon arrival at a crash scene, members shall determine if the crash meets the investigation criteria listed in Section 1.1. If the crash is a fatal or potential fatal, the member shall notify a precinct supervisor as soon as practicable. Members shall refer to Section 3 for guidance on investigating these types of fatal crashes.
 - 2.3. Members may investigate all other crashes that do not meet the investigative criteria and are encouraged to:

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- 2.3.1. Provide assistance and information to involved persons such as completing and issuing copies of a Traffic Exchange Report to involved parties if the exchange of information has not already occurred.
 - 2.3.2. Check all drivers for warrants, driving privileges, proof of insurance and registration violations.
 - 2.3.3. Cite violators when feasible.
 - 2.4. If involved parties have been transported to a hospital prior to the members arrival, the member shall consult with on-scene EMS, or BOEC, if EMS has left the scene, to determine if the crash is a fatal crash or if any person will be entered into the Regional Trauma System.
 - 2.5. If an investigation is required, the member may request a member from the Traffic Division to respond to investigate. If a member from the Traffic Division is unavailable, the member shall investigate and complete the Oregon Police Crash Report.
 - 2.6. If the crash does not need to be investigated, and it is not feasible to do so, the member may assist the involved drivers as needed and facilitate clearing the scene of debris and vehicles.
 - 2.7. Members shall ensure the Traffic Crash report includes statements from drivers, passengers and witnesses involved. The report should also include documentation of injuries, if known, obtained in accordance with applicable laws. Members may obtain this information by interviewing the involved persons at the hospital if necessary. Follow-up visits to the hospital are required to obtain statements if the injured person cannot initially respond to the member’s inquiries due to the severity of their injuries.
3. Potential Fatal and Fatal Vehicle Crashes.
 - 3.1. Member Responsibilities.
 - 3.1.1. Secure the crash scene and treat it as a crime scene.
 - 3.1.2. Advise an on-duty precinct supervisor that it is a fatal or potential fatal crash.
 - 3.1.3. Request through BOEC for the Forensic Evidence Division (FED) to respond to the scene.
 - 3.1.4. A member from the Traffic Division shall complete the Oregon Police Traffic Crash Report. Other members shall document information and/or evidence they collected on an appropriate police report and submit a copy to the investigating member before the end of their shift.
 - 3.2. Precinct Supervisor Responsibilities.
 - 3.2.1. If there are no on-duty Traffic members, the supervisor shall contact the Traffic Division Major Crash Team (MCT) supervisor via BOEC and request a callout.
 - 3.2.2. Supervisors shall document information and/or evidence they collected on an appropriate police report and submit a copy to the investigating member before the end of their shift.
 - 3.3. Hit and Run Crashes with Suspect and Vehicle Information.

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3.3.1. Members responding to the scene shall:

- 3.3.1.1. Complete an Oregon Police Crash Report (diagram optional).
- 3.3.1.2. Place holds on vehicle only when required to locate or identify a suspect, or to collect and preserve evidence.
- 3.3.1.3. Advise parties to wait at least 48 hours before contacting the Traffic Investigations Unit (TIU) for information.
- 3.3.1.4. Follow-up positive leads. TIU will conduct additional follow-up investigations on hit and run crashes per the Traffic Division’s Standard Operating Procedures (SOP).

3.4. Hit and Run Crashes without Suspect Information.

- 3.4.1. The Operational Support Unit (OSU) may investigate calls forwarded from BOEC regarding hit and run crashes that do not involve injury and when there is no suspect or suspect vehicle information.

3.5. Police Vehicle Crashes.

- 3.5.1. Crashes that involve Bureau owned or leased vehicles will be investigated by a Traffic member, if available, or a precinct member.

3.5.1.1. Members involved in a crash shall:

- 3.5.1.1.1. Notify BOEC and a supervisor immediately.
- 3.5.1.1.2. Complete the following reports:
 - 3.5.1.1.2.1. Report of Automobile Collision or Loss.
 - 3.5.1.1.2.2. Appropriate police report.
 - 3.5.1.1.2.3. Oregon Traffic Collision and Insurance Report, as required by ORS 811.720.
 - 3.5.1.1.2.4. The insurance information for city vehicles is: City of Portland – Bureau of Risk Management 1120 SW 5th Ave., Room 1012
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3.5.1.2. Investigating member responsibilities.

- 3.5.1.2.1. Complete an Oregon Police Traffic Crash Report if reportable as defined in ORS 811.720.
- 3.5.1.2.2. Complete an appropriate police report with a diagram that captures driver information, vehicle information, insurance information, road conditions, lighting in the area, weather at the time of the crash, causal factors of the crash, contributing factors that lead to the crash, and any other relevant information that explains how, why, when and where the crash occurred.

3.5.1.3. Supervisor responsibilities:

- 3.5.1.3.1. Complete a Non-Force After-Action Report in accordance with Directive 905.00, Non-Force After Action Reporting, for all crashes involving Bureau vehicles.

3.6. City Owned or Leased Vehicles.

- 3.6.1. Members investigating crashes involving city owned or leased vehicles within the city limits will complete the Oregon Police Traffic Crash Report if the crash is reportable as defined in ORS 811.720.

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3.7. Crashes Outside the City of Portland.

- 3.7.1. Members involved in a vehicle crash outside the city limits and while driving a City owned or leased vehicle shall notify a supervisor and request that the local law enforcement agency having jurisdiction investigate the crash.

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