

TRAFFIC ACCIDENT STUDY GUIDE 2010

SECTION ONE



This study guide is designed to provide the law enforcement Explorer with basic principles. The guide is not all inclusive, and does not delineate specific techniques that must be used. The focus of this guide is to provide principals that are flexible and adaptable to various law enforcement situations.

Following the basic principals in this guide should allow the law enforcement Explorer to successfully handle various law enforcement training activities safely and professionally.

The study guide was developed through the cooperation of International Association of Chiefs of Police and the Federal Law Enforcement Training Center.



SECTION ONE

INTRODUCTION

SYLLABUS

Introduction to Accident Investigation

LENGTH AND METHOD OF PRESENTATION:

LECTURE	LABORATORY	PRACTICAL EXERCISE	TOTAL
1:00	0:00	0:00	1:00

DESCRIPTION

This unit of instruction introduces the students to the necessity for accurate, impartial and professional traffic accident investigation and reporting. The objectives to be met at the scene of accident investigations are presented. Additionally, the qualities and abilities of a professional traffic accident investigator are discussed. Approaches to accident reduction through the application of education, engineering and enforcement are also introduced.

TERMINAL PERFORMANCE OBJECTIVE

The student will identify the proper objectives of a traffic accident investigation. The student will be able to identify and differentiate between the qualities and abilities needed by a traffic accident investigator and be able to demonstrate an understanding of traffic accident reduction by application of education, engineering and enforcement.

INTERIM PERFORMANCE OBJECTIVES:

1. Identify the objectives of traffic accident investigation.
2. Identify qualities needed by an accident investigator.
3. Identify abilities needed by an accident investigator.
4. Identify the three "E's".

METHOD OF EVALUATION

Written examination

Instructor Guide

METHODOLOGIES:

Classroom lecture with questions

TRAINING AIDS AND EQUIPMENT:

1. Instructor
 - A. Transparencies and overhead projector
2. Student
 - A. Note taking materials

Outline of Instruction

I. INTRODUCTION:

A. ESTABLISH RAPPORT:

1. Since more people are killed and injured and more economic loss suffered due to traffic accidents than all other types of accidents combined, the importance to traffic accident investigation cannot be overstated. The objectives of this type of investigation range from providing the basic police function, the protection of life and property, to restoring the flow of traffic.
2. A traffic accident investigator must be enthusiastic, sincere, responsible and impartial as he/she delivers this vital public service. The information in his/her reports may be useful in preventing future accidents through the application of Education, engineering and enforcement, (the three E's). However, the resources expended on the investigation and reconstruction of an accident as well as the diagramming process utilized will, generally, be dictated by the seriousness of the accident.

B. TERMINAL PERFORMANCE OBJECTIVE

The student will identify the proper objectives of a traffic accident investigation. The student will be able to identify and differentiate between the qualities and abilities needed by a traffic accident investigator and be able to demonstrate an understanding of traffic accident reduction by application of education, engineering and enforcement.

C. INTERIM PERFORMANCE OBJECTIVES:

1. Identify the objectives of traffic accident investigation.

2. Identify qualities needed by an accident investigator.
3. Identify abilities needed by an accident investigator.
4. Identify the three "E's".

II. **PRESENTATION**

A. **Identify the objectives traffic accident investigation.**

1. The objectives of a traffic accident investigation are those things that the traffic accident investigator would be expected to accomplish each time he/she is dispatched to the scene of an accident. As previously stated these objectives range from the basic police function to the restoration of an orderly flow of traffic. Although not necessarily all inclusive, a list of objectives would include:
 - a. The basic police function, the protection of life and property. If this objective is not fulfilled, then the job by definition has not been accomplished. Note also that the protection of **your** life as the first responder is **THE** top priority. Apart from the selfish aspects of this statement, the logic is inescapable. An injured or deceased officer can do no good for anyone.
 - b. Prevent further collisions--This objective goes hand in hand with the first in that it will go a long way in protecting life and property. However, since subsequent collisions are certainly not the only way for damage or injury to result on the scene of an accident, this objective must stand alone.
 - c. Gather evidence for prosecution--Just as in any other type of case where a violation of law may have occurred, the responding officer must go in with an eye toward prosecution as an end result. Many times officers raise the objection that accident investigation is merely doing the job of the insurance companies. While it is certainly true that the insurance companies benefit from a good investigation, the fact that a traffic and /or criminal law may have been broken puts the responsibility squarely in the lap of law enforcement.
 - d. Properly record the facts surrounding the collision. Since the investigating officer may well be the only emotionally and financially detached person on the scene, his/her report of the event is logically the most accurate rendition of the

event.

- e. Determine the cause(s) of the collision. This is important in prevention of future accidents as well as in the accomplishment of the first four objectives. While one school of thought is that placing blame is not an objective of accident investigation, determining the cause(s) may in fact determine who bore the responsibility for the event. In other words, identifying the "at fault party."

B. Identify qualities needed by an accident investigator.

1. The qualities of a good accident investigator are those traits, both personal and professional, that the officer displays on each scene. While it is easy to sympathize with the victim of a criminal act, the routine nature of, at least, minor accidents tend to channel some officers into apathetic patterns. While not all inclusive the traits listed below attempt to portray the qualities that will get the job done in an effective manner while presenting a professional image of the profession.
 - a. Enthusiasm--This entails the willingness to thoroughly investigate **all** accidents assigned. While it is easy to procrastinate and do the minimum acceptable on "routine" fender benders, this is unacceptable for at least two reasons. First, to the people involved, our customers, this is a very traumatic event. A motor vehicle is the single largest investment in many people's lives and a major one to all. Secondly, accidents are often the result of other crimes. A person who has just stolen a car may not be familiar with its operation, a drug user or runner may not be able to resist "a taste" while in route. Suffice it to say that what appears as a "routine PDO (property damage only)" may be a maelstrom for the officer who steps in unaware and less than alert.
 - b. Sincerity--To the parties involved, this event may be quite traumatic for the reasons mentioned above or a myriad of others unknown to the officer. For the average law abiding citizen this may be one of a very few contacts with law enforcement. The accident investigator has it within his or her power to garner public support or lose it based on the level of professionalism displayed.
 - c. Responsibility--Accident investigation represents a fairly frequent opportunity to be a good representative for your department. If your appearance, bearing and decisions present a professional and service-orientated attitude, then a favorable impression will be created and generally the entire

investigative process will run more smoothly.

- d. Impartiality--Avoid pre-conceived ideas. Admittedly it is hard to avoid forming early judgments as your experience grows and certain types of accident become "routine." However, the ability to treat each situation as unique and avoid conclusions until all the evidence is in, is the mark of a professional. This would include avoiding fixations on certain groups of drivers, such as juveniles, even though they may be involved in a disproportionately high number of accidents.

C. Identify abilities needed by an accident investigator.

- 1. If the qualities of an accident investigator describe what is expected of the person in terms of traits, the abilities describe the skills that may be needed on the scene. While it is trite to say that each scene is different, many truly do present new challenges given the variety of people, cargos and uses for motor vehicles. Still a list of frequently needed skills would include the following:
 - a. To properly represent authority--The officer/agent must be a good representative of his/her agency. He/She must be able to quickly take charge and establish the order of priorities necessary to establish safety and accomplish the other objectives.
 - b. To investigate--The investigation process will be centered around three basic areas. The proficient investigator will need skills in all three.
 - 1. By observation--the process of observation begins as soon as the officer/agent arrives on the scene. Although initially the person doing the investigation may not understand the significance of everything he/she sees, it is important to make accurate observations to be able to verify or refute the statements of those involved.
 - 2. By interviewing--This is the investigator's stock in trade. Although all people do not tell the truth all the time, the ability to conduct good interviews and ask pertinent questions remains one of the best sources of information for the accident investigator.
 - 3. By analyzing the situation--In this phase the investigator makes a comparison between what is seen, the physical evidence and the statements of the

involved persons.

- c. To render first aid
- d. To regulate traffic
- e. To control fires
- f. To take photographs--Although generally accepted as a part of accident investigation, photography is a skill that is often underrated by officers/investigators. Well taken photographs not only allow the scene to be presented accurately at a later date, but also may present a second chance for the interpretation of evidence by experts.
- g. To make reasonable decisions--Although officer and public safety are first and foremost in any accident investigation the order in which the other tasks are performed may take almost any order depending on the situation. Flexibility, an organized approach and the ability to set priorities based on situations are key to being an effective accident investigator.
- h. To testify in court--This ability must exist and be in the forefront of the investigator's mind at all times. While not an immediate priority on the scene, the ability to be effective in court is one very important test of the investigator's effectiveness. The best case in the world may not be successfully litigated if it is presented in an inept manner.

D. Identify the three "E's".

- 1. The "three E's refer to processes involved in attempts at accident reduction. The "E's" stand for **Education, Engineering and Enforcement**.
 - a. Education--The key to a successful education program is to identify the target group. Through analysis of traffic accident reports, violation notices and officer observations the drivers who are over represented in accidents should receive the most attention.
 - b. Engineering--In addition to proper engineering prior to the construction of traffic related structures an **on-going** analysis is necessary. This may take the form of information sharing in which copies of accident reports are forwarded to personnel responsible for construction and maintenance. Engineering changes may affect specific problems such as hydroplaning accidents in flood prone areas. However,

through the study of trends and information sharing, problems of a much larger scope can be addressed. An example of this would be uniform signing on a national level which has led to earlier recognition and as a result less confusion. Through standardization of shape, color and message or symbol motorist comprehension has been increased.

- c. Enforcement--Enforcement may be the most obvious attempt at accident reduction to the general public. What may be less obvious is that it is the most expensive. With this in mind and given the increasing demands on generally decreasing personnel power resources an organized approach is called for. This approach should be based on analysis of the problem. This may be as simple as a pin map showing areas of frequent accidents or graphic representations of accidents by severity, location day and time. The point is that while traffic enforcement will in all likelihood be a part of uniformed patrol activities this method alone is not always sufficient. If personnel levels permit, specialized enforcement units such as alcohol, speed safety enforcement units cannot only target problems by time day and area, but also develop a high level of expertise in detection and apprehension. This approach combined with selective enforcement on the part of patrol officers can result in significant reductions in accident rates with minimized impact on patrol activities.

III. SUMMARY

- A. **Identify the objectives of traffic accident investigation.**
- B. **Identify qualities needed by an accident investigator.**
- C. **Identify abilities needed by an accident investigator.**
- D. **Identify the three "E's".**
- E. **Conduct question and answer period.**

References

Federal Law Enforcement Training Center, Course number 7020,
Introduction to Accident Investigation, original date and author unknown

George W. Allison, (1983)
Basic Motor Vehicle Accident Investigation Student Text,
Federal Law Enforcement Training Center

R. W. Rivers, (1980)
Traffic Accident Investigator's Handbook,
Charles C. Thomas, Publisher

J. Stannard Baker, Lynn B. Fricke (1986)
The traffic-Accident Investigation Manual
At scene Investigation and Technical Follow-up
Northwestern University Traffic Institute
Evanston, Illinois 60204