

# **BASIC COLLISION INVESTIGATION COURSE**

## **TOPIC 1.0**

### **INTRODUCTION**

<b>SUBJECT</b>	<b>TOPIC NUMBER</b>
INTRODUCTION	1.0
COLLISION INVESTIGATION POLICY AND PROCEDURES	2.0
COLLISION SUMMARY	2.0.1
COLLISION RELATED TRAFFIC LAWS	3.0
VEHICLE CODE	3.0.1
STAGED COLLISION	3.0.2
COLLISION INVESTIGATION PROCEDURES	4.0
RAIL AND GRADE CROSSING INVESTIGATION	4.0.1
SKID MARK! TIRE MARK IDENTIFICATION	5.0
DIAGRAMMING	6.0
PHYSICAL EVIDENCE	7.0
PRESERVATION AND DOCUMENTATION OF EVIDENCE AT SCENE	7.0.1
EVIDENCE FROM VEHICLES	7.0.2
PEDESTRIAN FACTORS	7.0.3
HUMAN - FACTORS INTERVIEWING	9.0
DUI	9.0.1



## BASIC COLLISION INVESTIGATION SCHEDULE

TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
7:00 7:50	INTRODUCTION	COLLISION SUMMARY TOPIC 2.0.1	TIRE MARKS  TOPIC 5.0	RAILROAD COLLISIONS TOPIC 4.0.1	POLICIES & PROCEDURES TOPIC 2.0
8:00 8:50	COLLISION SCENE MANAGEMENT  TOPIC 4.0	RADIUS & INTERCEPT ANGLES  TOPIC 6.0	TIRE MARKS  TOPIC 5.0	INTERVIEWING  TOPIC 9.0	POLICIES CONTINUED
9:00 9:50	POLICIES & PROCEDURES  TOPIC 2.0	RADIUS CONTINUED  QUIZ # 1	PHYSICAL EVIDENCE & SCENE PHOTOGRAPHY TOPIC 7.0	STAGED COLLISIONS  TOPIC 3.0.2	WRITTEN FINAL EXAM
10:00 11:00	POLICIES CONTINUED	DIAGRAMMING  TOPIC 6.0	PRESERVATION & DOCUMENTATION OF EVIDENCE TOPIC 7.0.1	PENAL CODE  TOPIC 3.0.1	FIELD PRACTICAL EXERCISE
11:00 11:30	LUNCH	LUNCH	LUNCH	PENAL CODE TOPIC 3.0.1	LUNCH
11:30 12:50	POLICIES CONTINUED	DIAGRAMMING CONTINUED	PEDESTRIAN FACTORS TOPIC 7.0.3	LUNCH	FIELD PRACTICAL EXERCISE
13:00 13:50	VEHICLE CODE  TOPIC 3.0.1	DIAGRAMMING CONTINUED	EVIDENCE FROM VEHICLES TOPIC 7.0.2	DRIVING UNDER THE INFLUENCE TOPIC 9.0.1	FIELD PRACTICAL EXERCISE
14:00 14:50	VEHICLE CODE CONTINUED	FIELD PRACTICAL	EVIDENCE FROM VEHICLES TOPIC 7.0.2	DUI CONTINUED	FIELD PRACTICAL EXERCISE
15:00 15:30	VEHICLE CODE CONTINUED	FIELD PRACTICAL CONTINUED	EVIDENCE FROM VEHICLES TOPIC 7.0.2	DUI CONTINUED	STUDENT EVALUATIONS POST CRITIQUES
NOTES Revised 04/01		QUIZ # 1- 10 points DIAGRAM —20 points		QUIZ # 2	FINAL -60 points



**INTRODUCTION:**

A combination of personnel from Traffic Coordination Section and the Traffic Division's will instruct the basic Collision Investigation School.

**SCHEDULE:**

The class schedule has been included in each student's handouts. It contains the hours, days and class topics. There will be a ten-minute break each hour and a thirty-minute lunch break each day.

**SCHOOL CONDUCT:**

At the end of the day all trash in the classroom must be picked up and put in a trash can. If you are going to be late or absent please call (213) 473-7788. Should it become continuous you may be dropped from the class and your division notified.

**DRESS CODE:**

Dress code for this school consists of a shirt with a collar and long pants. Shorts, tank tops or T-shirts are **not** acceptable.

**SIGN IN SHEET:**

A sign in sheet will be circulated each morning for everyone to sign. It is your responsibility to sign in each day. The sheet is a record of your attendance each day.

If you become ill and are not able to attend class, call in sick at your division and contact the class. If you have court during the class be sure to check out with one of the instructors and check in upon your return.

POST only allows for up to 10% of the class to be missed. This school is 40 hours, the maximum amount of time you can miss is 4 hours. Should you be absent from class more than 4 hours you will be dropped from the class and a certificate will not be issued.

**FOLDERS:**

Your training order required you to bring a 2" 3-ring binder with you for this school. Much of the material has been provided for this course, save it as reference material for the future.

**STUDENT RESPONSIBILITY:**

You are responsible for the material covered in the class lectures and the material contained in your handouts. There is insufficient time to cover all the material in your handouts during the school. We encourage you to read ahead for the next day's instruction. **THE STANDARDS BY WHICH ALL TEACHING, TESTS AND TECHNIQUES WILL BE BASED IS THE DEPARTMENT TRAFFIC MANUAL AND NOT CURRENT DIVISIONAL ORDERS. THE WAY THAT YOU DO THINGS IN YOUR DIVISION, IF IT DEVIATES FROM THE DEPARTMENT TRAFFIC MANUAL IS WRONG AND IN VIOLATION.**

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STUDENT

### **QUIZZES:**

There will be two written quizzes each worth 10 points and a diagramming exercise that will be worth 10 points. The diagram will be turned in at the beginning of class on Thursday. The school is designed to provide you with ample time to complete the diagram.

### **FINAL DAY**

#### **PART I - 30% - FINAL EXAMINATION:**

The written final consists of questions from the information presented in the class lectures and information included in your notebooks. The test is comprised of multiple choice, fill-in and true-false questions. This is a closed-notes, closed-book examination.

The final exam will consist of multiple choice, true-false, definitions and fill in the blank questions. The final exam is worth 30 points.

#### **PART 2 - 40% - PRACTICAL EXERCISE**

Each student will receive a radio call to the scene of a traffic collision. At the scene you will be met by a reporting party. Every instructor will represent the same reporting party for your call. All interviews will be conducted on a one-on-one basis. Once you have dismissed the reporting party you may not contact him again. You may interview first or evaluate the scene first the option is yours. You may use your notes and class material to complete this portion of the test. **It is recommended that you handle this as you would any field situation.**

Measuring may be done alone or in teams. Equipment to measure will be supplied at the scene.

#### **FINAL GRADE and CERTIFICATE:**

Do not call Traffic Coordination Section to find out your final grade. The results will be sent to your division as soon as possible along with your POST certificate, providing that you passed the class.

#### **HELP:**

If for any reason, you do not understand any of the material presented, the instructors are willing to work with you during a break, before class or after class. We would rather you take up our time and learn the material than not understand and guess at the methods used.

#### **CRITIQUES:**

There are critiques located in the front of your book. Please complete a critique for each guest instructor. The critiques can also be used for any portion of the class that you feel needs improvement, could use different types of training aids, or you feel is worth your time and include the reason why.

This is a POST approved school and a POST critique is required from each student.

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STUDENT



**BASIC COLLISION  
INVESTIGATION COURSE**

**TOPIC 2.0**

**COLLISION INVESTIGATION  
POLICY AND PROCEDURES**



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**DEFINITIONS**

To properly apply the reporting policy as stated in the traffic manual, it is necessary to understand the following terms. The following section is a list of general traffic terms and their definitions.

**CONVEYANCE**

A conveyance is any device by which persons or property may be propelled, moved or drawn from place to place. Included are motor vehicles, trains, animals under human control, and bicycles.

**VEHICLE (670 VC)**

A "vehicle" is a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

**MOTOR VEHICLE (415 VC)**

A "motor vehicle" is a vehicle which is self-propelled.

**PARTY**

A "party" in a traffic collision is defined as a driver of a vehicle or conveyance, a bicyclist, a driver or rider of an animal, a pedestrian who is directly involved in a traffic collision (where there is physical contact between vehicles and/or parties).

**NOTE:** Owners of damaged property other than vehicles shall only be listed in the space designated "Property Damage" on page 2 of the CHP Form 555.

An owner of other property shall be designated only once regardless of the number of items damaged. Each item included as other damaged property shall be designated by the type of object and a one word description, i.e., (fence) or (fence #2); (tree), (power pole) etc.

**DRIVER (305 VC)**

A "driver" is a person who drives or is in actual physical control of a vehicle. The term "driver" does not include the tiller man or other person who, in an auxiliary capacity, assists the driver in the steering or operation of any articulated fire fighting apparatus. This also **does not** include the conductor of a train (they would be listed as OTHER), or the person in the driver's seat of a legally parked vehicle with the engine off.



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### **PEDESTRIAN (467 VC)**

A "pedestrian" is any person who is afoot or who is using a means of conveyance propelled by human power, other than a bicycle.

### **PASSENGER**

A "passenger" is any person inside or upon a vehicle, excluding the driver. This includes the person behind the wheel of a legally parked motor vehicle.

### **WITNESS**

A witness is any person, other than a party or passenger, who has any pertinent information regarding a traffic collision. Many times, lack of knowledge is as important as knowledge.

### **EXAMPLES:**

- A. A person indirectly involved by permitting his vehicle to be driven by an UNLICENSED person would not have to be present at the time of the traffic collision, but would be listed as a witness.
- B. If located, the last person to drive a vehicle and legally park it.

### **HIGHWAY (360 VC)**

"Highway" is a way or place, of whatever nature, publicly maintained and open to the use of the public. The term "Highway" includes street, sidewalk and parkways between private property boundaries.

### **STREET (590 VC)**

"Street" is a way or place, of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Street includes highway. (Property line to property line.)

### **ROADWAY (530 VC)**

A "roadway" is the portion of a highway improved, designed or ordinarily used for vehicular travel only. (Curb to curb)

### **ALLEY (110 VC)**

Alley is any highway having a roadway not exceeding 25 feet in width, which is primarily used for access to the rear or side entrances of abutting property.

The speed limit is 15 MPH.



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BASIC COLLISION INVESTIGATION SCHOOL**

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**INTERSECTION (365 VC)**

An "intersection" is the area embraced within the prolongations of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at approximately right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

**CROSSWALK (275 VC) A CROSSWALK IS EITHER:**

- a. (Unmarked) - That portion of a roadway included within the prolongation or connection of the boundary lines of sidewalks at the intersection where the intersecting roadways meet at **approximately right angles**, except the prolongation of such lines from an alley across a street.
- b. (Marked) - Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface. Notwithstanding the foregoing provisions of this section, there shall not be a crosswalk where local authorities have placed signs indicating No Crossing.

**SIDEWALK (555 VC)**

"Sidewalk" is that portion of a highway, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.

**LIMIT LINE (377 VC)**

A "limit line" is a solid white line not less than 12 nor more than 24 inches wide, extending across a roadway or any portion thereof to indicate the point at which traffic is required to stop in compliance with legal requirements.

**BLIND INTERSECTION (22352(a)(1)(B) VC)**

Any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

The speed limit is 15 MPH.

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BASIC COLLISION INVESTIGATION SCHOOL**

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**RESIDENTIAL DISTRICT (515 VC)**

A "residence district" is that portion of a highway and the property contiguous thereto, other than a business district,

- a. Upon one side of which highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures, OR
- B. Upon both sides of which highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures. A residence district may be longer than one-quarter of a mile if the above ratio of separate dwelling houses or business structures to the length of the highway exists.

**BUSINESS DISTRICT (235 VC)**

A "Business District" is that portion of a highway and the property contiguous thereto:

- a. Upon one side of which highway, for a distance of 600 feet, 50% or more of the contiguous property fronting is occupied by buildings in use for business, OR
- b. Upon both sides of which highway, collectively for a distance of 300 feet, 50% or more of the contiguous property fronting thereon is so occupied. A business district may be longer than the distances specified in this Section if the above ratio of buildings in use for business to the length of the highway exists.

**22352(a)(2)(A)**

Speed limit 25mph, On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authorities under procedures set forth in this code.

**TRAFFIC COLLISION (TRAFFIC MANUAL 4/405.10)**

**A TRAFFIC COLLISION IS AN UNINTENTIONAL  
OCCURRENCE IN WHICH THE MOVEMENT OF A  
CONVEYANCE CAUSES DEATH, INJURY, OR  
PROPERTY DAMAGE.**

**The force causing the damage or injury must originate from a moving conveyance.**

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BASIC COLLISION INVESTIGATION SCHOOL**

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**EXAMPLES:**

- A. A ball, batted or thrown by hand, that breaks a window of a moving vehicle, is not a traffic collision because the force did not originate from the vehicle. If, however, a stone is pinched under a tire and propelled, breaking a window in a moving or non-moving vehicle, this force originated from a moving vehicle. Therefore, the event is a traffic collision.
- B. A tree falling, not activated by a conveyance, landing directly on a moving vehicle would not be a traffic collision. However, if the tree fell in front of the vehicle and the motion of the vehicle caused the damage, this would be a traffic collision.
- C. Natural forces such as floods, earthquakes, wind and lightning, do not alone qualify an event as a traffic collision due to the source of energy.
- D. An event wherein a pedestrian is not struck but falls while dodging a vehicle is not a traffic collision because the injury was not due to the force from the vehicle.
- E. The movement of a vehicle that causes an occupant to be injured would be a traffic accident due to the source of energy, e.g., a bus stopping suddenly and a passenger, while falling down, is injured.
- F. Mechanical failure/breakage of any part of a motor vehicle while in motion, which results in any injury to any person or damage to cargo or property, is a motor vehicle collision. If there is no injury, and if the only damage consists of breakage itself or its immediate adjacent parts, the event does not qualify as a traffic collision.

When a fire caused by mechanical defects originates on a moving motor vehicle, the event is classified as a traffic collision. If a subsequent traffic event occurs, the collision then is classified according to the latter event.

- H. When the original force does not emanate from a moving vehicle but from some other source, and the vehicle continues into an event that constitutes a traffic collision, the latter event is considered a traffic collision and is classified according to the latter event.

## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### MULTIPLE IMPACTS

Multiple impacts or collisions are considered to be one traffic collision and reported on one report if the driver of the vehicle or vehicles **did not** regain control of his vehicle after the initial impact. If control was regained after the initial impact, the collisions are classified as multiple incidents each requiring a separate traffic collision report.

### SPECIFIC INTENT OCCURRENCE

Conclusive evidence (witness/suicide note) is necessary to establish a specific intent occurrence!

- A. Persons - If intent to injure or kill, by means of a vehicle can be established, the injury or death is classified as an ADW with a vehicle, not a traffic collision and documented on a PIR (FIR as page 1, diagram on a blank sheet of paper as page 2, the traffic collision headings on a continuation sheet as page 3). This rule also includes suicide and attempted suicide. If the action continues beyond the originally intended event, and injury or property damage occurs, these events are considered a traffic collision and documented as such.

**NOTE:** The intent must be conclusively evident.

### EXAMPLES:

1. Suicide - A person is observed to run from a curb into the roadway and dive headfirst directly in front of the wheels of a moving vehicle and is killed (Death Report). This would **not** be a traffic collision and **no Traffic Collision Report would be taken**.
2. Attempt ADW with Vehicle - A suspect attempts to strike the intended victim with his vehicle, the victim moves and the suspect strikes a parked vehicle. This would not be a traffic collision and **no Traffic Collision Report would be taken**. The attempt ADW with a vehicle would be documented on a FIR and the damage to the parked vehicle would be documented on a traffic collision report.
3. ADW with a vehicle - A suspect intentionally hits a victim with his vehicle pushing him into a wall, causing injury. The ADW with a vehicle would be documented on a FIR and the damage to the wall would be documented in a traffic collision report.

## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### B. Property Damage

1. When contact is made with the intended object complete a Vandalism Report.
2. When contact is made with other than the intended object complete a Traffic Collision Report.

**EXAMPLE:** Vandalism - Several boys push a vehicle down a hill and the vehicle collides with a parked vehicle. This **would not** be a traffic collision. If, however, a driven vehicle collides with the runaway vehicle, this would be a traffic collision.

**NOTE:** the divisional homicide detectives shall investigate An ADW with a vehicle which results in a homicide.

**EXAMPLE:** Staged Collision  
Test Crash

**NOTE:** The intent must be conclusively evident.

### INDUSTRIAL COLLISIONS

Some devices are considered to be motor vehicles only when they are used for transportation or when in transit. The same vehicle **when used as a machine** is considered a non-motor vehicle, even though its use as a machine may involve motion of the vehicle. When used as a machine, this occurrence would not be a traffic collision.

**NOTE:** If a worker is involved as an injured victim, the collision would be classified as industrial and no Traffic Collision Report would be taken. If any other person is injured, take a Traffic Collision Report.

### EXAMPLES:

- A. A transit-mix concrete truck is a motor vehicle while mixing concrete en route, but is a machine when stopped or moving slightly while discharging its load.
- B. A motor vehicle involved in a collision while competing in a scheduled race at a recognized racetrack **would not** constitute a reportable traffic collision. If a fatal collision occurred, a death report would be required.





## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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- C. A skip-loader being used in the capacity of an industrial machine, not as a vehicle, which causes damage or injury to a worker **would not** be a traffic collision. If being driven in transit on a highway and the movement causes damage or injury, it would be a traffic collision.
- D. A dump truck moving forward while discharging its load, where the falling load injures a worker, **would not** be a reportable traffic collision.
- E. A forklift operator backs into a pedestrian, not a worker, while unloading a truck at a construction site, and the pedestrian is injured. This **would be** a reportable traffic collision. (A person other than a worker was injured.)

A police vehicle equipped with push bars being used to push a disabled vehicle causing property damage to either vehicle **would not be** a traffic collision. This would be an industrial accident and shall be reported on a LAPD form 15.7 with a miscellaneous DR number. Photographs shall be taken and a supervisor shall respond to the scene.

- G. A forklift operator drives the forklift to a catering truck on the construction site for coffee. En route back to the job assignment, the forklift collides with a skip-loader being operated by another worker. The worker sustains a broken arm. This **would be** a reportable traffic collision. (The forklift, an industrial machine, was being used as a vehicle and not as a machine.)

### LEGAL INTERVENTION

Injury or damage caused by enforcement intervention (usually apprehension or attempt to apprehend) using a motor vehicle, are not traffic collisions insofar as the enforcing agency and violator relationship is concerned.

If, when intentional acts are committed, and injury or damage occurs that goes beyond the original intent, the excessive acts are considered accidental and meet the specifications of a traffic collision.

### EXAMPLES:

- A. Legal Intervention
  - 1. A roadblock is set up to stop a lawbreaker and the lawbreaker collides with it, either intentionally or unintentionally.





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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2. A police vehicle cuts in front of a vehicle to force the vehicle to the curb or shoulder, and as a result, the two cars collide.
3. A suspect vehicle loses control and crashes as a result of bullets fired into the vehicle from the officer's gun.

**B. Collisions**

1. A driver, other than the lawbreaker, crashes unintentionally into a roadblock.
2. A lawbreaker, while eluding the police, loses control of his vehicle and collides with another vehicle.

**NON-CONTACT TRAFFIC COLLISION**

An incident shall be considered a non-contact traffic collision when it is alleged that an illegal or negligent act of any person not directly involved is the proximate cause of a traffic collision, and an independent witness or other evidence substantiates the involvement (Traffic Manual 3/214). The classification of a "non-contact" collision, **when actual physical contact has not occurred**, may involve the driver of a motor vehicle, moving or parked, a bicycle rider, or a pedestrian who commits a traffic or other violation which directly causes another party to become involved in a traffic collision.

**NOTE:** The classification of "non-contact" shall not be a determination for reporting criteria.

- A. When an investigation substantiates a "non-contact" collision, the "non-contact" person shall be listed as a **party** to the collision when the following criteria exist:
1. The violation is corroborated by an independent witness; OR
  2. By physical evidence; **OR**
  3. By the statement of the "non-contact" party, including a full license number.
- B. When officers are unable to substantiate the alleged involvement of a "non-contact" person or vehicle, a statement to that effect shall be entered in the "Remarks" section of the Traffic Collision Report ("Officers were unable to substantiate the alleged involvement of a non-contact person or vehicle"). No other mention of "non-contact" shall be made on the Traffic Collision Report except in the statements of the persons making the allegations.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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- C. When it is alleged that a "non-contact" driver caused a traffic collision and failed to comply with the pertinent sections (hit-and-run) contained in Division 10 of the Vehicle Code, and the criteria in sub-section "A" have been met, the driver and/or vehicle, when verified, shall be listed as a party on the CHP 555 page one, with all available information.
- D. The hit and run box shall be checked if applicable.

**HIT-AND-RUN COLLISION**

A traffic collision shall be considered a hit-and-run collision when a vehicle is involved in a collision and it is alleged that the driver of that vehicle **FAILS** to fulfill the requirements of 20001, 20002, 20003 and 20004 VC.

- A. Non-injury collision - Leave his name, address and the registration number of the vehicle he was driving in the collision.  
(Misdemeanor - 20002 VC)
- B. Injury collision - Leave his name, address, the registration number of the vehicle he was driving and render aid to any injured person in the collision.  
(Felony - 20001 VC)
- C. If a vehicle collides with a pedestrian and the pedestrian flees the location without identifying himself, a Hit-and Run collision **has not** occurred.

The vehicle code states, in part, "The driver of a vehicle." **The hit-and-run only occurs where the driver of the vehicle flees the location.**

In the instance where the pedestrian flees the location and there is no other reporting criteria, a Supplemental Report should be completed with the information regarding the incident. The Supplemental Report is then forwarded to the concerned Traffic Division Detectives **without a DR number**.

- D. If a bicycle collides with a vehicle on the Highway, and the bicyclist flees the scene without identifying himself, a reportable traffic collision has occurred. **Additionally, a hit-and-run has occurred (231 VC, 21200 VC).** Complete a traffic report based on the injuries and property damage known.
- E. List the hit-and-run driver's information and vehicle on the front of the Traffic Collision Face Sheet only if the driver and vehicle have been positively identified.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**BICYCLES, ANIMALS, AND TRAINS INVOLVED IN TRAFFIC COLLISIONS**

**A. ANIMALS**

1. A Traffic Collision Report, CHP 555 form set, is required when a ridden animal is involved in a collision on a highway that results in injury or death to the rider.
2. An Injury or Death Report is required when a ridden animal is involved in a collision on other than a highway that results in injury or death to the rider.

**NOTE:** Animals injured or killed when involved in a traffic collision with a moving conveyance on a highway shall be listed as property.

**B. BICYCLES**

1. A Traffic Collision Report, CHP 555 form set, is required when a bicycle is involved in a collision on a highway that results in injury or death.
2. An Injury or Death report is required when a bicycle is involved in a collision on other than a highway that results in injury or death.

**NOTE:** A Traffic Collision Report is not required if a rider falls from a bicycle. Once a bicycle rider leaves the bicycle seat and places a foot on the ground, he becomes a pedestrian and the bicycle is listed as property.

**C. TRAINS (Metrolink, Light Rail or Freight)**

1. A Traffic Collision Report, CHP 555 form set, is required when a train is involved in a collision on a highway or private property.
2. An Injury or Death Report is required when a train or any other conveyance is involved in a suicide or attempt suicide that occurs on any rail right of way within the city limits.

**NOTE:** the traffic bureau of occurrence shall handle Incidents involving trains on private property. Where there is injury or death take the appropriate Injury or Death report as page one, followed by the CHP 555 form set. The report shall have an injury or death DR number.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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3. When a train collision is reportable, the CHP 555 shall be completed as follows:
  - a. The conductor's name, address, telephone, and the number of the train is listed for party information. **The conductor is the person in charge of the train.**
  - b. Type of party - check "Other."
  - c. Driver's license - use any identification presented; a driver's license is not required to operate a train.
  - d. Vehicle license number - obtain the number from the locomotive. The number has four digits and may be preceded by one of the following letter sets indicating the railroad: ML - Metrolink, SP - Southern Pacific, UP - Union Pacific, AT and SF - Santa Fe.
  - e. Any additional railroad personnel shall be listed as passengers.
4. The traffic bureau of occurrence, including follow up shall handle all incidents, except homicide.

**NOTE:** An officer arriving at the scene after the train has left should contact the chief dispatcher of the railroad involved to get the required information.
5. Any incident involving the rail right of way within the city limits shall be handled as if they were CPI, however, the CPI box shall not be marked.
6. Any incident involving the rails, whether or not the incident is reportable, the rail company shall be notified so they may inspect for any damage.

**REPORTING DEATH OF ARMED FORCES PERSONNEL**

When a deceased or seriously injured or hospitalized member of the armed forces is involved in a traffic collision, the officer reporting the death or serious injury SHALL make a telephonic notification to D.H.D.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**JUVENILES INVOLVED IN TRAFFIC COLLISIONS**

The following information is required for each juvenile PARTY, and for each juvenile witness/passenger **SUBJECT TO FILING:**

- A. Full name, address and telephone number of the natural mother and father, even if divorced. If deceased, give the name only and enter "Deceased" for address;
- B. Name, address and telephone number of step parents;
- C. Name, address and telephone number of a legal guardian in cases where the juvenile court has granted custody;
- D. Name, address and telephone number of the person with whom the juvenile is presently living with;
- E. If the juvenile is married, the name, address and telephone number of the spouse
- F. Juvenile's date of birth.
- G. The school and grade last completed.

**TOWED OR PUSHED VEHICLES AND/OR TRAILERS**

A. Towed Vehicles

- 1. While "in tow" with a rigid tow bar or tow truck both vehicles shall be considered as one unit.
  - a. The driver and motor vehicle doing the towing shall be listed as the party.
  - b. The vehicle or trailer being towed shall be listed in the second line of the vehicle information section.

**NOTE:** This also applies to tractor - trailer combinations.

- 2. A towed motor vehicle, after breaking away, shall be listed as a separate party type "other".



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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3. When a motor vehicle is being towed by other than a rigid tow bar or tow truck, the person operating the towed vehicle is shown as party type "other". The two motor vehicles are listed as separate parties on page one.
4. If the investigating officer determines the person operating the towed vehicle contributed directly to the collision, the person is shown as party type "driver".

**B. Pushed Vehicles**

1. A person operating a pushed motor vehicle shall be listed as a party type "driver".
2. If the investigating officer determines that the person operating the pushing vehicle contributed directly to the collision, the person is shown as party type "driver".
3. When the pushed motor vehicle is released and its driver has had the opportunity to stop prior to the impact, the driver of the pushing vehicle shall be listed as a witness. When listed as a witness, the vehicle information on the pushing vehicle shall be listed in the "Remarks" section of the report, along with the driver's operator license number.

NOTE: While pushing a vehicle, any resulting damage between the vehicles does not constitute a traffic collision.

**TRAILERS OR SEMI-TRAILERS**

A trailer or semi-trailer SHALL be listed in the "Party" section below the primary towing vehicle information, whether attached or after breaking away, regardless of involvement. A full description of the involvement and RIO information should be listed in the "Remarks" portion of the narrative.

A parked, unattached trailer or semi-trailer SHALL be listed as "Property other" and the identifying information should be listed.

## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### CITY-PROPERTY-INVOLVED (CPI) TRAFFIC COLLISIONS

City property is considered to be involved when there is damage to any property owned, maintained, or contracted by the City; or when there is damage to another's property as a result of contact with property owned, maintained, or contracted by the City; or when any employee of the City is involved while acting within the scope of his employment. City property **need not** sustain damage, nor have physical contact if the actions of any involved party were influenced by City property involved.

#### **EXAMPLES:**

- A. Traffic control device not functioning properly.
- B. Police officer or traffic control officer directing traffic.
- C. Pursuit by a police officer (directly or not directly involved).
- D. Water in roadway from other than precipitation.
- E. Any contact with a City-owned vehicle or conveyance which might result in City liability.
- F. Any incident in which an officer recognizes the possibility of City liability, such as the physical condition of any City-controlled property which caused or contributed to any collision.
- G. Holes in the roadway, barricades, rubber cones marking offset lanes, etc.
- H. A vehicle operated by a City employee on mileage basis.
- I. Situations where a police employee was present but not directly involved, which may have been an influencing factor.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**CITY PROPERTY INVOLVED, (CPI)** - All Traffic Collision Reports involving any of the following items shall be classified CPI:

**BUREAU OF STREET LIGHTING**

Light standards

**BUREAU OF STREET MAINTENANCE**

Trees, shrubs, and lawns in parkways  
Curbs, sidewalks, Holes in the street, etc.  
City-owned fences barricades or guard rails

**TRANSPORTATION DEPARTMENT**

Traffic signals and signs  
Stop signs  
Directional signs  
Parking signs  
Parking meters  
Push-button signals  
Flasher-type signals  
Street name signs  
Public transit buses under contractual agreements with privately owned organizations (example: DASH buses)

**WATER AND POWER DEPARTMENT**

All poles - telephone, power, guy wires, etc.  
Fire hydrants  
Water and Power vehicles and Water and Power mileage vehicles

**NOT CPI**

Los Angeles Metropolitan Transportation Authority Board  
of Education/Los Angeles Unified School District Freeway  
call boxes - (State-owned)  
Freeway telephones - (County-owned)  
Los Angeles County Housing Authority  
Airport Department or Harbor Department

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

---

**LAPD MOUNTED DETAIL**

- A. When the horse is being ridden at the time of collision, it shall be listed in the appropriate party box as "Other". If not ridden, the horse shall be listed as "Property Other."

**NOTE:** If the horse is being used in a tactical situation (crowd control) and causes injury or death, an injury or death report shall be completed.

- B. Movement of the horse which is caused by an intentional act (rock thrown at horse) and which in turn causes injury or damage is not a traffic collision. The appropriate report (ADW, vandalism) shall be made and shall include the information on the injury or damage.

**LAPD BICYCLES (CPI)**

- A. When an LAPD bicycle is involved in a traffic collision upon a highway a traffic collision report shall be completed.
- B. When an LAPD bicycle unit, is involved in a traffic collision on other than a highway and no other reporting criteria exist, an injury, death or administrative report shall be completed.

The injury report or death report shall:

- a. Include an injury or death cover sheet followed by a traffic collision report.
- b. Include a Employee's statement, CHP 556.
- c. Have the appropriate injury or death DR number.

2. The administrative report shall:

- a. Include a CHP 556 supplemental cover sheet followed by a traffic collision CHP 555 form set.
- b. Include a Employee's statement, CHP 556 supplemental.
- c. Have a miscellaneous (4400) DR number.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

---

**DUTIES OF LAPD EMPLOYEES INVOLVED IN TRAFFIC COLLISIONS**

When a Department employee becomes involved directly or indirectly in, or participates in the events leading to a traffic collision while acting within the scope of their official duties, the employee **shall**:

- A. Immediately request Communications Division to dispatch a supervisor and a collision investigation unit to the scene.

**NOTE:** The supervisor should be from the involved unit's division

- B. Complete a CHP form 556 Supplement when involved as a Party, Passenger or Witness.

**NOTE: Do not give the detailed statement(s) to the outside agency unless there is an arrest that is being handled by the outside agency. When this occurs complete a CHP-556 and give a copy to the outside agency so there is only 1 statement**  
(Traffic Manual 31702(C)2)

**NOTE:** An officer involved in a CPI traffic collision shall use the address and telephone number of his division of assignment for his residence address in the completion of the Traffic Collision Report and Traffic Collision Report Supplement.

- 1 Stamp "Employee Statement" in the top margin of the CHP Form 556 Supplemental and complete the top four lines down to line one.
2. A Department Employee's Statement shall be included on a 556 Supplemental. (See Topic 9.0 - Interviewing)

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

---

**CPI TRAFFIC COLLISIONS OCCURRING OUTSIDE OF LAPD JURISDICTION**

When an LAPD vehicle or on-duty police department employee is involved in a traffic collision an LAPD report **shall** be completed (traffic collision, PDO/CPI 15.07 or administrative report).

When a LAPD vehicle or on-duty employee is involved in a collision in an outside agency's jurisdiction, the outside agency has the authority to complete the official traffic collision report of record.

**NOTE:** An administrative report may be completed any time CPI, other than LAPD, is involved in a collision outside of LAPD jurisdiction.

- A. For all collisions occurring on a freeway within the City limits, involving an LAPD vehicle or on-duty police department employee, a traffic unit and supervisor shall respond to the scene and an Administrative Report **shall** be completed, provided the CHP complete the report of record.
- B. For all collisions occurring outside the City limits, involving an LAPD vehicle or on-duty police department employee, the involved officer shall notify the nearest traffic division.

The traffic division watch commander shall make the determination as to whether a traffic unit or traffic supervisor will be dispatched to the scene.

- 1. If an LAPD traffic unit is sent to the scene, the traffic unit shall complete an administrative report.
- 2. If no LAPD traffic unit responds to the scene the involved officer **shall** be responsible for:
  - a. Completing the cover sheet of the administrative report. (Traffic Manual 3/703)
  - b. Completing the employee statement of the administrative report. (Traffic Manual 3/701 B)
  - c. Assuring the cover sheet and the employee statement is mailed to the appropriate traffic division auditors.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

---

**NOTE:** When an outside agency takes the official traffic collision report, LAPD shall complete only an administrative report. If an outside agency elects not to take a traffic collision report, LAPD personnel shall complete the official traffic collision report of record and need not complete an administrative report.

- C. When the collision occurred outside the Los Angeles Police Department's jurisdiction the involved employee shall:
1. Cooperate with the concerned investigative agency.
  2. Provide a "Public Safety Statement". When an investigating officer is from another agency, a Department employee's statement concerning his involvement shall only include his personal identification, registration information for the vehicle he was in and a description of his direction of travel.
  3. Complete statements as to the identity, actions, and statements of persons other than Department employees may be made.
  4. Ensure that the appropriate law enforcement agency is notified and investigates all reportable collisions (injury, death, hit-and-run, etc.).
  5. Notify the Civil Liability Division, City Attorney's Office, when the collision results in injury, death, or serious property damage. When it is impractical to notify the City Attorney's Office, the notification shall be made to city hall operator.
  6. Comply with local ordinances and Vehicle Code provisions relating to traffic collisions.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**COMPLETION OF ADMINISTRATIVE REPORTS - CPI**

Department personnel completing an Administrative Report shall adhere to the following format:

- A. A CHP Form 556 Supplemental shall be used as a cover sheet.
- B. Personnel shall write "ADMINISTRATIVE REPORT" across the top margin of the Form 556 in block letters.
- C. Personnel shall complete the top four sections as follows:
  - 1. Obtain a miscellaneous DR (4400) and indicate this in the "Number" box.
  - 2. Date and time of original report, NCIC (1942), and serial number of LAPD officer completing the Administrative Report.
  - 3. Mark an "X" in the "Supplemental" and "Collision Report" boxes.
  - 4. In the "Type Supplemental" area mark an "X" in the "Other" box and list "Admin Rpt" in the space indicated.
- D. Personnel shall complete the narrative portion of the Administrative Report as follows:
  - 1. Officer(s)/Unit(s) Involved - shall include;
    - a. Employee(s) name(s) and serial number(s)
    - b. Division of assignment and unit identification
    - c. The City vehicle's information including license number, shop number and color
  - 2. Incident Summary - shall include a word depiction of the incident.

**NOTE:** If officers utilize the collision report "summary" wording, they must remember to identify parties in their summary.





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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3. Injuries - shall describe the injuries sustained by all persons involved in the collision and include:
    - a. Fire Department/Paramedic units at scene
    - b. Location injured persons were transported and by whom
  4. Outside Agency Information - shall include;
    - a. The investigating officer's name, serial number and report number
    - b. The investigating officer's work address, phone number and where LAPD can obtain a copy of the completed Collision Report
  5. Photographs - should be taken whenever possible and shall be taken on severe and fatal injury collisions. Briefly describe what the photographs depict. Include the name and serial number of the person obtaining the photographs as well as the SID control number.
  6. Physical Evidence - is an optional title to be used when there are any facts or items in dispute between LAPD personnel and the investigating agency.
  7. Miscellaneous - is an optional title to be used to explain any facts that are not covered under other titles.
- E. Administrative Reports (with the attached employee statement) shall be forwarded through the normal traffic division report review process.

**NOTE:** The traffic division report auditors shall obtain a copy of the official report of record from the outside agency and attach it to the administrative report prior to distributing the report.  
(Traffic Manual 4/101)

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**ON-DUTY OFFICER INVOLVED IN A TRAFFIC COLLISION**

When an on-duty peace officer, fire fighter, or paramedic operating an authorized emergency vehicle is involved in a traffic collision, the investigating officer shall write "ON DUTY EMERGENCY VEHICLE" in the "Special Conditions" box and above the officers name in the "Party Box" on the traffic collision report, CHP 555. Traffic Manual 3/303 (E).

**INVESTIGATING OFFICER'S DUTIES ON CPI TRAFFIC COLLISIONS**

An officer conducting an investigation at the scene of a CPI traffic collision shall:

- A. Request a supervisor to be dispatched to the scene when the collision involves a Police Department employee or Department equipment.
- B. Cause photographs to be taken depicting the extent or lack of damage and other pertinent details.
- C. Complete the necessary reports. Ensure that the Traffic Collision Reports are marked "CPI" in the "special conditions" box (Traffic Manual 3/303).
- D. Cause the appropriate City department to be notified regarding the damage to City property.
- E. Notify the Civil Liability Division, City Attorney's Office, by telephone when the collision involves a city vehicle or any possibility of City liability. Document whom was notified and the date and time of the notification in the "Remarks" section of the report narrative.

NOTE: When the Civil Liability Division is closed, the City Hall telephone operator shall be given all the information on the CPI collision report.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**A Department Employee's Statement shall** be documented on CHP 556 and include the following information:

- A. Assignment (division, unit and watch).
  - B. Partner's name and serial number.
  - C. Passenger(s) name(s) and reason for being in the police vehicle.
  - D. Type of police vehicle (marked, hybrid or unmarked) and shop number.
  - E. Type of emergency equipment, and if the equipment was in operation at the time of the collision.
  - F. The approximate speed of the police vehicle at the time of the collision, if known. When the CHP 556 Supplemental is completed by a witness only, this field is optional.
  - G. Starting point, destination and purpose of the trip (patrol, responding to a call, etc.).
  - H. A brief statement describing the circumstances of the collision and any observed traffic violations.
- Injuries sustained by driver and passenger(s) in vehicle.
- J. Were seat belts used by driver and passenger(s)? Did air bags deploy? List motorcycle safety equipment worn.
  - K. A statement regarding private insurance coverage while either a driver or passenger in a city-owned vehicle.
  - L. A statement justifying the officer's actions or why the collision was unavoidable if possible.
  - M. An estimate of the distance between the city vehicle and the actual collision.

**NOTE:** When practical the employee's statement should be signed by his supervisor. The investigating officer shall mark the top of the CHP556 with **"EMPLOYEE STATEMENT."**



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**CALIFORNIA INSURANCE CODE AND TRAFFIC COLLISION NOTIFICATION** - When Department personnel are involved in an on-duty traffic collision while operating an emergency vehicle, they should notify their personal insurance company of their on-duty / emergency vehicle status within 30 days of the occurrence. This notification must be in the form of either a written declaration or a copy of the traffic collision report. In such instances, Department personnel are not required to complete and submit an SR-1 form (State Injury or Damage Report) to the Department of Motor Vehicles. (California Insurance Code 557.5 and 557.6, Officer of Operations Notice #4, 1996)

NOTE: Department personnel are advised that if they fail to notify their personal insurance companies within the required 30-day period, their personal insurance policies can be negatively affected.

**PROPERTY DAMAGE ONLY (PDO) - CITY PROPERTY INVOLVED (CPI)**

When an officer investigates a traffic collision where all parties and property are owned by the City of Los Angeles he may complete a Traffic Collision Report, CHP 555 form set, with a sketch and statements. This shall be processed as an internal report only. The Traffic Collision Report title shall be crossed out and replaced with the title "PDO/CPI 15.7" with a miscellaneous DR number when Ai, the following apply:

1. The collision involves minor property damage (small dents, scratches or paint transfer) only; **AND**
2. **All vehicles and property** involved are owned by the City of Los Angeles; **AND**
3. Approval has been obtained from a supervisor; **AND**
4. Photographs have been taken

**NOTE:** The PDO/CPI 15.7 classification **DOES NOT** eliminate the requirement for an LAPD officer to complete an Employee Statement on a CHP Form 556, or the requirement for a fleet safety review.

When a parked LAPD vehicle is involved document the location of the vehicle prior to the collision (legally parked at curb, in marked parking stall, in red zone etc.).

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**INJURY**

Injury is any bodily harm that is in need of first aid or the attention of a physician. It is not necessary that treatment or first aid are received. An injury need not be apparent, but may be complained of pain without visible signs of injury.

A. Injuries **shall** be classified as follows:

**FATAL injury** - An injury that results in death.

**SEVERE injury** - Major injury. Any serious, incapacitating injury which normally requires hospitalization, other than for observation, and prevents the victim from walking or driving.

**EXAMPLES:** Severe laceration or wound, broken or distorted limb, skull fracture, crushed chest, severe internal injury, unconscious when taken from the collision scene, etc.

**OTHER VISIBLE injury** - Non-incapacitating injury. Any visible injury other than fatal or severe.

**COMPLAINT OF PAIN injury** - Complained of pain without visible signs of injury.

NOTE: Admission to a hospital for observation **only** with no other injury classification shall be classified as a complained of pain injury.

B. Determination of Injury Classification

Officers investigating a traffic collision **shall** base their injury classification on the information available at the scene of the collision or at the time of the follow-up to a medical facility.

**EXCEPTION:** When a death notification is received prior to the investigating officer's end of watch the officer shall complete the Death Report.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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- C. **Later reporting of an injury traffic collision.** If the collision occurred over twenty-four (24) hours prior to the time of reporting, evidence of treatment by a physician must be presented. If the collision is less than 24 hours old a traffic collision report shall be taken.

**THE PATH OF A TRAFFIC COLLISION REPORT**

The path of a traffic collision reports.

- A. No arrest, no request for filing, not going to be assigned for follow-up.
1. Traffic report completed by officer.
  2. Traffic report approved and signed by supervisor.
  3. Traffic report is entered in data base for statistical information.
  4. Traffic report is audited.
  5. Traffic report is distributed and originals sent to R & I division.
- B. Misdemeanor traffic arrest.
1. Traffic report completed by officer.
  2. Traffic report approved and signed by supervisor.
  3. Copy of the traffic report is distributed with the misdemeanor arrest report.
  4. Traffic report is entered in data base for statistical information.
  5. Traffic report is audited.
  6. Traffic report is distributed and originals sent to R & I division.





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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- C. Felony traffic arrest.
1. Traffic report completed by officer.
  2. Traffic report approved and signed by supervisor.
  3. Traffic report is audited.
  4. The traffic collision report is assigned to investigator (distributed) with the arrest report.
  5. Traffic report is entered in data base for statistical information.
  6. Traffic report is distributed and originals sent to R & I division.
- D. To be assigned for follow-up (filing, additional investigation).
1. Traffic report completed by officer.
  2. Traffic report approved and signed by supervisor.
  3. Traffic report is entered in data base for statistical information.
  4. Traffic report is audited.
  5. Traffic report is distributed and originals sent to R & I division.

**NOTE:** The term "Distribution" shall include any copies of the collision report sent either inside or outside the Department, to ANY entity including the City Attorney or District Attorney's offices or LAFD personnel or private citizen. Once a copy of the traffic collision report has been distributed no corrections shall be made to the original, all corrections shall be made on a CHP 556.

## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### TRAFFIC COLLISION REPORTING REQUIREMENTS

A Traffic Collision Report SHALL be completed when one or more of the following is involved in a traffic collision.

- A. Fatality
- B. Injury
- C. City property involved or a possibility of City liability
- D. Driving Under the Influence
- E. Hit and Run

### TRAFFIC COLLISION INVESTIGATION CRITERIA

- A. The following require a scale diagram and verbatim statements:
  - 1. Fatal injury
  - 2. Severe injury
  - 3. Unbooked DUI driver
  - 4. **All** CPI vehicles (except as listed in Traffic Manual 3/203) and/or where there is a possibility of City liability.
  - 5. Complex circumstances
- B. The following Traffic Collisions require a sketch:
  - 1. Other visible injuries or complained of pain injury.
  - 2. Hit-and-Run with visible or complained of pain injuries or property damage only.
  - 3. Damage to City owned property (other than vehicles).
  - 4. A booked misdemeanor DUI driver with simple circumstances (including 23550VC & 23550.5VC).

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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5. City vehicle, including LAPD, involved with a fixed object.  
(No injuries)

**NOTE:** If an LAPD vehicle is involved, a Employee Statement is required.  
(Traffic Manual 3/701)

- C. Traffic Collision reports **should** be completed and shall be submitted, prior to the investigating officer's end-of-watch.



# LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

## TRAFFIC COLLISION REPORTING GUIDE

GENERAL PROVISIONS		SCALE DIAGRAM	SKETCH
1.	Death	Yes	No
2.	Injury	Severe injury	Any other injury
3.	Hit & Run	Severe/Fatal	Visible or Complained of Pain Property Damage
4.	CPI	LAPD, City or mileage vehicle, or City employees, contact or influence with possibility of injury	CPI (non-vehicle) No City liability, CPI vehicle w/fixed object -including parked vehicles
5.	DUI misdemeanor	Unbooked or complex Circumstances	Booked DUI driver, simple circumstances
6.	Property damage	No, unless other scale diagram criteria apply	No, unless other sketch criteria apply
7.	School bus	CHP handles if students on board	above report criteria if no students
8.	Train - Grade crossing	Yes No Suicide or Attempt Suicide (Injury or Death Report - with a 555 form set with a T/C narrative)	
	Private Property-Traffic Collision		
	Injury or Death	Yes	Yes
	Property damage only		



## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### ADVICE TO PARTIES INVOLVED IN A TRAFFIC COLLISIONS

An officer conducting an investigation at the scene of a traffic collision shall:

- A. Verify that a correct exchange of information is made between parties **at the scene (4.37)**, even if a traffic collision report is completed. This must be completed at the scene.
- B. Refrain from indicating or estimating that any injury or property damage incurred in the collision is either sufficient or insufficient to require a report to the Department of Motor Vehicles under the terms of the Financial Responsibility Law (16000 VC).
- C. Refer parties to their insurance agent or to the local office of the Department of Motor Vehicles regarding the application of the Financial Responsibility Law.
- D. Refer parties wishing to obtain an SR-1 Form to the Department of Motor Vehicles, their insurance agent.
- E. Explain how to obtain a complete copy of the TIC Report.

NOTE: Officers shall refrain from referring parties to TDS for information contained within the Traffic Collision Report.

### TRAFFIC POLICY QUESTIONS

- A. The Traffic Report Auditor Detail of the concerned Bureau Traffic Division may be contacted during day watch hours on weekdays to resolve questions on Traffic Collision Reporting policy and procedures.
- B. When the Auditor Detail is unavailable, contact the concerned Bureau Traffic Division watch commander to resolve questions on Traffic Collision Reporting policy and procedures.
- C. Traffic Coordination Section may also be contacted for traffic reporting policy and procedure questions on weekdays during day watch hours.
- D. Ensure that the name and serial number of any supervisor advising any deviations from reporting policy is entered in the "Remarks" section of the report.



## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### GENERAL PROVISIONS

Complete all of the applicable items on the traffic collision pages for all reportable collisions.

Corrections to a traffic collision report SHALL be made under the following criteria:

- A. **Prior to distribution of the report**, the officer may make corrections directly on the original report.
- B. **After distribution of the report**, the officer SHALL make all corrections on a Traffic Collision Supplement Form 556.

**NOTE:** The term "Distribution" shall include any copies of the collision report sent either inside or outside the Department, to ANY entity including the City Attorney or District Attorney's offices or LAFD personnel or private citizen.

- C. If any person advises any deviation from the Department traffic Manual policies and procedures, document their rank, name and serial # in the "remarks" section of the traffic narrative.
- D. Traffic Collision Reports should be completed and submitted for approval prior to the investigating officer's end of watch. All collision reports SHALL be turned in at end of watch, whether completed or not, to the watch supervisor.  
(Traffic Manual 3/347).

### FATAL TRAFFIC COLLISION INVESTIGATIONS

The basic approach to fatal traffic collisions is the same as with all traffic collision investigations. However, if there is a serious injury likely to produce death or a death is involved, the investigation may be a manslaughter.

- A. Officers SHALL administer first aid and request an ambulance if needed. If the victim has expired, it is the duty of the coroner, NOT the ambulance, to remove the body.
- B. Immediately request communications to dispatch a traffic supervisor. If none are available, dispatch a patrol supervisor.
- C. Protect the scene and personal property, and allow **no one to search the body except the coroner's deputies.**

## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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- D. Cause ID photographs to be taken of the victim at the scene.
  - E. When the victim has been removed prior to the investigating officer's arrival
    - 1. Ascertain whether anyone present is acquainted with the victim for identification.
    - 2. Obtain the serial # of the ambulance personnel who transported the victim.
- NOTE:** This will assist you and others, if necessary, to testify as to the presence of the victim at the scene.
- F. Obtain a receipt from the deputy coroner when personal effects are removed from the body.
  - G. Contact the supervisor at the scene for advice before releasing drivers involved in the traffic collision.
  - H. Officers investigating the collision should view the victim, if still present, and cause witnesses to view the victim for identification and nature of injuries for future need. Discretion SHALL be used when causing a witness to view a mangled, burned or otherwise reprehensible corpse.
  - I. It SHALL be the responsibility of the emergency ambulance crew to determine if death has occurred.

### REPORTING TRAFFIC DEATHS

The officers originally investigating the traffic collision SHALL be responsible for completing a Death Report, Form 3.11, for a death resulting from a traffic collision when the victim is dead at the scene or dies while the officer is on the same tour of duty.

- A. The Death Report narrative SHALL detail the events surrounding the death and include:
  - 1. How the deceased was involved in the collision (driver, passenger, pedestrian, etc.).
  - 2. A summary of the collision including the type of collision (auto vs. auto, auto vs. pedestrian)



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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3. Any other pertinent information.

**NOTE:** The Death Report SHALL be completed and turned in with the original traffic report.

- B. When the officer originally investigating the traffic collision has reported end-of-watch, the Death Report SHALL be completed by the Traffic Division Detectives.

**NOTIFICATIONS**

The officer assigned to the initial investigation of a fatal collision SHALL cause the deceased's next of kin to be notified, if the death occurs prior to end-of-watch. Whenever practicable, notification SHALL be made in person by the investigating officer. The coroner shall be requested to make the notification if the deceased's relatives live outside the city.

**DEAD BODIES - CORONER CASES AND NOTIFICATIONS**

- A. When a death is accidental, by suicide, or as a result of a criminal act, the Coroner shall be notified.
- B. When a dead body which comes within the jurisdiction of the Coroner is exposed to public view, the investigating officers shall notify the Senior Coroner's Investigator as soon as practicable. The investigating officers shall be guided by the instructions of the Coroner's representative dispatched to the scene.
- C. When a supervisor at the scene of a death determines that a dead body exposed to public view would probably create an adverse incident, he shall notify the Senior Coroner's Investigator, who will contact the Deputy Coroner for permission to immediately remove the body by ambulance. The instructions of the Coroner shall be given to the ambulance crew.
- D. The body **SHALL NOT** be searched for identification. A search for an organ donor card is permitted, although organs will probably not be taken due to blunt force trauma experienced and the time lapse after death.
- E. When the cause of death is readily apparent (death occurs as a result of a traffic collision and parties or witnesses can establish same), the Coroner's Office may give immediate authorization to remove the body.

**NOTE:** No matter where the body is, it cannot be moved without authorization from the Coroner's Office.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**TRAFFIC COLLISION INVESTIGATION REPORT**

Complete all pertinent boxes with the appropriate information on Parties, vehicles and witnesses.

The "Primary Street" in the traffic collision is:

- A. The street on which the vehicle in violation was traveling,
- B. In the case where the primary violator cannot be determined, the primary street shall be the street on which the major portion of the collision occurred.

**PAGE WS**

Each side of the CHP 555 Form Set, CHP Form 556 and the Municipal Supplement is numbered as a separate page. Page 1 shall be numbered 1/, all additional pages shall be numbered with a single number. Entry of total number of pages is necessary only on page 1.

- A. Collisions involving more than three parties, where at least two CHP Form 555's are prepared, should be numbered as follows:
  - 1. The first CHP Form 555 would be numbered as page 1/ for the front, and page 2 for the back.
  - 2. The second CHP Form 555 would be numbered as page 3 for the front, and page 4 for the back.
- B. The "Injured/Witness/Passenger" page(s), shall follow the last statistical page.
- C. The diagram, if applicable, shall follow the last Injured/Witness/Passenger page.
- D. The CHP form 556 narrative page(s) shall immediately follow the diagram page.
- E. Attachments to the collision report, such as the CHP Form 185 (Skid Chart), and the CHP form 555-D Truck/Bus Collision Supplemental, DUI face sheet should be numbered as part of the original report. These forms shall follow the last CHP 556 narrative page and be numbered accordingly.
- F. When applicable the Municipal Supplement will be the last page of each report.
- G. When the CHP 556 is used as a supplemental, it will be numbered as 1/1.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**SPECIAL CONDITIONS**

Enter one or more of the following Special Conditions which require special processing. Enter the special condition information as written below **use only the below underlined titles.** Do not list the corresponding letter.

- A. Counter Report - When a traffic report is completed at an area desk.
- B. Farm Labor Vehicle - When the motor vehicle is a farm labor vehicle as defined in 322 VC. and the driver is transporting one or more farm workers as specified in 12519(a) VC.
- C. Fatal
- D. Hazardous Materials - When a vehicle is carrying any hazardous material, regardless of spillage.
- E. On-Duty Emergency Vehicle - (or On-Duty Emerg. Veh.). It is not necessary that the vehicle be operated with red light and siren for the "On-Duty" classification to apply.
1. For this section, an emergency vehicle is any publicly owned vehicle operated by any Federal, State or local agency, department or district employing peace officers, fire fighters or paramedics (165 VC).
  2. The writing in the box may be in RED.
  3. The words "On-Duty Emergency Vehicle" shall also be written above the emergency vehicle driver's name in the party box.

**EXCLUSIONS:**

- a. A parking enforcement vehicle not meeting the definition of an authorized emergency vehicle (165 VC) being operated by a person without peace officer status.
- b. A peace officer or fireman while operating his private vehicle.
- c. An ambulance that does not have an emergency vehicle permit issued by the Commissioner of the California Highway Patrol.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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Private Property - When a traffic collision occurs on private property, not on a public highway or roadway.

G. School Bus - CHP use only

H. CPI - Any traffic collision which involves Los Angeles City property directly or by influence.

Arrest - When a separate arrest report is completed.

J. Combined Traffic and Arrest - When arrest report is incorporated in the collision report.

K. Filing - When requesting filing on a party or passenger.

**PARTY LISTING ORDER**

Party listing is in the following order:

Hit and Run (Parties and/or Vehicles)  
Motor Vehicles  
Other Conveyances  
Pedestrians

The personal information of the Hit & Run driver and/or vehicle **SHALL NOT** be listed on the front page of the CHP 555 form set unless the person and/or vehicle has been positively identified.

NOTE: Property that is damaged as a result of a T/C is NOT considered a party. This property is listed on page 2 of the CHP 555 form set in the "Property Damage" section.

**INJURED/PASSENGER/WITNESS PAGE**

The information entered in this section identifies an injured party, witness or passenger.

- A. The term "injured" refers to a person who has identified any injury or complains of pain as a result of the collision. When possible, list injured persons first in order of injury severity.
- B. The term "witness" refers to a non-injured, non-involved person. Witnesses are sequentially numbered.
- C. The term "passenger" refers to a vehicle occupant other than the driver.

## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### DIAGRAM

A collision diagram or sketch is required on all traffic collision reports.

- A. When required, the scale diagram should meet the Department standard 1"=20' and be depicted by a scale bar.

When a scale diagram is drawn on a blank sheet of paper, the Date, Time, NCIC #, Officer I.D.#, DR#, and page number shall be entered at the top of the page, and the Officer Name and Number completing the diagram shall be entered at the bottom of the page.

- B. When a scale diagram is not required, a sketch, identifying the quadrant the area of impact was measured from shall be completed.

**NOTE:** If a blind intersection exists, indicate on the diagram what the obstruction is, and the 100' measurements back from the intersection curb lines.

### STATION REPORTS

Whenever a traffic collision report is made at an area desk and a follow-up to the scene is not made, make the sketch as accurate as possible with the aid of a map and information obtained from the reporting party.

**NOTE:** Most areas have pre-drawn intersection books which contain the complicated intersections within the area. **It will be the investigating officer's responsibility to ensure that the diagram used from the diagram book is correct. The Investigating Officer shall measure and compare the measurements to the pre-drawn diagram. The investigating officer shall be responsible for the pre-drawn diagram as if he had drawn it himself.** The officer using the pre-drawn diagram shall place his initials, serial # and date on the diagram under the name of the officer who completed the original diagram.



## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### **556 NARRATIVES**

The narrative is used to record the findings of fact resulting from your investigation. The headings are: Collision Summary, Upon Arrival, All Points of Impact, Traffic Controls, Physical Evidence, Lighting, Photographs, Injuries, Remarks, Statements, Arrest.

When additional property is damaged and does not fit on page 2 of the 555, use the heading "Additional Property Damaged". List the owner's name, address, phone number, property damaged and if notified. Place the heading before the "Collision Summary" heading.

The Narrative is used to record the findings of fact resulting from the investigation.

The factual information gathered at the scene of a traffic collision will be entered in a logical sequence.

Opinions of the investigating officers, other than those pertaining to Primary Cause and sobriety, SHALL NOT be included.

### **A. COLLISION SUMMARY: (SEE TOPIC 2.0.1 - SUMMARY)**

### **B. AREA OF IMPACT:**

Indicate all areas of impact and how each area of impact was substantiated (statements, physical evidence) and how they were established (measured with roll-a-meter, paced, estimated).

If possible, all additional points-of-impact shall be measured from the same quadrant used for the first A01.

### **EXAMPLES:**

1. A01 #1 established by statements of P-1 & P-2, substantiated by skids of V-1 and V-2.
2. A01 #1 established by statements OF P-2, not substantiated.
3. A01 #1 established and substantiated by fixed location of pole. A01#2, between V-1 and tree established and substantiated by the fixed location of tree, measured as:  
2 FT W/W Broadway & 36 FT N/N 77th St

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**C. UPON ARRIVAL:**

1. Include the time the call was received and the time you arrived at the scene on every traffic collision report.
2. Indicate the locations of all vehicles and parties upon your arrival at the scene. Don't begin with, "I/O observed the aftermath of a 2-party TIC."

**EXAMPLES:**

- a. V-1 and V-2 at rest, P-1 transported to hospital, P-2 standing next to V-2.
- b. V-1 at rest N/B Main ST. Measured as follows;  
R/F Wheel 16 FT N/N Florence Av.. 22  
FT W/E Main St  
  
R/R wheel 16 FT N/N Florence Av.  
12 FT W/E main St
- c. V-2 parked north of POI #2. P-1 standing on the S/E corner. P-2 standing next to V-2.
- d. V-1 GOA. V-2 parked N/B Broadway at the east curb, 40 ft. North of POI.

**D. TRAFFIC CONTROLS:**

Indicate the description, location, condition and visibility of all signals, signs or roadway markings involved.

1. **TRI-LIGHT SIGNALS** - Indicate whether operating properly. If it appears that a party failed to obey the signal, describe the signal timing. Signals are either a fixed cycle, controlled by computer, traffic flow etc.

**EXAMPLES:**

- a. I/S Controlled by upright and overhanging tri-light signals. All signals upright and functioning properly at time of investigation. Signal phase for N/S traffic timed as follows; 60 second cycle, 30 sec red, 27 sec green and 3 sec amber.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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- b. Intersection controlled by upright and overhanging tri-light signals. All signals upright and functioning properly at time of investigation. Signal phasing for N/S traffic controlled by electromagnetic loops in the roadway. Signal phase dependent upon the traffic flow.
2. **STOP SIGN** - Indicate whether visible and if limit line present. If not visible, indicate obstruction and at what distance the sign is visible.

**EXAMPLES:**

- a. Traffic E/B 77th St controlled by posted blvd. stop sign and limit line. Stop sign upright and clearly visible in excess of 100' located 12' west of the west curb. Limit line in good repair and clearly visible, located 10' west of the west curb.
- b. Traffic E/B 77th St controlled by posted blvd. stop sign and limit line. Stop sign upright, located 12' west of the west curb. An overgrown tree located on the parkway, 25 ft west of the stop sign blocked the view of the sign by E/B traffic, in front of 130 E. 77th St. The sign was visible from a distance of 55 ft west of the I/S. Dept of Street maintenance advised via Communications div. Limit line in good repair and clearly visible, located 10' W/W curb.
3. **PAINTED LINES** - If involved, give type of line, condition and visibility.

**EXAMPLES:**

- a. 21460a VC - Crossing over the double yellow line.
- E/B and W/B traffic divided by painted double yellow lines, in good repair and clearly visible.
- b. 21658a VC - Unsafe lane change
- Traffic E/B 1 & 2 divided by a painted broken white line, in good repair and clearly visible.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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4. **CROSSWALKS** - If involved as an element of the collision include location, width and condition. If pedestrian control signals involved include signal phase. If it is determined that the pedestrian was out of the crosswalk, indicate the location of the nearest crosswalk.

**EXAMPLES:**

- a. **No pedestrian signal** - Pedestrian traffic crossing Main St E/B controlled by a 16' wide marked crosswalk. Paint in good repair and clearly visible.
- b. **Pedestrian signal** - Pedestrian traffic crossing main St E/B controlled by a 16' marked crosswalk and walk/don't walk pedestrian signal. Paint in good repair and clearly visible. Pedestrian signal functioning properly at time of investigation. Pedestrian signal phasing as follows; 60 sec cycle, 15 sec walk, 8 sec flashing don't walk and a 37 sec solid don't walk.

5. **UNMARKED CROSSWALK** - An unmarked crosswalk is included within the prolongation or connection of the boundary lines of sidewalks at intersections where the intersecting roadways meet at approx. right angles except the prolongation of such lines from an alley across the street.

**EXAMPLE:** Pedestrian traffic crossing 77th St NIB controlled by a 10' wide unmarked crosswalk.

**NOTE:** In an intersection TIC: Controls should be identified whether-or-not they are a factor.

**E. PHYSICAL EVIDENCE:**

Enter the description of the tire marks left by each vehicle prior to the point of impact and any tire marks and/or scrub marks after impact. Measure and describe tire marks exactly as they appear. If the tire marks will establish a violation, take photographs.

All other evidence in conjunction with the traffic collision shall be entered here. Include blood or urine samples obtained from suspects, gouges in roadway, debris pattern measurements, hit and run victim clothing, etc.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**F     LIGHTING:**

Describe the type of lighting at the time of the collision.

**EXAMPLES:**

1.     Lighting supplied by a single globe over hanging lamp standards located on all four corner of the I/s.
2.     Lighting supplied by a single globe over hanging lamp standard located 35' N/E of POI.

**G. PHOTOGRAPHS:**

When one of the following types of collision is investigated, the I/O or SID SHALL take photographs.

1.     When City property is involved
2.     When they would be of evidential value
3.     In all fatal and near fatal accidents
4.     In hit-and-run felony collisions
5.     When evidence may disappear prior to a follow-up investigation
6.     When they would be of educational value

NOTE:         Photographs should be taken to depict damage as well as "lack" of damage.

When no photos are taken, this heading is not required in the narrative sequence.

**INJURIES:**

This heading is only required when the medical information exceeds the space provided on the "Injured/Witness/Passenger" page. (Traffic Manual 3/113)

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**REMARKS:**

The remark's section is designed for any additional investigative information not contained in a specific portion of the report. It should contain all information pertinent to the investigation. This may include but is not limited to the following:

1. Exchange of information - Each party of a traffic collision shall present, upon request, their drivers' license, vehicle registration and insurance information to the other involved parties or owners of damaged property. The information shall contain a current residence address.
2. Condition of Parties - Examine parties for conditions which might impair driving such as alcohol or drug intoxication, or physical defects. Explain the findings.

**EXAMPLES:**

- a. P-1 displayed the objective symptoms of intoxication. P-1 given an FST which he failed to perform as demonstrated. P-1 placed under arrest for 23152a VC and transported to Jail Division. P-1 given a breath test on machine #251. Results of .13 & .14 recorded. P-1 booked Jail Division for 23152a VC.
  - b. P-1 displayed the objective symptoms of intoxication. P-1 given an FST which he failed to perform as demonstrated. P-1 placed under arrest for 23152a VC and transported to Jail Division. P-1 Given a breath test on machine #251. Results of .00 & .00 recorded. P-1 given a drug evaluation by Ofcr. Jones, a court qualified DRE. Ofcr. Jones formed the opinion that P-1 was under the influence of an unknown stimulant. P-1 booked Jail Division for 23152a VC.
3. Condition of all vehicles - This includes checking for a possible unsafe condition.
    - a. Brake check:
      - 1) Depress the brake pedal, if the brake pedal offers adequate resistance - brakes are OK -if brake pedal goes to the floor, continue with inspection.  
  
THIS IS ONLY TRUE ON OLDER VEHICLES. MANY NEWER VEHICLES ARE EQUIPPED WITH ANTI-LOCK BRAKES. OFFICERS SHOULD NOTE IN REMARKS THAT THE DRIVER DID NOT INDICATE BRAKE FAILURE





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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- 2) Check Master cylinder for fluid
- 3) Check for visible signs of wheel cylinder and brake lines for leakage

**NOTE:** If any defects are found, be sure to photograph them.

**EXAMPLES:**

- a.) Brakes on V-1 had no visible signs of leakage. P-1 did not allege braking malfunction. Brakes on V-2 had no visible signs of leakage.
  - b) P-1 & P-2 indicated brakes of V-1 & V-2 working properly.
- b. Other equipment such as headlights, taillights, seat belts, air bags, motorcycle or bicycle helmets.

**EXAMPLES:**

- 1) P-2 alleged that P-1 did not have his head lights on at the time of the collision. The head lights were checked, both were found to be broken.
- 2) P-2 alleged that he did not see any brake lights on V-1 prior to rear ending the vehicle. The brake lights were checked. When activated by depressing the brake pedal, neither brake light was illuminated.
- 3) P-2 wearing bicycle helmet based on witness #1 statement and evidence at scene. V-2 driver side air bag found deployed during inspection of vehicle.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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4. Hit and Run information - Include the elements of the crime, whether felony or misdemeanor.

**EXAMPLES:**

- a. P-1 failed to stop and ID self, in violation of 20002a VC, Hit and Run Misdemeanor.
  - b. P-1 failed to stop and ID self or render aid, in violation of 20001 VC, Hit an Run Felony.
5. Physical features at the scene - Construction Zone, contamination of the roadway surface, lane reductions, excavations, up or down grade in a percent (Y0), obscured or BO controls.
6. Results of any follow-up investigation
7. Supervisors at the scene or giving advice
8. LAFD, Street Maintenance, DWP or other units at the scene
9. CPI vehicles, include shop number, activity, department assigned to, etc.
10. Substantiate any violations by the involved parties or any requested filings. If an arrest is made, all additional filings will be requested on the arrest report.

**J. STATEMENTS: (SEE TOPIC 9.0 - INTERVIEWS)**

**K. COMBINED TRAFFIC AND ARREST INFORMATION:**

Include the arrest report for a combined traffic and arrest.

**L. ADDITIONAL FILINGS:** All filings must be included in the same way, all in arrest report, if no arrest then all request in traffic report, if no traffic and the sections can be written on a personal service citation.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**TRAFFIC COLLISION REPORT SUPPLEMENT (CHP 556)**

The Traffic Collision Report Supplement is used to record supplemental information in connection with a traffic collision.

The CHP Form 556 shall be completed as a "Supplemental" when any of the following apply:

- A. A Department employee is involved in a CPI collision as a party, passenger or witness. (Traffic Manual 3/701)
- B. An officer obtains a statement from a hit-and-run driver.  
The officer shall, when possible, record the statement of a hit-and-run driver on a 556 supplemental followed by his signature, including identification information, if not listed on a CHP Form 555 face page.
- C. An officer interviews a private person who has additional information of a previously reported traffic collision. When a CHP Form 556 Supplemental is used for the purpose of recording the statement of a party, passenger or witness, all pertinent identification information shall be included.
- D. An officer obtains Evidence relative to a traffic collision which is written on a piece of paper.
  - 1. The paper shall be attached to a CHP-556 Supplemental providing the evidence was written, signed and dated by a party, passenger or witness.
  - 2. A DMV printout shall be attached to the collision report. The DMV printout shall not be numbered as a page of the report and shall not be forwarded to R & I Division.
- E. An officer assigned a follow-up investigation of a traffic collision, except when the information is contained within a Status Report, Form 4.16.

An officer making corrections to a Traffic Collision Report after it has been distributed. When making a correction, list the error, then the correction (i.e., "V-1 N/B should read V-1 S/B").

**NOTE:** The term "Distribution" shall include any copies of the collision report sent either inside or outside the Department, to ANY entity including the City Attorney or District Attorney's offices or LAFD personnel or private citizen.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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- G. An officer obtaining a statement from a party, passenger or witness involved in a traffic collision where a traffic collision report would not normally be made. When a CHP Form 556 Supplemental is used for the purpose of recording this statement, officers shall include all pertinent identification information.
- H. As page 1 when an administrative report is completed.
- I. An officer calculating a vehicle's speed mathematically without the use of a speed skid chart, or an officer completing a accident reconstruction for a Divisional Traffic Detective.

**NOTE:** The CHP Form 556 Supplement, is never numbered as a page of the original Traffic Collision Report. Each CHP Form 556 Supplemental shall be numbered separately and signed by a supervisor.

**LOS ANGELES MUNICIPAL SUPPLEMENT**

The Los Angeles Municipal Supplement is intended to be used by field officers as a supplement to the CHP 555 Form set for obtaining additional information for Traffic Division Detectives in presenting cases for prosecution. Officers will include the supplemental page when the investigation meets any one of the following criteria:

- A. A traffic collision involving a juvenile party; or juvenile passenger/juvenile witness subject to filing.
- B. A traffic collision where a party, passenger or witness is booked.
- C. A traffic collision involving a DUI investigation.
- D. A traffic collision involving a Hit & Run.

**HIT AND RUN PORTION OF THE MUNICIPAL SUPPLEMENT**

The hit-and-run portion, is designed to be used as a supplement to the investigation, and to assist follow-up investigators.

**A. SUSPECT DESCRIPTION ON THE MUNICIPAL SUPPLEMENT**

- 1. The first column is for the suspect number.
- 2. If there is more than one suspect or more than one suspect description, enter the appropriate suspect number.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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3. Enter the appropriate witness number in the second column. The physical description is self-explanatory.
4. The additional spaces are to be used in the event that there are conflicting descriptions, or in cases of multiple hit and run suspects.
5. If the suspect is in custody, put the suspect information in the party box on the Traffic Collision Face Sheet.
6. When a suspect is in custody, write in the suspect information portion "In Custody" for Hit and Run information.

**B. VEHICLE INFORMATION ON THE MUNICIPAL SUPPLEMENT**

1. The first column is for the hit-and-run vehicle number. If there is more than one hit-and-run vehicle or description, enter the appropriate vehicle number.
2. The second column is for listing who gave the description.
3. The physical description is self-explanatory.

**NOTE:** List only physical items that would identify the vehicle without the damage sustained.

4. If only a partial license number is received, put a dash in each space whose character is not known.
5. For a license plate of an unknown state, put the license plate colors in the box. The additional spaces are to be used if there are any conflicting descriptions, or cases of multiple hit-and-run vehicles.
6. In the case where two or more witnesses describe the suspect vehicle, list each description on a separate line.

**C. VEHICLE DAMAGE ON THE MUNICIPAL SUPPLEMENT**

1. This portion is important to the follow-up investigator as a tool to relate the damage to the vehicles involved. The investigator uses it when inspecting a suspect vehicle to compare type and location of damage and positively identify or eliminate the vehicle.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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2. The first vehicle description is for the hit-and-run vehicle. The other two boxes are for the officer to describe the damage to the other vehicles involved. Describe the damage as related to you by the victim, or, if the vehicle is inspected, observed by you.
3. Minor Damage - Use only in low damage collisions. This tends to show that, even though minor in nature, there was sufficient damage to indicate that P-1 should have had knowledge that a collision occurred.

**D. PHYSICAL EVIDENCE**

1. Any evidence that is left at scene by V-1 or P-1 should be documented in the "Physical Evidence" section of the narrative. Relate where it was found and who found it.

**NOTE:** The original paper on which the victim, passenger, or witness wrote the license number of V-1, **SHALL** be attached to a Traffic Collision 556 Supplemental. You should have the person who provides the evidence sign the evidence for identification purposes later in court.

2. List any evidence found in V-1 that could be used to identify P-1. Book information as evidence and complete a Property Report.
3. When a pedestrian is involved, indicate if the clothing was booked and the location it was booked.

**E. FOLLOW-UP INFORMATION**

1. In the remarks section of the narrative, indicate whether a follow-up was made, and if made, describe the actions taken and the results. Do not include the address of the follow up.
2. Attach a copy of the DMV printout for the hit-and-run vehicle to the Traffic Collision Report, do not number as a page of the traffic collision report.



## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### SEPARATE TRAFFIC AND ARREST REPORTS

Separate traffic and arrest reports are completed when the following circumstances are present:

- A. The arrest was not originally connected with the traffic collision, such as an arrest for 211 PC.
- B. The Traffic Collision Report has already been completed and an arrest was made following the completion of the Traffic Collision Report.
- C. The arrest in conjunction with the collision is a misdemeanor.

**NOTE:** A copy of each report will be attached to the original (i.e., original arrest report, copy of traffic; original traffic, copy of arrest).

- D. If separate traffic and arrest reports are completed; all filings for the arrestee **shall** be contained in the Arrest Report.

### COMBINED TRAFFIC COLLISION AND ARREST REPORT

- A. When an arrestee is taken into custody for a felony crime and the follow-up investigation is the responsibility of a Traffic Detectives Section, officers **should** use the combined Traffic Collision and Arrest Report.

**NOTE:** When unusual circumstances make the use of the combined traffic and collision report impractical separate arrest and traffic collision reports may be completed.

- B. Completion of the Reports

- 1. Traffic Collision Report -

- a. A Traffic Collision Investigation, CHP 555 Form Set.
- b. **"Combined Traffic Collision/Arrest Report"** shall be written in the special conditions box.
- c. Arrest Narrative - The arrest narrative **shall** be written immediately following the "Statements" portion of the Traffic Collision narrative. The Arrest Report format will be completed in the usual manner.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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2. Arrest Report - All reports shall be completed in the usual manner except that the Arrest Report, Form 5.2, shall be modified as follows:
  - a. **"Combined Traffic Collision/Arrest Report"** shall be written in the top right margin.
  - b. The **Crime Report Box** shall be checked.
  - c. In the **Victim's Name Box**, the name of the injured person other than Party 1 shall be entered. If there are no injuries, the name of Party 2 shall be entered.  
In the **Involved Persons Section** write "See Traffic Collision Report."
  - e. In the **Combined Crime Report Section**, the notation "Traffic" shall be entered for the Type of Offense. The appropriate information shall be placed in the **Date and Time Crime Occurred Section**.
  - f. The DUI Face Sheet, Form 05.02.05 (R12/01), if used, shall bear the notation "See Traffic Collision Report" in the narrative section.
3. Numbering - The Traffic Collision Report and the Arrest Report pages shall be numbered separately.

**NOTE:** Any additional forms, such as a checklist for a chemical test, or forms associated with Administrative Per Se Order of Suspension, shall be attached to the Arrest Report.

4. Corrections - Subsequent to the distribution of the report, corrections to the Traffic Collision Report shall be made on a CHP Form 556 (Supplement) and corrections to the Arrest Report shall be made on a Form 3.14.

**NOTE:** The term "Distribution" shall include any copies of the collision report sent either inside or outside the Department, to ANY entity including the City Attorney, District Attorney, LAFD personnel or private citizen.

**BASIC COLLISION  
INVESTIGATION COURSE**

**TOPIC 2.0.1**

**COLLISION SUMMARY**



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**COLLISION SUMMARY:**

The collision summary is a word picture of the traffic collision and must depict all of the occurrences in the collision. **DO NOT INDICATE FAULT OR PRIMARY CAUSE IN THE COLLISION SUMMARY !!!**

When an investigation is NOT conducted at the scene, the collision summary SHALL be prefaced by a statement as to where the report was taken.

**EXAMPLE:** All information in this report was obtained from party #2 at 77th Street desk.  
I/O not at scene.

Include all of the following in the summary:

- A. Party numbers.
- B. Direction of travel of all conveyances.
- C. Names of the involved streets.
- D. Each area of impact.
- E. Lane numbers of lanes used by involved vehicles.
- F. Action of each party after the A01.

**NOTE:** Officers SHALL use the word "COLLIDED" rather than struck when writing the summary.

**EXAMPLE:** V-1, NIB-1 Main St. collided with the right side of V-2, E/B-3 Florence Ave. V-1 continued in a N/W direction, ROR and collided with bus bench.





**BASIC COLLISION  
INVESTIGATION COURSE**

**TOPIC 3.0**

**COLLISION RELATED  
TRAFFIC LAWS**

## VEHICULAR MANSLAUGHTER / MURDER

FELONY / MISDEMEANOR	PENAL CODE SECTION	DUI	VIOLATION	NEGLIGENCE	EXAMPLE
Misdemeanor	192(C)(2) PC	No	Vehicle Code Violation	No Gross Negligence	Turning into a driveway, fails to yield to a pedestrian on the side walk (21952 VC), hits and kills the pedestrian.
Felony! Misdemeanor	192(C)(3) PC	Yes	Vehicle Code Violation	No Gross Negligence	DUI, runs a red signal (21453a VC), broadsides a vehicle and kills occupants.
Felony	192(C)(1) PC	No	Vehicle Code Violation	*With Gross Negligence	Drag racing in a residential area (60/25 MPH, 22350 VC), hits and kills a pedestrian.
Felony	191.5 PC	Yes	Vehicle Code Violation	*With Gross Negligence	DUI, driving at 100 MPH (22348b VC) runs a red signal (21453a VC), broadsides a vehicle and kills occupants.
Felony	187 PC 2nd Degree Murder (Watson)	Yes! No		Implied Malice	<p>Case law which shows malice EAGLES-Prior reckless driving during the afternoon before the collision</p> <p><b>McCARNES-Deft's</b> prior DUI conviction admitted to prove applied malice, Deft was schooled in the dangers of drinking and driving.</p> <p>WATSON-Prior to fatal collision Deft was speeding excessively and had a near collision, then resumed driving excessive speeds.</p>

\* GROSS NEGLIGENCE *The exercise of so slight a degree of care as to raise a presumption of conscious indifference to the consequences - "I was in a big hurry, but I thought it was safe."*

\*\* MALICE *Not willful, deliberate, or premeditated, but conscious: willful disregard for life; high probability will result in death; no intent to kill, but conduct is so bad that it goes beyond gross negligence; defendant knows that his conduct endangers the life of another, nevertheless acts deliberately with conscious disregard for life.*



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**TRAFFIC CRIMES**

**CALIFORNIA PENAL CODE**

**T I T L E   8**

Crimes Against the Person

**CHAPTER 1 - Homicide**

**187. Definition of Murder.**

- (a) Murder is the unlawful killing of a human being, or a fetus, with malice aforethought.
  - (b) This section shall not apply to any person who commits an act which results in the death of a fetus if any of the following apply:
    - (1) The act complied with the Therapeutic Abortion Act, Chapter 11 (commencing with Section 25950) of Division 20 of the Health and Safety code.
    - (2) The act was committed by a holder of a physician's and surgeon's certificate, as defined in the Business and Professions Code, in a case where, to a medical certainty, would be death of the mother of the fetus or where her death from childbirth, although not medically certain, would be substantially certain or more likely than not,
    - (3) The act was solicited, aided, abetted, or consented to by the mother of the fetus.
- Subdivision (b) shall not be construed to prohibit the prosecution of any person under any other provision of law.  
[1872;1970 ch 1311,1,4.]



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**188. Definition of Malice.**

Such malice may be expressed or implied. It is express when there is manifested a deliberate intention unlawfully to take away the life of a fellow creature. It is implied, when no considerable provocation appears, or when the circumstances attending the killing show an abandoned and malignant heart.

When it is shown that the killing resulted from the intentional doing of an act with express or implied malice as defined above, no malice or other mental state need be shown to establish the mental state of malice aforethought. Neither an awareness of the obligation to act within the general body of laws regulating society nor acting despite such awareness is included within the definition of malice. [1872;1981 ch 404,6, 1982,4.]

**MALICE**

Malice is implied when a person, knowing that his conduct endangers the life of another, nevertheless acts deliberately with conscious disregard for life. Gross negligence is the exercise of so slight a degree of care as to raise a presumption of conscious indifference to the consequences.

A finding of implied malice depends on a determined that the defendant actually appreciated the risk involved in his conduct. A finding of gross negligence is made by applying an objective test: If a reasonable person in defendant's position would have been aware of the risk involved, then the defendant is presumed to have such awareness.

Implied malice contemplates a subjective awareness of a higher degree of risk than does gross negligence and involves an element of wantonness which is absent in gross negligence.

The existence of gross negligence along with implied malice does not preclude a filing of murder. However, when both exist, murder and not vehicular manslaughter may be filed.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**IMPLIED MALICE**

With these differences in mind, the following factors must be taken into consideration in deciding whether implied malice exists.

- A. The facts of the case must demonstrate that the defendant actually appreciated (had a subjective awareness of) the risk created by his driving.
- B. The defendant must have driven in a reckless manner prior to the fatal collision.

**EXAMPLES:**

- 1. Defendant was involved in a collision or near collision prior to the fatal collision.
- 2. Defendant was driving at a high rate of speed before the fatal collision.
- 3. Defendant was driving on the wrong side of the road before the collision.
- 4. Defendant ran one or more red lights or stop signs before the fatal collision.
- 5. Defendant was driving recklessly while attempting to evade the police.

**NOTE:** AT LEAST TWO OF THESE FACTORS SHOULD BE PRESENT  
FOR A MURDER FILING

- C. Defendant was driving while under the influence of drugs and/or alcohol. If the defendant was driving while under the influence of alcohol, he has a high BA (but not so high that he did not appreciate the risk involved in his driving.)
- D. The defendant took some action to avoid the collision (e.g. slamming on his brakes-leaving skid marks). This action suggests an actual awareness of the great risk of harm that he created.
- E. Numbers 1 and 2 appear to be absolutely necessary before a murder can be filed. Numbers 3 and 4 are important to have, but not essential for a filing of murder.





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**189. Murder; Degrees of.**

All murder which is perpetrated by means of a destructive device or explosive, knowing use of ammunition designed primarily to penetrate metal or armor, poison, lying in wait, torture, or by any other kind of willful, deliberate, and premeditated killing, or which is committed in the perpetration of, or attempt to perpetrate, arson, rape, robbery, burglary, mayhem, or any act punishable under Section 288, is murder of the first degree; and all other kinds of murders are of the second degree.

As used in this section, "destructive device" shall mean any destructive device as defined in Section 12301, and "explosive" shall mean any explosive as defined in Section 12000 of the Health and Safety Code.

To prove the killing was "deliberate and premeditated," it shall not be necessary to prove the defendant maturely and meaningfully reflected upon the gravity of his or her act. [1872; 1873 -74 ch 404,7; 1982 ch 949,1 effective September 13, 1982, ch 950,1, effective September 13, 1982.]

**190. Murder; Punishment for.**

Every person guilty of murder in the first degree shall suffer death, confinement in state prison for life without possibility of parole, or confinement in the state prison for a term of 25 years to life, The penalty to be applied shall be determined as provided in Sections 190.1, 190.2, 19.3, 190.4, and 190.5.

Every person guilty of murder in the second degree shall suffer confinement in the state prison for a term of 15 years to life.

The provisions of Article 2.5 ( commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 of the Penal code shall apply to reduce any minimum term of 25 or 15 years in a state prison imposed pursuant to this section, but such person shall not otherwise be released on parole prior to such time.

[Initiative adopted November 7, 1978.]



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**191.5 GROSS VEHICULAR MANSLAUGHTER WHILE INTOXICATED**

- A. Unlawful killing without malice aforethought.
- B. Driving in violation of 23152 VC or 23153 VC
- C. Where the killing was proximate result of an unlawful act amounting to a felony.
- D. With gross negligence.
- E. Killing was proximate result of a lawful act which might produce death.
- F. Gross vehicle manslaughter is punishable in state prison for 4, 6, or 10 years.

**192c(1) VEHICULAR MANSLAUGHTER**

- A. Driving a vehicle in commission of an unlawful act, not amounting to a felony, and with gross negligence.

**Example:** Drag racing.

- B. Driving a vehicle, in the commission of a lawful act which might produce death in an unlawful manner and with gross negligence.

**192c(2) (MISDEMEANOR)**

- A. Driving a vehicle in the commission of an unlawful act (infraction) not amounting to a felony.
- B. In commission of a lawful act which might produce death.
- C. Without gross negligence.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**192c(3) (FELONY OR MISDEMEANOR)**

- A. Driving-under-the-influence.
- B. Unlawful act (not amounting to a felony.)
- C. Lawful act which might produce death in an unlawful manner.
- D. Without gross negligence. **193c PUNISHMENT**

**FOR VEHICULAR MANSLAUGHTER**

- A. A violation of paragraph (1) of subdivision (c) of Section 192 is punishable either by imprisonment in the county jail for not more than one year or by imprisonment on the state prison for two, four, or six years.
- B. A violation of paragraph (2) of subdivision (c) Section 192 is punishable by imprisonment in the county jail for not more than one year.
- C. A violation of paragraph (3) of subdivision (c) of Section 192 is punishable either by imprisonment in the county jail for not more than one year or by imprisonment in the state prison for 16 months of two or four years.

Leg.H.1872,1943 ch.321, 1945 ch. 1006, 1965 ch. 1271, 1976 ch.1139, operative July 1, 1977, 1978 ch.579, 1981 ch.110, 1983 chs. 937,941,2, 1985 ch.6, effective February 21, 1985,1986 ch.1106. Ref.Cal.Crim.Def.Prac., Oh. 142 "Crimes Against the Person."

The presumption of excessive speeding and/or reckless driving after an actual collision or near collision.



## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### People vs. WATSON 30 Cal. 3d (1981)

People vs. WATSON was the first case to successfully apply the provisions of second degree murder to a death by automobile. In People vs. Watson the California Supreme Court held that a defendant may be charged with second degree murder based upon implied malice, where facts would also support a charge of vehicular manslaughter.

In applying WATSON and subsequent appellate case law, the investigator must determine the existence of any factors present in a given case which tends to establish a subjective awareness of the life threatening dangers involved in the driving pattern exhibited by the defendant, so as to justify the implication of malice in support of second degree murder.

The WATSON decision arose from an arrest in Redding, California, after a traffic collision investigation by the California Highway Patrol.

The defendant in this case drove to a bar, drank a large quantity of beer and left in the early morning hours. Approximately an hour and a half later, defendant drove through a red traffic signal and avoided a collision only by skidding to a halt in the middle of the intersection. After this near collision, the defendant drove away at a high rate of speed.

The Watson court defined implied malice in two different ways:

*"...when a person does an act, the natural consequences of which are dangerous to life, which act was deliberately performed by a person who knows that his conduct endangers the life of another and who acts with conscious disregard for life..."*

Or

*"...an act with a high degree of probability of death which is done with a base antisocial motive and with a wanton disregard for human life..."*

Additionally, a finding of implied malice focuses upon the resolution of a subjective test that the defendant actually appreciated the risk involved. This subtle distinction between culpability requirements under the two statutes was later explained in everyday language by the appellate court in PEOPLE vs. OLIVAS (172 CAL 3rd, 948, 987-988 1985). The state of mind of the defendant who acts with conscious disregard for consequences is simple "I don't care what happens", while the state of mind of one who acts with conscious disregard for human life is "I know my conduct is dangerous to others, but I don't care if someone is hurt or killed."





## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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In WATSON, the court then analyzed the facts present at the preliminary hearing to determine whether an implication of malice was justified and held that there was a rational ground for determining that the defendant's conduct was sufficiently wanton to hold him to answer for second degree murder, based upon the following critical factors:

1. The defendant consumed enough alcohol to raise his blood alcohol content to a level which would support a finding that he was legally intoxicated;
2. He had driven his car to an establishment where he had been drinking and must have known that he would have to drive it later;
3. He drove at excessive rates of speed through city street, an act presenting a great risk of harm or death;
4. Prior to the fatal collision, the defendant had a near collision with another vehicle while running a red light;
5. Defendant thereafter resumed his excessive speed before colliding with the victim's car; and
6. Prior to the collision, the defendant made a belated attempt to brake his car to avoid the collision, suggesting an actual awareness of the risk of harm which he created.

It should also be noted that the court buttressed its finding of implied malice by the application of a general presumption that the defendant was aware of the hazards of driving while intoxicated. It also failed to consider the defendant's contention that the degree of intoxication rendered him incapable of entertaining malice indicating that such an argument would relate to diminished capacity, which should properly be raised and considered at trial.

WATSON does not require intoxication as a prerequisite to the implication of malice arising from a vehicular homicide. Subsequent decisions have affirmed second degree murder convictions resulting from vehicular homicides in the absence of blood alcohol content sufficient to support a finding of intoxication. Moreover, the California Supreme Court has acknowledged in dicta that extreme reckless driving alone may constitute substantial evidence of malice (People vs CALDWELL, 36 Cal 3rd, 210, 218 1984).



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**APPELLATE CASE LAW INTERPRETING AND APPLYING WATSON**

**PEOPLE vs EAGLES (133 Cal app 3d 330 1982)**

Shortly before midnight, the defendant drove his car into an intersection at a high rate of speed against a red light, colliding with another vehicle, and killing three people. The posted speed limit at the scene was 35 MPH. Eyewitnesses testimony from six witnesses placed the defendant's speed between 60 and 100 MPH. After a jury trial, defendant was convicted of three counts of second degree murder. Defendant appealed.

The trial court permitted the prosecution to present evidence of the defendants reckless driving during the afternoon before the accident, including testimony that he was speeding at up to 85 MPH on highway 50, weaving in and out of traffic and that he forced a car off the road, while exiting at an off ramp. The evidence was offered to establish implied malice in support of the murder counts, being relevant to demonstrate the defendant had knowledge of the life threatening dangers of excessive speed.

The appellate court held that the admission of the evidence was proper under Evidence Code section 1101, concluding that such evidence was relevant to establish defendant had knowledge of the great risk of harm of excessive speed. It is important to point out that the evidence was held admissible on the issue of implied malice, despite the fact the prior driving was uncharged, occurred some nine hours before the fatal collision, and took place on a freeway with speed limits different from that of the accident scene.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**PEOPLE vs OLIVAS (172 Cal app 3d, 984 1985)**

Defendant was driving a new car which had been stolen earlier that day from a dealership. At around 6:10 PM, a police officer using radar observed the defendant driving 49 MPH in a 30 MPH zone. The officer pursued, and the defendant increased his speed, commencing a pursuit which covered 1.9 miles in 2.5 minutes, involving two police cars. Defendant reached speeds of between 50 and 100 MPH on city streets with speed limits of 25 and 30 MPH. He ran four stop signs and three red lights. At the beginning of the chase, he lost control of the car while attempting a turn and struck the fender of a car which had stopped in response to the police cars lights and sirens. He narrowly missed a collision with two other cars when he ran the first red light. One of the officers used the police car to block the defendants path, and also attempted to disable defendants car through use of legal intervention. Defendant evaded both maneuvers. The pursuit ended when the defendant ran a stop sign while traveling 57 MPH in a 25 MPH zone, collided with another vehicle and killed one person. A blood sample taken at 7:54 PM was found to contain cocaine, .02% blood alcohol and PCP.

Following a court trial, defendant was found guilty on all five counts of the filed information, one of which was second degree murder. Defendant appealed, challenging the sufficiency of the evidence to support a murder conviction. Defendants argument was that WATSON must be read very strictly to require all of the factors existing in that case to be present for a second degree murder conviction, in order to avoid unconstitutional vagueness in the homicide statutes.

The appellate court held that there was sufficient evidence of implied malice and rejected the strict construction of WATSON proffered by the defendant. OLIVAS is the first appellate case upholding a second degree murder conviction arising from a vehicular homicide. Its chief contribution to WATSON lies in its express enunciation and solidification of a proposition which appeared to be apparent from the language of the majority opinion in WATSON, but which was left unsaid -- that the implication of malice arising from a vehicular homicide need not be predicated solely on the existence of all the critical factors found to be present in WATSON.

Consequently, the OLIVAS court held that WATSON adopted a case by case approach for determining the existence of implied malice based upon the critical factors present in the case at hand which tend to establish a subjective awareness of the life threatening dangers following from the course of conduct undertaken and proximately causing death. Hence, the critical factors listed by the WATSON majority in support of its conclusion that a rational existed for implying malice in that case where inconclusive and illustrative rather than exclusive, thereby presumably allowing prosecutors to offer any available and relevant evidence to establish the requisite knowledge,

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**PEOPLE vs ALBRIGHT (179 Cal app 3d 883 1985)**

Defendant drank at least eight beers one evening before pressing the accelerator of his car to the floor and speeding between 90 and 110 MPH down a boulevard. He passed three other cars before entering the intersection and colliding with another car, killing its occupants instantly. None of the various witnesses heard the sound of brakes or saw brake lights, nor did the investigators find any evidence of any pre-impact skid marks. Following the collision, the defendant told investigators that he was trying to kill himself. Defendant's blood alcohol content was .17%.

The jury returned a verdict of guilty of second degree murder, but the trial court modified the verdict to vehicular manslaughter, concluding that a finding of malice must rest on evidence showing that defendant encountered a risk showing a high degree probability of danger to the life of the ultimate victim. The people appealed.

The appellate court reinstated the jury verdict finding sufficient evidence of implied malice, and held that implied malice may be found under WATSON, whenever the facts establish a defendant's awareness and conscious disregard that his conduct poses a high probability of death to some person.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**PEOPLE vs McCARNES (179 Cal app 3d, 525 1986)**

Defendant was driving his car during the afternoon with a blood alcohol content of .27%. Moments before the fatal collision, defendant passed a vehicle at a speed of close to 70 MPH on a two lane road, with a posted speed limit of 45 MPH. Defendant that continued a substantial distance in the opposing lane before returning to his lane. He then tried to pass a van pulling a boat. He went so far to his left that he went onto the dirt shoulder on the opposite side of the road. From the shoulder, he cut across sharply in front of the van and boat combination, just before the stop sign at an intersection. Shortly before turning west at the intersection. Defendant tried to pass another vehicle at a speed of over 65 MPH in a 55 MPH zone, during which he drove into the opposing lane and collided with a Volkswagen Station wagon, killing two of its occupants.

Defendant was charged with two counts of second degree murder and two counts of vehicular manslaughter. At the outset of the trial, the people made a motion pursuant to Evidence Code section 402, to admit defendants prior conviction for driving under the influence in 1975, 1979, 1980, 1981 and 1982 and for reckless driving in 1978, for the purpose of showing implied malice. The trial court first granted the motion in toto, but then limited its ruling to the 1979, 1980, 1981 and 1982 convictions, and refused to admit the 1975 and 1978 convictions. Included in the evidence regarding the defendants convictions as shown to the jury, was a requirement that he enroll in and complete a drinking drivers education program. After defendant withdrew his plea of not guilty to a driving with a suspended license charge in a pending case, and plead guilty thereto, the prosecution made a motion to admit that conviction in the implied malice issue. The motion was denied under Evidence Code section 352.

Following the jury trial, defendant was convicted of two counts second degree murder and two counts of vehicular manslaughter. He appealed, challenging the propriety of admitting the prior DUI conviction, and the sufficiency of the evidence to support the verdicts on the murder counts.

The appellate court held that the admission of the prior DUI was proper on the knowledge element of implied malice to demonstrate a subjective awareness of the life threatening dangers flowing from driving under the influence rejecting defendants contention that the prior on established the awareness that such driving was unlawful. The court also rejected defendants contention that the priors should have been excluded under Evidence Code section 352, and further approved of the admission of the sentencing conditions required the drinking drivers education program.





## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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Although the McCARNES trial court excluded the prior reckless driving conviction, and although the issue of propriety of admission was not before the appellate court, the propriety of the admission of such evidence on the issue of implied malice is arguably supported by the rationale applied to McCARNES to justify admitting the prior DUI's. Reckless driving, like DUI, is unlawful because it is dangerous and can be classified as an offense for which the punishment for repeat offenders is more severe.

The appellate court in McCARNES held that the evidence was sufficient to support a finding of implied malice, indicating that but for the reluctance expressed in WATSON with respect to encouraging the routine charging of second degree murder in vehicular homicides, it would hold evidence sufficient as a matter of law. It also expressly reaffirmed the proposition that the implication of malice need not be predicated on the existence of *ALL* the critical factors found to be present in WATSON. Lastly, it held that it is proper to base a jury instructions on either of the alternative definitions of implied malice as outlined in WATSON. However more recent appellate court decisions have criticized the wording and application of the CALJIC instruction for implied malice based on the WATSON case, (CALJIC 8.11)

The other landmark case is People vs. McCARNES (1986) 179 Cal App 3d 525. McCARNES permits the introduction of prior DUI's as evidence of implied malice. This case explains that the defendant has been schooled in the dangers of drinking and driving, which can also be used in establishing malice. This opinion also discusses at length the inherent dangerousness of driving under the influence. It notes:

*"The reason that driving under the influence is unlawful is because it is dangerous, and to ignore that basic proposition, particularly in the context of an offense for which the punishment for repeat offenders is more severe (Vehicle Code Sections 23165, 23170, 23175), is to make a mockery of the system as well as the deaths of thousands each year who are innocent victims of drunken drivers."* 179 Cal. App. 3d at p. 532

This is significant because it rebuts the defendant's argument that DUI is merely unlawful and not dangerous, and it shows that DUI is an act that is "dangerous to life" and, therefore, satisfies the requirements of a showing of malice.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**CONCLUSION**

The following is a checklist of the critical factors which, if present in a given case should be considered and evaluated in determining the existence of implied malice in support of second degree murder arising from a vehicular homicide:

1. The operation of a vehicle with a blood alcohol content which would support a finding of legal intoxication, or which would impair the physical and mental facilities of the operator (WATSON, OLIVAS, ALBRIGHT, McCARNES).
2. The application of a general presumption that one is aware of the hazards of driving under the influence in those cases where there is sufficient evidence to support a finding of legal intoxication (WATSON).
3. Excessive speeding and/or reckless driving (WATSON, CALDWELL, EAGLES, OLIVAS, ALBRIGHT, McCARNES).
4. Attempts to elude law enforcement officers through vehicular pursuits (OLIVAS).
5. The driving of a vehicle to a location where the operator intends to consume intoxicants, with the knowledge that the vehicle would have to be again operated following such consumption (WATSON).
6. An actual or near collision prior to the impact, putting the defendant on notice of the life threatening dangers following his conduct (WATSON, OLIVAS).
7. The resumption of excessive speeding and/or reckless driving after an actual or near collision (WATSON, OLIVAS).
8. The undertaking of unsuccessful attempts to avert the fatal collision, ( braking or swerving) (WATSON).
9. The existence of prior, uncharged reckless driving conduct (EAGLES).
10. The existence of prior DUI convictions (McCARNES).
11. The existence of prior reckless driving convictions (McCARNES).
12. The existence of prior sentencing requirements of a driver education program (McCARNES).
13. Factors not yet held to be critical but which may be admissible to prove malice under the rationale of existing case law;



## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### EXAMPLES:

- a. The existence of evidence that third parties made the defendant aware of the dangers flowing from the conduct undertaken, (passengers complaints of reckless and/or intoxicated driving or a passenger attempts to dissuade the defendant from undertaking the life threatening driving).
- b. Evidence of defendants recent exposure to any driving education program (recent attendance and completion of traffic school).
- c. Evidence that the defendant was a prior victim of a reckless and/or intoxicated driver).

### INVESTIGATION OF MAJOR INJURY AND FATAL CRIME SCENES

The traffic investigator should consider that if he has a major injury or fatal collision, he is investigating a possible murder or manslaughter case.

In vehicle homicide cases, the officer must keep foremost in his mind that this is not just a collision with a dead body, but is a homicide! The investigation should be conducted in the same detailed manner as a murder. Don't be in a hurry to get the wreckage out of the road and clear the call.

An officer assigned to investigate a traffic collision which results in a death or a major injury where death appears imminent SHALL:

- A. In the event of a fatality, immediately request a traffic supervisor, or if none available, a patrol supervisor.
- B. Ensure that the crime scene is protected (closure of streets, tape off the area and utilization of DOT personnel for traffic control).
- C. Initiate a crime scene log.
  - 1. Record your arrival time.
  - 2. Designate an officer as the log keeper.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**D. Crime scene control and processing.**

1. Update the crime scene protection as needed.
2. Determine the following:
  - a. The location and condition of the suspect and if he is in custody. If a H&R has occurred, initiate a crime broadcast.
  - b. The location and condition of the victims.
3. Identify and interview police officers and firefighters at the scene.
4. Identify (verify by good ID if possible) and obtain statements from witness and suspects. If practical, obtain signed statements on a CHP 556. Transport the witnesses to the station if appropriate.
5. Ensure all evidence is safeguarded.
6. Ensure that there is no altering of vehicles at rest position or DB's location.

**E. Notifications to be made:**

1. In the case of a fatality, immediately notify the Coroner.
2. Update the W/C as needed.
3. The supervisor at the scene should consider notifying the concerned Traffic Detective Section, SCID Team, SID photographer and any other appropriate Department resources as needed.

**F. Suspect information:**

1. If DUI, then obtain toxicology evidence (blood sample preferred) immediately and a DRE evaluation as needed.
2. Check the suspects clothing for evidence.
3. If there are no witnesses to establish driving then document any physical evidence that will establish it (injuries to suspect that match interior damage, only person in vehicle, etc).





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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G. Crime scene and evidence processing:

1. Consider the evidential value of involved parties clothing.
2. Prior to handling any evidence, it shall be documented and photographed.
3. Chalk or paint an outline of any essential evidence.
4. Record the names of persons discovering evidence.
5. Measure all essential evidence to fixed points.

H. Coroner

1. Allow **NO ONE** to search the body except the coroner's deputies.

**NOTE:** If the deceased died as a result of a traffic collision, an officer may search a dead body for a universal donor card. The card is normally attached to or kept with the driver's license.

2. When officers arrive at the scene of a fatal collision, and the victim is still present, they should view the victim and cause witnesses to view the body so that identification can be made, and the nature of the injuries can be described at a future date. Discretion shall be used when causing a witness to view mangled, burned or otherwise reprehensible corpses.
3. Obtain a receipt from the deputy coroner when personal effects are removed from the body.

Cause identification photographs to be taken of the victim at the scene, if possible.

- J. When the victim has been removed prior to arrival of the officers, ascertain whether anyone present is acquainted with him or is qualified as an identification witness.
- K. Contact the supervisor at the scene for advice before releasing drivers involved in the collision.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**L. Crime scene wrap-up:**

1. Confirm witness information by placing yourself at their advantage point.
2. Walk through how you believe the collision occurred - does it make sense - is it physically possible?
3. Ensure reports are completed and contain all information needed for prosecution.

**REPORTING TRAFFIC DEATHS**

The officers originally charged with the investigation of a traffic collision shall be responsible for completing a Death Report, Form 3.11, for a death resulting from a traffic collision when the victim is dead at the scene or dies while the officer is on the same tour of duty. Officers shall reconstruct, in the narrative section of the Death report, the events surrounding the death. The information shall include how the deceased was involved in the collision (driver, passenger, pedestrian) and a summary of the collision, including the type of collision (auto v. auto, auto v. pedestrian, etc.) and any other pertinent description. The coroner needs as much information as possible since he does not receive a copy of the Traffic Collision Report.

**DEATH REPORT COMPLETION - END OF WATCH**

When the officer originally charged with the investigation has reported end-of-watch, the concerned Bureau Traffic Detectives shall complete the Death Report for a death resulting from a traffic collision.

**HIT AND RUN MISDEMEANOR DEFINED (20002A VC)**

**A. Elements - The driver of any vehicle involved in a collision shall:**

1. Locate and notify the owner or person in charge of the property of the name and address of the driver and the owner of the involved vehicle; OR
2. Leave in a conspicuous place a written notice giving the name and address of the driver and owner of the vehicle.

**B. Booking Advice - A supervisor of the geographic area of occurrence or a traffic supervisor may give booking advice.**



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**HIT AND RUN FELONY DEFINED (20001A VC)**

- A. Elements - The driver of any vehicle involved in a collision resulting in injury to any person, other than himself, or in death of any person shall:
1. Immediately stop the vehicle at the scene of the collision.
  2. Fulfill the requirements of 20003 VC
    - a. Give his or her name, current residence address, name and current residents addresses of any occupants of the drivers vehicle.
    - b. Give license number and RIO of the vehicle.
    - c. The driver shall also upon being requested, exhibit his driver's license, if available, to any person involved in the collision or any police officer.
    - d. Render reasonable aid to persons injured in the collision, including carrying to or making arrangements for the carrying of such persons to a hospital, physician, or surgeon for medical treatment, if it is needed or requested by the injured person.
- B. Booking Advice - **A traffic supervisor shall** give booking advice.
- C. In addition to the above elements, although not an element by statute, it is impossible to obtain a conviction without proof of knowledge of the collision and intent to leave the scene.

**EXAMPLE:** There was extensive damage, loud noise, or other unusual circumstances, **OR** the injury is visible and obvious, **OR** the seriousness of the collision would lead a reasonable man to assume there must have been a resulting injury.

**HIT AND RUN FIELD PROCEDURES**

- A. Determine if hit and run.
- B. Broadcast description of hit and run vehicle and driver if appropriate.
- C. Interview witnesses and check area for additional witnesses.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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- D. Establish prima facie case.
- E. Check for physical evidence.
  - 1. Location found, Officer name and serial number.
  - 2. Book as evidence.
- Search hit and run vehicle for identification.
- G. Check area for hit and run vehicle and driver.
- H. Place injured or deceased victim at scene for possible Court use with physical evidence or statements of Paramedics.

Vehicle impounds

- 1. Impound any hit and run vehicle on a highway or on private property open to the general public (22655A V. C.)

NOTE: It is not necessary to impound the vehicle If the suspect is interviewed, admits to being involved in the traffic accident, and photos are taken of the suspect and the vehicle.

- 2. Vehicle holds (Hold for the TDS of the appropriate Traffic Bureau)
  - a. Do not place unnecessary holds on vehicles.
  - b. Hit and runs when the driver is not apprehended or interviewed.
  - c. Need for additional photos or an examination.
  - d. Stolen vehicles involved in any hit and run, put a hold on for TDS of the appropriate Traffic Bureau.

Field Follow-up

- 1. If in your assigned Bureau or reasonably near.
- 2. Outside of Bureau, consult supervisor.





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**K. Booking policy**

1. Establish prima facie case.
2. Obtain advice from supervisor of concerned Traffic Bureau for felonies. Booking approval must come from the divisional W/C

**NOTE:** To Arrest for a Hit and Run Misdemeanor, the officer must observe the crime, or a Citizen Arrest must be completed.

**HIT-AND-RUN TRAFFIC REPORTS, SCALE DIAGRAM OR SKETCH**

- A. All hit and run felony collisions require a scale diagram.
- B. All hit and run misdemeanor collisions require a sketch.

**HIT AND RUN TRAFFIC REPORT**

- A. Hit and run party always party number one.
- B. Leave party information blank unless the driver or vehicle is positively identified.
- C. Municipal Supplement
1. Hit and run suspect description
  2. Hit and run vehicle description
  3. Vehicle damage
- D. Use the CHP form 556 Supplemental for:
1. Statement from a hit and run driver should include knowledge or lack of knowledge of the collision.
  2. Evidence relative to a traffic collision which is written on paper shall be taped on a separate 556 Supplemental Report.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**INFORMATION NEEDED BY FOLLOW-UP UNITS**

- A. All descriptive information of the hit and run driver and vehicle.
- B. Did victim asked for identification from suspect.
- C. Did victim find any note attached to his parked vehicle.
- D. Did hit and run suspect stop and talk to anyone at scene?
- E. Evidence of knowledge
  - 1. Unusual actions by suspect.
  - 2. Unusual movements by suspect's vehicle
  - 3. Intensity of impact.
  - 4. Injuries of victim readily apparent.
- F. Inspection of victim's vehicle.
  - 1. Description of damage and its location.
  - 2. Suggest victim to take photos for possible prosecution.
- G. Book all evidence from the accident scene.
- H. Results of license or DMV check and of any follow-up made.

**HIT AND RUN FELONY BROADCAST AND TELETYPE**

- A. Obtain Traffic supervisor's approval prior to sending teletype.
- B. Attach a copy of teletype to Traffic Collision Report.
- C. Format for teletype and broadcast.
  - 1. Brief description (auto-ped).
  - 2. Occurred (location, date and time).

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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3. Vehicle (include damage).
4. Suspect (description).
5. Registered owner (name and address).
6. Reconstruction (pertinent information - death, etc.)
7. Refer (investigating unit DR number).

**NON-CONTACT VEHICLE**

Vehicle driver not directly involved (alleged) caused accident and failed to stop and comply with Div.10, Vehicle Code, can be reported as a hit and run.

**EVIDENCE NEEDED FOR SUCCESSFUL FILING AND PROSECUTION**

**A. WHO CAN TESTIFY TO DRIVING:**

1. Registration from vehicle to defendant.
2. Physical Evidence

**EXAMPLE:** Defendant's shoe stuck on gas pedal. Photograph and book the shoe as evidence.

**B. PLACING THE DEFENDANT IN THE VEHICLE:**

1. R/A unit including paramedic name (s) and serial number.
2. Witnesses.
3. Physical evidence of defendant in vehicle.

**C. IF BLOOD IS DRAWN FROM THE DEFENDANT:**

1. Who drew blood (full name and serial number - not "Nurse Smith").
2. Which officer witnessed - this keeps the nurse out of court.
3. Copy of Medical Treatment slip regarding blood.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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4. Note the time the blood was drawn and if IV fluids are administered and the amount of fluids.
5. A forced blood sample may be drawn from an arrestee only when ALL of the following conditions have been met (Special Order #3, Feb. '96):
  - a. The arrestee is in custody for a felony traffic offense where the injury occurred to a person other than the arrestee; **and**
  - b. Intoxication is an essential element of the alleged violation; **and**
  - c. The arrestee refuses to voluntarily submit to **any of the available chemical tests; and**
  - d. **Prior approval from a traffic supervisor has been obtained; and**
  - e. A traffic or patrol supervisor is present at the medical facility (e.g., jail dispensary, contract hospital, etc.) To witness the withdrawal of blood from the suspect.

**NOTE:** The name and serial number of the approving supervisor and the supervisor present during the blood withdrawal shall be written in the arrest report.

**NOTE:** An arrestee whose medical condition prohibits a blood sample from being taken **shall** not be forced to submit to a blood test.

**D. IF THE VICTIM IS DEAD:**

1. Who can identify the victim at the scene of the traffic collision.
2. Who can identify the victim by name (friend of family).
3. Photograph the victim for Court identification.
4. Paramedic name(s), serial number and "EMERGENCY MEDICAL SERVICE REPORT." (Who pronounced or transported).
5. Coroner's information, Coroner's investigator - Case number.





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**E. IF THE VICTIM IS IN SERIOUS CONDITION:**

1. Who can identify the victim at the scene of the traffic collision.
2. Who can identify the victim by name (friend of family).
3. Photograph the victim for Court identification.
4. Paramedic name(s), serial number and "EMERGENCY MEDICAL SERVICE REPORT." (Who pronounced or transported).
5. Emergency Room Doctor's name and hospital's patient number.

FILINGS - To get a FILING for 20001 VC or 23153 VC as a Felony or Misdemeanor - YOU MUST ESTABLISH INJURY TO THE VICTIM, this is done by VIVID VERBAL DESCRIPTION of the injury and by PATIENT NUMBER FROM THE EMERGENCY HOSPITAL.

Even a Misdemeanor FILING for 20001 VC or 23153(a) VC requires the VICTIM GETTING TIMELY MEDICAL TREATMENT and having injuries!

**INFORMATION REQUIRED:**

1. Verbal description of injury.
2. Paramedic name (s), serial number and EMERGENCY MEDICAL SERVICE REPORT if the victim is transported by Rescue Ambulance.
3. Doctor's name, address, telephone number.

**G. ESTABLISHING A VIOLATION:**

1. Witness statements.
2. Physical evidence at scene investigator can testify to in Court.
3. Cop out by the Defendant.
4. Photographs of physical evidence that depict the violation.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**H. ESTABLISHING INTOXICATION:**

1. Witness statements.
2. Officer's observations.
3. Field Sobriety Examination
4. Chemical test.

**I. ESTABLISHING THE ELEMENTS OF HIT AND RUN:**

1. Failing to render aid to injured victim(s).
2. Failing to identify himself as the driver.  
(Sounds simple, but you wouldn't believe what comes across in some reports).

**J. PHOTOGRAPHS:**

1. The District Attorney and City Attorney like photographs.
2. Photographs will assist the at scene investigator with Court testimony as to the condition of the vehicles and environment.
3. The City buys the film. Photograph(s) of the vehicle(s) or injury to the victim(s) can establish knowledge of the traffic collision and of the crime.

**K. EVIDENCE:**

1. Search the impounded hit and run vehicles for evidence of current ownership, i.e. bills citations, letter, etc.
2. Hit and run traffic collision, "Fatal" and "Severe" injury - book evidence from the suspects vehicle.
3. Verify the Vehicle Identification Number (VIN) and the license plates.

**NOTE: IF A TRAFFIC COLLISION FATALITY IS INVOLVED  
SECURE THE SCENE AND HANDLE IT AS IF IT WERE A  
HOMICIDE!**



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**L.     UPGRADING BOOKING CHARGES:**

When there is a change in the circumstances of the collision and the elements of the arrest have now become a felony or manslaughter it may be necessary for the investigating officer to rebook or change the booking charge of the arrestee.

If the investigating officer has not reported end of watch it is his/her responsibility to update the booking charge and complete the reports to reflect these changes in the booking charges or degree of injury.



**BASIC COLLISION  
INVESTIGATION COURSE**

**TOPIC 3.0.1**

**VEHICLE CODE**





## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### CITATIONS AT THE COLLISION SCENE

A. An officer may issue a personal service citation at the scene of a traffic collision

**only** if all of the following conditions are met:

1. The officer has successfully completed a POST approved course in collision investigation; **AND**
2. There is reasonable cause to believe that the person involved in the collision has violated a provision of the Vehicle Code not declared to be a felony or a Los Angeles Municipal Code Section, and the violation was a factor in the occurrence of the traffic collision; **AND**
3. All of the essential elements of the violation can be proven by **physical evidence only** and testified to by the officer issuing the citation.

**EXAMPLE:** A vehicle collides with a parked vehicle, tire marks indicate a violation of 22350 VC, and there are no witnesses to the violation. Issue a personal service citation for 22350 VC provided there is no filing request or arrest.

**NOTE:** Due to advice from the City Attorney, the Department has determined that officers **shall not** issue a citation when the essential elements of the violation are established by the statements of an independent witness (including an officer) and physical evidence. In those instances, an officer shall continue to request a filing for those violations on a traffic collision report (CHP Form 555) or arrest report. When a traffic collision report or arrest report is not completed an officer may complete an application for complaint.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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- B. Any officer (POST requirement does not apply) may issue a personal service citation at the scene of a traffic collision when:
1. All elements of the violation can be testified to by the citing officer as a result of the on-scene investigation (physical evidence); **AND**
  2. The cited violation was not a factor in the occurrence of the traffic collision; **AND**
  3. The below listed violations are involved:
    - a. 4000(a) VC through 5204 VC - Registration of Vehicles
    - b. 12951(a) VC - Driver's License Not in Possession
    - c. 16028 (a) VC - Evidence of Financial Responsibility
    - d. Division 12 of the VC - Equipment of Vehicles

NOTE: Officers witnessing a traffic collision may issue a personal service citation only when the violation is one listed above ( 1/114 B 3) and there is no arrest or filing request. Officers are considered the same as any other witness for the purpose of issuing a personal service citation and a filing request on the traffic collision report or arrest report. Officers shall list themselves as a witness on the traffic collision report or arrest report.

- C. Officers shall request filings for all misdemeanor violations on the traffic collision report (CHP Form 555) or arrest report. All violations must be handled in the same manner to avoid "Double Jeopardy", this includes infractions. Any citations issued shall also be noted on the traffic collision report.

If any party, passenger or witness is arrested, the officers **shall not** issue a personal service citation to that person.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**VEHICLE CODE**

A. Leading Causes of Collisions

1. **22350 VC** - (Basic Speed Law) - No person shall drive at a speed greater than reasonable or prudent having due regard for Weather, Visibility, Traffic, Surface and Width of Roadway

And at no time which endangers the safety of persons or property.

2. **21801(a) VC** - (ROW Left Turn) - When making a left or U-turn at an intersection, a person must yield the ROW to any other vehicle that is so close as to constitute a hazard. This includes turning movements into private property and alleys.
3. **23152(a)VC** - (Misdemeanor DUI) - Unlawful for any person under the influence (Alcohol/Drugs) to operate a motor vehicle.  
**23153(a)VC** - (Felony DUI) - Unlawful for any person under the influence (Alcohol/Drugs) to operate a motor vehicle and concurrently do any act forbidden by law, which act is the proximate cause of injury to any other person. 23153(a) is never a primary collision factor on an associated.
4. **21453(a) VC** - (Red Light) - Any person must stop for a circular red signal at a limit line, before entering a marked crosswalk or before entering the intersection (Prolongation of Curb lines).
5. **21703 VC** - (Following Too Close) - Unlawful for a motor vehicle to follow another motor vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon, and condition of the roadway.
6. **22106 VC** - (Starting or Backing When Unsafe) - Unlawful for any person to start a vehicle stopped, standing or parked on a highway, nor shall any person back a vehicle on a highway until such movement can be made with reasonable safety



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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B. Supplemental Collision Causes:

1.     **21802(a) VC** - Driver Yield Right-of-Way From Stop Sign.
2.     **21658(a) VC** - Unsafe Lane Change or Straddling
3.     **21804(a) VC** - Driver Yield Right-of-Way From Private Property or Alley
4.     **21954(a) VC** - Fed outside of the crosswalk. A ped at any point on a roadway, except in a x-walk (marked or unmarked), shall yield the ROW to all vehicles so near as to constitute a hazard.
5.     **22450 VC** - Stop Sign
6.     **22107 VC** - Unsafe Turn
7.     **21650 VC** - Drive On Right Side Of Roadway
8.     **21950(a) VC** - The driver of any vehicle shall yield the ROW to all pedestrians that are crossing the highway in any marked or unmarked crosswalk.
9.     **21460(a) VC** - Driving Left Of Double Parallel Lines
10.    **21955 VC** - (Jaywalking)/21954(a) VC (Fed in Roadway)





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**C. PRIMARY CAUSE/OTHER ASSOCIATED FACTORS**

1. Party # at fault
2. If you can't determine fault: Party "X" at fault
3. PCF - Select one main cause of the collision
4. PCF Box
  - a. VC - Most of the time a Vehicle code applies
  - b. OID - Private Property
  - c. Other than Driver - Animal runs in front of vehicle
  - d. Unknown - when nothing can be determined - You are a collision investigator and should be able to determine a primary collision factor, this is one place you can use your opinion.

**NOTE: Officers shall not use NONE.**

5. Other Associated Factors Box (Most Overlooked)

**Example: (P-1) 22350 VC, (P-2) 23152(a)VC**

**D. Impounding At Collision Scenes:**

1. **22655(A) VC** (Hit and Run)
  - a. Peace Officer
  - b. Vehicle on a Highway or Private Property (Open to the Public).
  - c. Involved in Hit and Run, it can be removed for inspection.(Locked Garage-NO! Carport-NO! Locked Gate-NO! - a warrant is needed).



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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2. **22655.3 VC** (2800.1/2800.2)
  - a. For Investigating ID of Driver
  - b. Abandoned or Unattended
  - c. No Impound -if driver is ID/Arrested
3. **22655.5 VC** (Evidence)
  - a. Peace Officer
  - b. Vehicle on Highway/Private Property
  - c. PC that the vehicle was used in a crime
4. **22651 VC**
  - a. **22651(b) VC** - Blocking Roadway
  - b. **22651 (c) VC** - Code 37/Stolen Vehicle
  - c. **22651 (g) VC** - Driver Transported/Incapacitated
  - d. **22651 (h) VC** - Driver Arrested

NOTE: There is no legal requirement to park a suspects' vehicle at scene when he is arrested. Department Manual mandates the same as State law. If a suspect is legally arrested, the vehicle can be impounded.

5. **22651(p) VC, 14602.6 VC, and 14607.6 VC** - LAPD officers are not allowed to impound a vehicle at a T/C scene, for unlicensed driver, unless the officer observed the operation of the vehicle.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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6. All tow trucks **SHALL** (2770(a) VC) carry
- a. Broom
  - b. Shovel (Sand not required - Driver shall spread dirt on the roadway where liquid has been spilled on the roadway)
  - c. Fire Extinguisher
  - d. Authorizations from a private tow to a citizen must include:
    - 1) Towing Charges
    - 2) Signature of Person in Control of Vehicle
    - 3) Signature of Tow Driver

**NOTE: Tow Sections under the Vehicle Code are still valid even though the Police Commission no longer regulates the tow companies.**



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**VC § 23152. DUI: Drive Vehicle While Under Influence of Alcohol and/or Drugs**

- (a) It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.
- (b) It is unlawful for any person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

**VC § 23153. DUI Causing Injury: Drive Vehicle While Under Influence of Alcohol and/or Drugs [Operative until notification per (e) & (f).1**

- (a) It is unlawful for any person, while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.
- (b) It is unlawful for any person, while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

**VC § 20000. Application of Division**

The provisions of this division apply upon highways and elsewhere throughout the State, unless expressly provided otherwise.

**VC § 20001. Hit and Run: Injury or Fatal**

- (a) The driver of any vehicle involved in an accident resulting in injury to any person, other than himself or herself, or in the death of any person shall immediately stop the vehicle at the scene of the accident and shall fulfill the requirements of Sections 20003 and 20004.





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**VC § 20002. Hit and Run: Property Damaged**

- (a) The driver of any vehicle involved in an accident resulting in only damage to any property, including vehicles, may move the vehicle if possible, off the main lanes of the highway to a safe location within the immediate vicinity of the accident unless that action would create a traffic hazard or cause an injury to any person. Moving the vehicle in accordance with this subdivision does not affect the question of fault. The driver shall also do either of the following:
- (1) Locate and notify the owner or person in charge of that property of the name and address of the driver and owner of the vehicle involved and, upon locating the driver of any other vehicle involved or the owner or person in charge of any damaged property, upon being requested, present his or her driver's license, and vehicle registration, to the other driver, property owner, or person in charge of that property. The information presented shall include the current residence address of the driver and of the registered owner. If the registered owner of an involved vehicle is present at the scene, he or she shall also, upon request, present his or her driver's license information, if available, or other valid identification to the other involved parties.
  - (2) Leave in a conspicuous place on the vehicle or other property damaged a written notice giving the name and address of the driver and of the owner of the vehicle involved and a statement of the circumstances thereof and shall without unnecessary delay notify the police department of the city wherein the collision occurred or, if the collision occurred in unincorporated territory, the local headquarters of the Department of the California Highway Patrol.
- (b) Any person who parks a vehicle which, prior to the vehicle again being driven, becomes a runaway vehicle and is involved in an accident resulting in damage to any property, attended or unattended, shall comply with the requirements of this section relating to notification and reporting and shall, upon conviction thereof, be liable to the penalties of this section for failure to comply with the requirements.
- (c) Any person failing to comply with all the requirements of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail not exceeding six months, or by a fine not exceeding one thousand dollars (\$1,000), or by both.

**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**VC § 20003. Duty Upon Injury or Death**

(a) The driver of any vehicle involved in an accident resulting in injury or death of any person shall also give his or her name, current residence address, the names and current residence addresses of any occupant of the driver's vehicle injured in the accident, the registration number of the vehicle he or she is driving, and the name and current residence address of the owner to the person struck or the driver or occupants of any vehicle collided with, and shall give the information to any traffic or police officer at the scene of the accident. The driver also shall render to any person injured in the accident reasonable assistance, including transporting, or making arrangements for transportation, any injured person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that treatment is necessary or if that transportation is requested by any injured person.

**VC § 20004. Duty Upon Death**

In the event of death of any person resulting from an accident, the driver of any vehicle involved after fulfilling the requirements of this division, and if there be no traffic or police officer at the scene of the accident to whom to give the information required by Section 20003, shall, without delay, report the accident to the nearest office of the Department of the California Highway Patrol or office of a duly authorized police authority and submit with the report the information required by Section 20003.

**VC § 22107. Turning Movements and Required Signals**

No person shall turn a vehicle from a direct course or move right or left upon a roadway until such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided in this chapter in the event any other vehicle may be affected by the movement.

**VC § 21801. Left-Turn or U-turn**

- (a) The driver of a vehicle intending to turn to the left or to complete a U-turn upon a highway, or to turn left into public or private property, or an alley, shall yield the right-of-way to all vehicles approaching from the opposite direction which are close enough to constitute a hazard at any time during the turning movement, and shall continue to yield the right-of-way to the approaching vehicles until the left turn or U-turn can be made with reasonable safety.
- (b) A driver having yielded as prescribed in subdivision (a), and having given a signal when and as required by this code, may turn left or complete a U-turn, and the drivers of vehicles approaching the intersection or the entrance to the property or alley from the opposite direction shall yield the right-of-way to the turning vehicle.



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**VC § 21453. Circular Red or Red Arrow**

- (a) A driver facing a steady circular red signal alone shall stop at a marked limit line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall remain stopped until an indication to proceed is shown, except as provided in subdivision (b).
- (b) Except when a sign is in place prohibiting a turn, a driver, after stopping as required by subdivision (a), facing a steady circular red signal, may turn right, or turn left from a one-way street onto a one-way street. A driver making such a turn shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to traffic lawfully using the intersection.
- (c) A driver facing a steady red arrow signal shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked limit line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection, and shall remain stopped until an indication permitting movement is shown.
- (d) Unless otherwise directed by a pedestrian control signal as provided in Section 21456, a pedestrian facing a steady circular red or red arrow signal shall not enter the roadway.

**VC § 22349. Maximum Speed Limit**

- (a) Except as provided in Section 22356, no person may drive a vehicle upon a highway at a speed greater than 65 miles per hour.
- (b) Notwithstanding any other provision of law, no person shall drive a vehicle upon a two-lane, undivided highway at a speed greater than 55 miles per hour unless that highway, or portion thereof, has been posted for a higher speed by the Department of Transportation or appropriate local agency upon the basis of an engineering and traffic survey. For purposes of this subdivision, the following apply:
  - (1) A two-lane, undivided highway is a highway with not more than one through lane of travel in each direction.
  - (2) Passing lanes may not be considered when determining the number of through lanes



**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**VC § 22350. Basic Speed Law**

No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.

**VC § 22351. Speed Law Violations**

- (a) The speed of any vehicle upon a highway not in excess of the limits specified in Section 22352 or established as authorized in this code is lawful unless clearly proved to be in violation of the basic speed law.
- (b) The speed of any vehicle upon a highway in excess of the prima facie speed limits in Section 22352 or established as authorized in this code is prima facie unlawful unless the defendant establishes by competent evidence that the speed in excess of said limits did not constitute a violation of the basic speed law at the time, place and under the conditions then existing.

**VC § 22352. Prima Facie Speed Limits**

The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(1) Fifteen miles per hour:

- (A) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This subdivision does not apply in the case of any railway grade crossing where a human flagman is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.
- (B) When traversing any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.
- (C) On any alley.





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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- (2) Twenty-five miles per hour:
- (A) On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code.
  - (B) When passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when passing any school grounds which are not separated from the highway by a fence, gate or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign.
  - (C) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority is not required to erect any sign pursuant to this paragraph until donations from private sources covering those costs are received and the local agency makes a determination that the proposed signing should be implemented. A local authority may, however, utilize any other funds available to it to pay for the erection of those signs.

**VC § 21703. Following Too Closely**

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon, and the condition of, the roadway.

**VC § 22450. Stop Requirements**

- (a) The driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection, or railroad grade crossing shall stop at a limit line, if marked, otherwise before entering the crosswalk on the near side of the intersection.  
If there is no limit line or crosswalk, the driver shall stop at the entrance to the intersecting roadway or railroad grade crossing.
- (b) Notwithstanding any other provision of law, a local authority may adopt rules and regulations by ordinance or resolution providing for the placement of a stop sign at any location on a highway under its jurisdiction where the stop sign would enhance traffic safety.





**LOS ANGELES POLICE DEPARTMENT  
BASIC COLLISION INVESTIGATION SCHOOL**

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**VC § 21802. Stop Signs: Intersections**

- (a) The driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection shall stop as required by Section 22450. The driver shall then yield the right-of-way to any vehicles which have approached from another highway, or which are approaching so closely as to constitute an immediate hazard, and shall continue to yield the right-of-way to those vehicles until he or she can proceed with reasonable safety.
- (b) A driver having yielded as prescribed in subdivision (a) may proceed to enter the intersection, and the drivers of all other approaching vehicles shall yield the right-of-way to the vehicle entering or crossing the intersection.

**VC § 21650. Right Side of Roadway**

Upon all highways, a vehicle shall be driven upon the right half of the roadway, except as follows:

- (a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing that movement.
- (b) When placing a vehicle in a lawful position for, and when the vehicle is lawfully making, a left turn.
- (c) When the right half of a roadway is closed to traffic under construction or repair.
- (d) Upon a roadway restricted to one-way traffic.
- (e) When the roadway is not of sufficient width.
- (f) When the vehicle is necessarily traveling so slowly as to impede the normal movement of traffic, that portion of the highway adjacent to the right edge of the roadway may be utilized temporarily when in a condition permitting safe operation.



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VC § 21460. Double Lines

- (a) When double parallel solid lines are in place, no person driving a vehicle shall drive to the left thereof, except as permitted in this section.
- (b) When the double parallel lines, one of which is broken, are in place, no person driving a vehicle shall drive to the left thereof, except as follows:
  - (1) That the driver on that side of the roadway in which the broken line is in place may cross over the double line or drive to the left thereof when overtaking or passing other vehicles.
  - (2) As provided in Section 21460.5.
- (c) Either of the markings as specified in subdivision (a) or (b) does not prohibit a driver from crossing the marking when (1) turning to the left at any intersection or into or out of a driveway or private road, or (2) making a U-turn under the rules governing that turn, and either of the markings shall be disregarded when authorized signs have been erected designating off center traffic lanes as permitted under Section 21657.

VC § 21651. Divided Highways

- (a) Whenever a highway has been divided into two or more roadways by means of intermittent barriers or by means of a dividing section of not less than two feet in width, either unpaved or delineated by curbs, double-parallel lines, or other markings on the roadway, it is unlawful to do either of the following:
  - (1) To drive any vehicle over, upon, or across the dividing section.
  - (2) To make any left, semicircular, or U-turn with the vehicle on the divided highway, except through an opening in the barrier designated and intended by public authorities for the use of vehicles or through a plainly marked opening in the dividing section.
- (b) It is unlawful to drive any vehicle upon a highway, except to the right of an intermittent barrier or a dividing section which separates two or more opposing lanes of traffic. Except as otherwise provided in subdivision (c), a violation of this subdivision is a misdemeanor.

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**VC § 21950. Right-of-Way at Crosswalks**

- (a) The driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this chapter.
- (b) The provisions of this section shall not relieve a pedestrian from the duty of using due care for his or her safety. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard. No pedestrian shall unnecessarily stop or delay traffic while in a marked or unmarked crosswalk.
- (d) The provisions of subdivision (b) shall not relieve a driver of a vehicle from the duty of exercising due care for the safety of any pedestrian within any marked crosswalk or within any unmarked crosswalk at an intersection.

**VC § 21955. Crossing Between Controlled Intersections**

Between adjacent intersections controlled by traffic control signal devices or by police officers, pedestrians shall not cross the roadway at any place except in a crosswalk.

**VC § 21956. Pedestrian on Roadway**

No pedestrian shall walk upon any roadway outside of a business or residence district otherwise than close to his left-hand edge of the roadway.

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**TOW TRUCK ENFORCEMENT AND REGULATION**

**TOW TRUCK DEFINITION:**

Vehicle Code Section 615 defines a tow truck as, "A motor vehicle which has been altered or designed and equipped for, and primarily used in the business of, transporting vehicles by means of a crane, hoist, tow bar, tow line, or dolly or is otherwise primarily used to render assistance to other vehicles. A "roll back carrier (flatbed)" designed to carry up to two vehicles is also a tow truck." A trailer for hire that is being used to transport a vehicle is a tow truck. "Tow truck" does not include an automobile dismantler's tow vehicle or a reposessor's tow vehicle.

**ENFORCEMENT AT THE SCENE OF ACCIDENTS:**

Vehicle Code Section 22513(a) states that, "Except as provided in subdivision (b) or (c), the owner or operator of a tow truck who complies with the requirements of this code relating to tow trucks may stop or park such tow truck upon a highway for the purpose of rendering assistance to a disabled vehicle."

Subdivision (b) states, "It is a misdemeanor for the owner or operator of a tow truck to stop at the scene of an accident or near a disabled vehicle for the purpose of soliciting an engagement for towing services, either directly or indirectly, or to furnish any towing services, unless summoned to the scene, requested to stop, or flagged down by the owner or operator of a disabled vehicle or requested to perform the service by a law enforcement officer or public agency pursuant to that agency's procedures."

Subdivision (c) states, "It is a misdemeanor for the owner or operator of a tow truck to move any vehicle from a highway, street, or public property without the express authorization of the owner or operator of the vehicle or a law enforcement officer or public agency pursuant to that agency's procedures, when the vehicle has been left unattended or when there is an injury as the result of an accident."

Subdivision (d) states, "A vehicle owned or operated by, or under contract to, a motor club, as defined by Section 12142 of the Insurance Code, which stops to provide services for which compensation is neither requested nor received, provided that those services may not include towing other than that which may be necessary to remove the vehicle to the nearest safe shoulder. The owner or operator of such a vehicle may contact a law enforcement agency or other public agency on behalf of a motorist, but may not refer a motorist to a tow truck owner or operator, unless the motorist is a member of the motor club, the motorist is referred to a tow truck owner or operator under contract to the motor club, and, if there is a dispatch facility which services the area and is owned or operated by the motor club, the referral is made through that dispatch facility."



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### **MONITORING POLICE AND FIRE RADIO CALLS:**

Municipal Code Section 52.44, a misdemeanor, prohibits anyone from listening to police or fire radio communications, from a vehicle, while within the City without a permit issued by the Chief of Police. Only Official Police Garage tow trucks and credentialed members of the news media possess such permits.

Officers are reminded that they or a witness must overhear a scanner (radio communication monitoring devices) in operation for the violation to have occurred, and when a violation has occurred, to always seize the scanner and book it as evidence.

### **OFFICIAL POLICE GARAGE REGULATION:**

Official Police Garages (OPG), as contractors of the Department, must comply with the tow ordinance and also agree to abide by strict administrative regulations (Board Rules) that other tow businesses need not follow. The Board of Police Commissioners imposes these regulations because it recognizes that an OPG, as an agent of the City and Department, must be held to a higher standard of conduct. OPG's are expected to "conduct business in an ethical and orderly manner so as to maintain the confidence of the community."

Officers are encouraged to report incidents of non-compliance with regulations or unsatisfactory service by an OPG to Commission Investigation Division. Each reported incident is investigated and, if a violation is sustained, the violation will ultimately result in disciplinary action. Sustained violations are cumulative in nature and repeated violations can result in a suspension of the contract or the OPG may lose the contract altogether.





# **BASIC COLLISION INVESTIGATION COURSE**

## **TOPIC 3.0.2**

### **STAGED COLLISIONS**



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**INTRODUCTION**

This class is designed to introduce the student to basic indicators that should alert an investigator to the possibility of a staged vehicular collision.

Upon completion the student will be able to identify the varying collision strategies as well as the methods employed by the criminals involved in this activity.

A. Recognizing a staged collision.

1. Matching physical evidence to the description of the traffic collision as supplied by:
  - a. parties and witnesses in the vehicles
  - b. witnesses at the scene during the investigation
2. Special focus on the statement of Party 1
3. Have you interviewed these parties, witnesses or bystanders before?
4. Are their injuries?
  - a. Parties and or wits in other than the vehicle at fault
  - b. Do the injuries match the collision damage?
5. Which parties have insurance
6. Vehicle-1 is it a late model
7. Single occupant in Vehicle-1, two or more in Vehicle-2.

B. Types of Collision Methods

1. Swoop & Squat
  - a. Two vehicles needed by criminals working together
  - b. One victim driving alone in a late model vehicle



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C. Method

- 1) Squat vehicle slows to closing gap between victim's vehicle. usually two occupants in squat vehicle.
- 2) Swoop vehicle (driven by accomplice of squat vehicle) changes lane in front of squat vehicle. Squat stops short causing squat to be rear-end by victim.
- 3) Swoop vehicle then leaves.

d. Indicators - All parties state that a phantom vehicle caused TIC.

2. Collusive Fraud Collisions

- a. Two vehicles needed by criminals working together.
- b. Both parties are involved as accomplices in crime.
  - 1) Party admits fault, has insurance and usually alone in vehicle.
  - 2) Other party has two or more occupants in vehicle.
- b. Method
  - 1) Both vehicles have damage; sometimes from a collision between them, but not always.
  - 2) Version of T/C will be the same in content; However specifics will be different.
- c. Indicators
  - 1) Damage to vehicles may not match speed reported in statement.
  - 2) Occupant movement within vehicle is different or not consistent.
  - 3) Lack of physical evidence at the collision scene to match T/C. (i.e., debris on roadway, tire marks, etc.)



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3. Collisions claiming a hit-and-run vehicle as at fault.
  - a. Two vehicles needed by criminals working together.
  - b. Scene vehicle has two or more occupants.
  - c. Method
    - 1) Scene vehicle is struck in the rear by another vehicle, either a stolen or a vehicle which is nondescript by the alleged victims.
    - 2) The driver of the striking vehicle becomes the passenger in the struck vehicle.
  - d. Indicators
    - 1) All occupants of the victim vehicle have the same story and generally the vehicle at scene has damage to the rear
    - 2) H & R vehicle not at scene returns as a stolen
    - 3) H & R vehicle was not seen prior to the collision and victim was stopped
    - 4) Generally TIC occurs in a residential area
4. Drive down
  - a. One vehicle used.
  - b. intersection or parking lot entrance.
  - c. Method
    - 1) Drive down vehicle waves his/her right away to victim.
    - 2) As victim proceeds into right away, drive down driver accelerates and collides with the victim's vehicle.





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- d.     Indications
  - 1)     Victim states that other driver wave him through.
  - 2)     Generally victim is the lone occupant.
  - 3)     Drive down vehicle has two or more in vehicle, no insurance, with an older vehicle.
  - 4)     All occupants are injured.

**D.     Principal people involved**

**1.     Cappers**

- a.     May be seen at this and many other T/C's over a given day or week.
- b.     Tend to work a specific area.
- c.     May be seen talking to party 2 and than try to leave as you approach.
- d.     Are the middle man which connect the occupants of the vehicles (collusive fraud) with the doctor and lawyers.
- e.     To prove capping there must be evidence that a monetary gain was received for the traffic collision.
- f.     52.44 LAMC makes it a crime to listen and respond to calls using a scanner.

**2.     Staggers**

- a.     May be passenger in party 2 vehicle.
- b.     Won't get involved with the parties directly.
- c.     There to oversee the statements made by the people involved.
- d.     An incriminating statement from an involved party is necessary.
- e.     Crime would be 182/550(a)(6) PC conspiracy to commit insurance fraud.



**BASIC COLLISION  
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**TOPIC 4.0**

**SCENE MANAGEMENT  
&  
COLLISION INVESTIGATION  
PROCEDURES**



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**COLLISION INVESTIGATION PROCEDURES**

**COLLISION INVESTIGATION MATRIX**

F A C T O R S	PHASES	PRE-CRASH	CRASH	POST-CRASH
	HUMAN	1	2	3
	VEHICLE	4	5	6
	ENVIRONMENT	7	8	9

This demonstrates what you, as a Collision Investigator need to address when conducting a traffic collision investigation. Each phase is important and is related to the others.



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**RESPONDING TO THE SCENE/PLANNING**

The following information is intended to be used as a **general guideline only**. Each traffic collision is different and it may be necessary to deviate from this guideline from time to time.

- A. Upon receiving the collision call If HIT & RUN plate is given check auto status for Code-6 Charles etc.
- B. Quickly survey scene to get a cursory idea of what happened.
  - 1. Crowd control
  - 2. Traffic control
- C. Check for type and severity of injuries or crime information. (This information will dictate what type of investigation and follow-up is required).
- D. Identify witnesses next. Independent wits will want to leave the scene first because they are not directly involved. (Interviewing will be covered later).
- E. Identify parties and obtain operator/license, registration and insurance information.
- F. Consider restoring traffic flow if possible;
- G. If not, use flares, barricades, cones etc. to secure scene;
- H. Use DOT personnel to re-route traffic if necessary.





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**NINE-CELL MATRIX**

**Human Factors** - Consider working with **human** cells first as people are subject to leave the scene.

1. Pre-Crash
  - a. Blood Alcohol level
  - b. Physical condition
  - c. Attention span
2. Crash
  - a. Seating position
  - b. Injury mechanism
3. Post-Crash
  - a. Direction of ejected party
  - b. Give chemical test

**B. Vehicle Factors** - Vehicle cell will probably come next.

1. Pre-Crash
  - a. Mechanical condition of vehicle
  - b. Approach angle
2. Crash
  - a. Number of occupants
  - b. Estimate of speed
  - c. Vehicle load (weight)
  - d. Area of impact(s)



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3. Post-Crash

- a. Point of rest - On major TIC, get at rest measurements & photographs first.
- b. Location of debris
- c. Departure angle
- d. Tow needed, try to get owner's release if owner is at scene. (no impound report)
- e. Impound when owner is not available and you are unable to secure vehicle.

C. **Environment Factors** - Environment; identify what evidence is pertinent to this collision.

1. Pre-Crash

- a. Lighting conditions
- b. Roadway conditions
- c. Visibility

2. Crash

- a. Traffic condition at time of collision
- b. Coefficient of friction of roadway
- c. Traffic control devices



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- 3. Post-Crash
  - a. Changes in the environment during investigation
  - b. Evidence
    - 1) Photograph first
    - 2) Mark and re-photograph
    - 3) Measure evidence
  - c. Obtain measurements for diagram

**ESTABLISHING THE AREA OF IMPACT.**

Must be done on every reportable collision.

- A. Is documented as "substantiated", (established by proof/physical evidence), or "estimated", (approximation from statements).
- B. Best indicator is physical evidence.
- C. Next best is independent witness statements.
- D. Then involved party statements.
- E. Indicate estimated, paced or measured (roll-a-tape, steel tape, cloth tape).



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**COORDINATE METHOD OF SCENE MEASUREMENT.**

- A. The first issue you need to address is **what** you are going to measure. Having decided what spots to locate, you must next decide from **where** you are going to take these measurements.
- B. To locate any spot, you must make at least two measurements one from each of two permanent, recognizable landmarks, (curbs). These two measurements are the **coordinates** of that spot.
- C. You must also state a **distance** and a **direction** for the spot you are measuring; 25 feet west of the west curb, 15 feet north of the south curb, etc.
- D. These two measurements are usually at right angles to each other. Even when the curbs don't meet at right angles.
- E. All measurements of your scene should be taken from the same quadrant. If this is not practical, make a note in your report of which measurements were taken from other quadrants.

**REFERENCE POINT METHOD OF SCENE MEASUREMENT**

- A. There will be times where the coordinate method becomes inadequate; such as, the nearest curb line is 800 feet away from your scene. This is a good time to establish a reference point or two and obtain your measurements from them.
- B. Measure from the prolongation of the curb line to a location in the roadway (reference point), make additional measurements from that point.
- C. The reference point does not need to be a permanent fixture or place. It can be as simple as a mark on the road, where the rest of your measurements are taken from.
- D. Once the reference point(s) is established, you can use the coordinate method to measure from it. You should document the reference point(s) you used in your report.





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**Factors affecting flares/cone patterns.**

- A. Hazardous material present - Use cones or barricades if occurrence is going to be a long-term situation.
- B. Roadway design - Curve in the roadway and/or crest of hill.
- C. Speed of traffic on the roadway.
- D. Taper length for 10 foot lane width as per NHTSA:

**55 MPH = 550 feet**

**50 MPH = 500 feet**

**45 MPH = 450 feet**

**40 MPH = 265 feet**

**35 MPH = 205 feet**

**30 MPH = 150 feet**

**25 MPH = 104 feet**

- E. Maximum spacing between flares/cones should be equal in feet to the speed limit.
- F. Setting flare/cone patterns, give motorists sufficient warning to collision.
- G. The proper way to extinguish flares is to let them burn out. Do not kick or throw flares to put them out.
- H. Try not to breathe flare fumes as they are a known carcinogen.

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**HUMAN FACTORS - PRE-CRASH**

<b>1A. Basic Data - Driver</b> Name Address Date of Birth Driver License Status & Type Restrictions Identification # (SS#) Age Sex Weight Impairments Condition Activity Prior to Impact Use of Restraint System Violation(s)	<b>In Depth:</b> Marital Status Occupation Driver Training Driver Experience Vehicles Owned Types Passenger, Trucks, M/C, Etc. Education Level Insurance Driving History Misc. Characteristics (Certifications) Seated Height (visibility) Familiarity with: Crash Vehicle Route of Travel  Trip Origin Destination Purpose
<b>OCCUPANT(S)</b> Elements selected to describe occupants will use the same data as those for driver(s)	
<b>PEDESTRIAN(S)</b> Pedestrian data is the same as Driver(s), but includes three items. <div style="margin-left: 150px;"><ol style="list-style-type: none"><li>1. Location</li><li>2. Maneuver</li><li>3. Violation</li></ol></div>	
<b>WITNESSES</b> Witness data is the same as the Driver(s), but includes three items. <div style="margin-left: 150px;"><ol style="list-style-type: none"><li>1. Location</li><li>2. Maneuver</li><li>3. Opinion as to cause</li></ol></div>	

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HUMAN FACTORS - CRASH

2.

EJECTION / RESTRAINTS

Type

In use - Yes, No

Restraint Failure - Yes, No

OBJECT STRUCK

Motor Vehicle

Fixed Objects

Pedestrian(s)

OBJECTS STRUCK BY

Severity

Type

Location



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**HUMAN FACTORS - POST CRASH**

**3.**

**LOCATION AT CONCLUSION OF COLLISION (FOR)**

Plotted

Measured how

**MEDICAL CARE NEEDED**

For Whom

Extent and description of injuries

**MEDICAL CARE RECEIVED**

By Who (Dr., RA, etc.)

What type of Care

**MANNER OF LEAVING SCENE**

Arrested

Ambulance

Private Vehicle

Coroner

Own Power

**FACTOR EXTENDING OR COMPLICATING INJURIES**

Heart Condition

Hemophilia

Diabetic Coma

Epileptic, etc.

**EXTRICATION**

"Jaws of Life"

**LOSSES SUSTAINED**

Dollar Loss

Vehicle

Income

Family

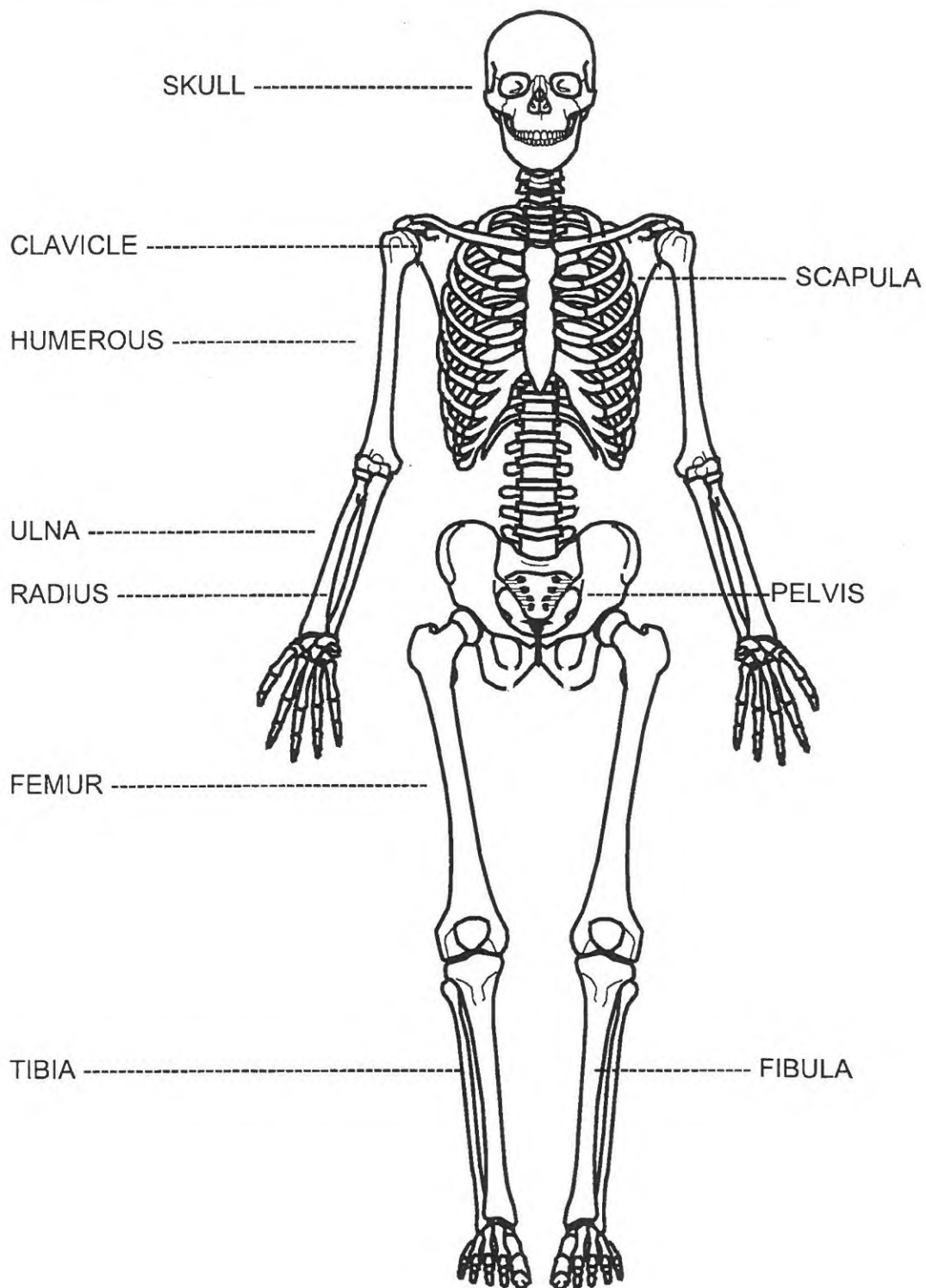
Injury/Death

TOPIC 4.0 - STUDENT



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**VEHICLE FACTORS - PRE-CRASH**

<p>4. BASIC DATA</p> <p>M a k e M o d e l Model Year Class Body Type</p> <p>Vehicle Identification No. Registration I.D. (License) Last Inspected Empty Weight Owner Identification Insurance Carrier</p> <p>Number of Occupants Speed Maneuver Lane of Travel     Direction (N,S,E,W,) Vehicle Malfunction Odometer Reading</p> <p>4A EMERGENCY VEHICLE</p> <p>Public/Private owner Code 3 Equipped     In Use prior to T/C How Marked     Black and White     Plain     Fire Vehicle     Ambulances Shop Number     Authorization     Code 3     Dispatched</p>	<p>IN DEPTH</p> <p>Color Equipment and features Unusual Controls     Right Hand Drive Defects Inspection History Accident History Ownership History Miles Driven Since Inspect. Vehicle Maintenance Records</p> <p>Position of Occupants</p> <p>Weight of Load</p>
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**VEHICLE FACTORS - CRASH**

5.    Location of Impact  
            Damage to Vehicle  
            Damage to fixed Objects

         Object(s) Struck

         Object Struck by

         Direction of Primary Impact

         Vehicle Position  
            Lane of Travel  
            Direction of Travel from Primary to Secondary Impact

         Component Performance or Failure

         Damage / Deformation

         Speed at Primary Impact and at subsequent Impacts

**VEHICLE FACTORS - POST CRASH**

6.    Vehicle Dynamics Subsequent to Initial - Secondary Event(s)

         Location at conclusion of collision dynamics (POR)

         Factors Extending or Complicating Damage

         Manner of Leaving Scene  
            Driven  
            Towed / Impounded

         Availability of Restraints



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**ENVIRONMENT - PRE-CRASH**

<p>7. Basic Data ROAD</p> <p>Road Identification Highway Type Surface Type Posted Speed Limit Traffic Controls Illumination Location     Identifier         Street, Road, Drive,         Etc.</p> <p>AMBIENCE</p> <p>State County City/ Town Date Day of Week Hour Surface Conditions Precipitation Natural Light</p>	<p>In Depth ROAD</p> <p>Geometric Measurements Diagram Grade Curvature "Sight Distance" Roadside Structure Accident History State of Repair Design Speed Enforcement Jurisdiction Traffic Control     Signal Phasing     Striping     Location of Signs     Location of Warning Signs     Pedestrian Controls Type of Illumination, location Ambient Light from Business Evidence of Vehicle Maneuver     T i r e m a r k s Characteristic of Date Holiday Characteristic of Day Average Weather Conditions Area Population     Business     Single Family     Multi-Family     Industrial Visibility Temperature Humidity &amp; Wind Traffic Conditions Glare     Nighttime Headlights     Low Sun Angle Coefficient of Friction</p>
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**ENVIRONMENT - CRASH**

8. Road Characteristics at Point of Impact
- Access/Egress within 1/4 mile
  - Defacing or Damage to Road and its Structures
    - Scrapes / Gouges
  - Restraining or Guiding Devices
    - Type (Jersey Barrier, Gore Point, Guard Rail, etc.)
    - Performance - Perform or Fail
  - Damage to Property
    - Other Than Road

**ENVIRONMENT - POST-CRASH**

9. Debris Deposited
- Location
  - Type
  - Disposition
    - Size of Area and Shape
  - Evidence (Photographed or Booked)
- Alteration of Traffic Flow
- Reroute and Why
- Factors Extending or Complicating Damage
- Extent of Loss
- Physical Evidence
- Location of Tiremarks
  - Location of Scrapes/Scratches
  - Location of Fluids





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**TOPIC 4.0.1**

**RAIL AND GRADE CROSSING  
INVESTIGATION**



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**RAIL COLLISION INVESTIGATION**

A. LAPD policy regarding rail incidents:

Recent revision of Special Order # 16, from 1993 Traffic divisions now handle all rail incidents. Traffic division detectives are now responsible for follow-up responsibilities

1. Collisions at grade crossings
2. Collisions on rail right of ways
3. Pedestrians on rail right of ways
4. Suicides or attempt suicides

B. Reporting policies:

1. Report is needed when a conveyance causes, death, injury, or property damage
2. For collision at grade crossing, Both train vs. vehicle or train vs. pedestrian, Complete a T/C report with a scale diagram just as a in CPI investigations, however: **DO NOT mark the CPI box! Buy a traffic DR.**
3. For train vs. pedestrian between grade crossings:
  - a. Complete death or injury report as page 1;
  - b. CHP 555 face sheet and coding as page 2 & 3;
  - c. Diagram as page 4; and CHP 556 supplemental as page 5, etc.
  - d. Appropriate AICC code from Death/Injury report.



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C. Reporting procedures:

1. Party information:

- a. Motor vehicles first
- b. Conveyances second
- c. Pedestrians last

2. Railroad employees:

- a. **Conductor** - Responsible for movement of train; person to list under party information
- b. **Engineer** - (Or operator on blue and red lines). Engineer or engine operator usually the best witness

**NOTE:** A train is not a motor vehicle and the engineer is not required to have a vehicle operator license; list as a passenger

- c. **Brakeman** - Usually works on freight trains; list as a passenger
- d. **Rail / Operations Manager** - Responsible for entire region
- e. **Signal Maintainer** - Responsible for signals and maintenance of grade crossings)

3. Railroad nomenclature:

- a. **Tracks or Rails** - Light or standard gauge
- b. **Ballast** - The material placed on roadbed to hold track in line. Usually crushed rock or gravel
- c. **Crossing Types** - Asphalt, wood, rubber
- d. **Signs** - Cross bucks (same as yield sign/regulatory) Advanced warning
- e. **Signals** - Visual / lights & gates auditory / bells

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f.     **Markings** - Roadway / limit line & lettering

4.     Train information - Types of trains

Metrolink, Red line, Blue line, Green line, Amtrack, Southern pacific,  
Union pacific,

5.     Engines:

- a.     Numbering
- b.     Ownership
- c.     Lighting / flashing, ditch lights
- d.     Horn / Bells

6.     Car types:

- a.     Tanker (high & low pressure)
- b.     Container
- c.     Box
- d.     Caboose or Rear end device

D.     Investigation procedures

- 1.     First priority is to get train moving. The cost is approximately  
one million per hour to tie up tracks
- 2.     Obtain train information
  - a.     Train number & ownership
  - b.     If train is being pushed obtain number of first car
  - c.     Total number of cars



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d. Consist

3. Mark position of lead locomotive / car
4. Photograph evidence
5. Obtain statements of rail employees

NOTE: Include statement of warning device activation & time / movement preceding collision, number of passengers on train and injuries.

6. If the need arises consider riding train or phoning conductor at later time to obtain statement
7. Consider releasing train at this time
8. Call coroner for permission to move body off of rails if needed (photograph and document first)
9. Proceed with grade crossing investigation (Consider awaiting signal maintainer; check all warning devices);
10. Proceed with right of way investigation (Include "private property / no trespassing" posting if applicable)
11. Use mile post and rails for measurements if needed

E. If train is not at scene:

1. Photograph scene
2. Get what info is available
3. Follow-up to rail yard

**NOTE:** Hit & run does not apply to conveyances





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**ONCE TRAIN IS RELEASED AND TRACK IS OPEN, EXTREME  
CAUTION SHOULD BE USED WHEN WORKING ON OR NEAR  
TRACKS!**

**F. Track Limits:**

1. 79 miles per hour through San Fernando Valley for Metrolink train from Santa Clarita
2. 60 miles per hour through San Fernando Valley for Metrolink train from Simi Valley
3. 40 miles per hour for freight trains
4. 60 miles per hour for Blue Line
5. 50 miles per hour for Red Line

**Use railroad crossing check list to ensure all pertinent information is obtained at scene!**

The SCID team is available 24 hours a day for advice regarding rail incidents, and will respond to the scene if requested.

**Emergency phone numbers:**

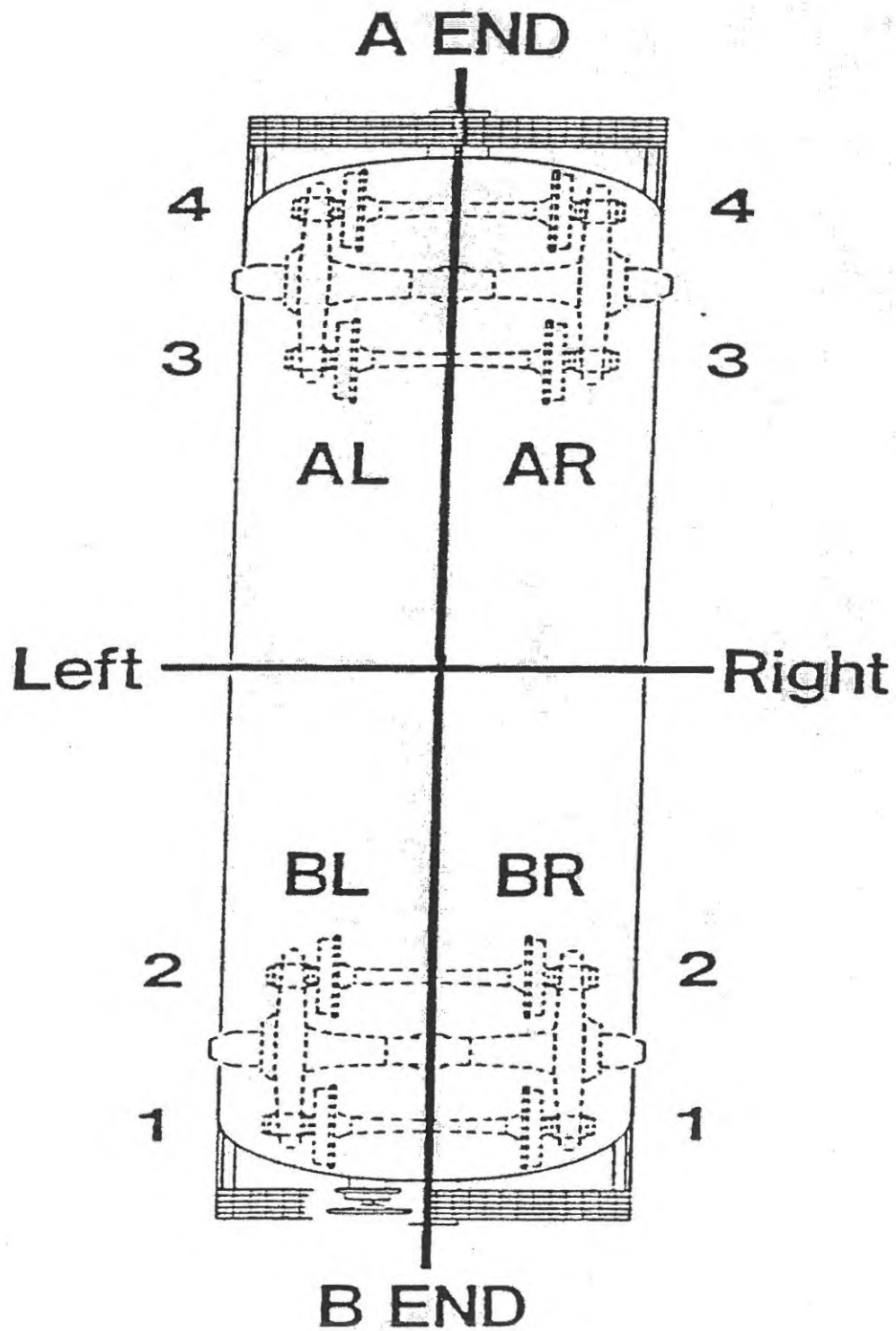
Gates and crossings:

Southern Pacific Railroad 1-800-767-3884

Union Pacific Railroad 1-800-848-8715



**SIDE AND END IDENTIFICATION OF A RAIL CAR**



# RAILROAD CROSSING COLLISION CHECKLIST

Traffic collisions involving Metrolink trains are considered "CPI", and the same SCID call out criteria apply, (Fatal or Severe Injury): the "CPI" box on the CHP 555 face sheet is not checked.

If it is determined that the collision meets the criteria for SCID (Specialized Collision Investigation Detail) Team response, follow the instructions for major Traffic Collisions and make the necessary notifications.

In a train vs. Pedestrian traffic collision, on private property, number the death report (3.11) as page 1. The CHP 555 form set, shall be re-titled to a death report and numbered as page 2. The narrative shall follow the same format as a traffic collision report.

If a body is on the rails, and the train is unable to move, contact the Coroner's officer at (213) 343-0711 to obtain permission to move the body off the rails. The personnel at scene shall be responsible for ensuring the body is photographed and its position marked prior to the body being moved.

The train conductor is responsible for the movement of the train and shall be listed as a "party" on the CHP 555 face sheet. The engineer and brakeman are listed as passengers.

All efforts should be made to cooperate with RAILROAD PERSONNEL AND EXPEDITE THE OPENING OF THE RAIL LINES.

## Conduct or Information:

- Name
- Address
- Date of birth
- Phone
- (Operator's license number is not required to operate a train.)

## Engineer Information:

- Name
- Address
- DOB
- Phone
- Time of the collision
- Estimate train speed at time of the collision (Operator's license number is not required to operate a train.)

## Train Information:

- Lead engine number
- Train ID number (from Conductor)
- Number of cars in train
- Railroad Co. Name/address (owns tracks)

## Engine Information:

- Headlight working?
- Horn working?
- Bell working?

## Miscellaneous Information:

- RR car number on crossing?
- Distance to last RR car from POI?
- Witnesses

## Crossing Signals:

- Light/gate bell combination?
- Light/bell combination?
- Passive warning (crossbucks)?
- Wig-wag type?
- Lights flashing/bells ringing upon your arrival?
- Crossing great down? (If devices not working upon your arrival, explain) **Other**

## Crossing Characteristics:

- Advance warning signs in place?
- Location of same?
- Crossing surface (rubber, asphalt)
- Pavement markings?
- DOT/AAR crossing number?
- Width of Right of Way?
- Visual obstructions on driver's approach?
- Citation issued if warranted?

# RAILROAD GRADE CROSSING INFORMATION

Public railroad grade crossings have been marked with warning devices for your safety by both highway departments and railroad companies. Learn what they are and watch for them. With these warning devices and caution on your part, railroad grade crossing crashes may never happen.



## ADVANCE WARNING SIGNS

Are located in advance of crossings. They tell you to slow down, look, listen and be prepared to stop at the crossing ahead.

## PAVEMENT MARKINGS

Consisting of a Stop Line, an **X** and the letters **RR**, may be painted on the pavement in front of crossings. This warns you to be alert to the crossing ahead.

## RAILROAD CROSSBUCK SIGNS

Will be found at all public crossings. If there is more than one track, a sign below the crossbuck indicates the number of tracks.

Be prepared to stop at the tracks if a train is coming. You must yield to train traffic.



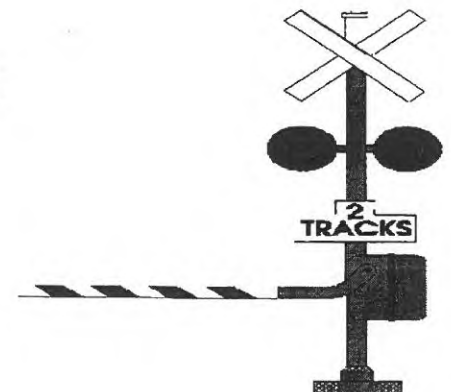
## FLASHING LIGHTS

Flashing lights and bells are used with crossbuck signs at many railroad crossings. Always stop when the lights begin to flash. This means that a train is coming. If there is more than one track, make sure all tracks are clear before starting to cross.

## GATES

Gates are used with flashing light signals at certain crossings. Stop when the lights begin to flash before the gates lower across your road lane. Remain stopped until the gates are raised and the lights stop flashing.

**PREVENTING GRADE CROSSING  
CRASHES IS UP TO YOU !**





**BASIC COLLISION  
INVESTIGATION COURSE**

**TOPIC 5.0**

**SKID MARK / TIRE MARK  
IDENTIFICATION**





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	SKID LOCKED	MARK 1 IMPENDING	ABS *	YAW	ACCELERATION	FLAT TIRE
WHEEL MOTION	Slide, no roll	Retarded, rolling	Retarded rolling	Roll and slip	Slip and spin	Roll, no slip
OPERATION	Braking	Braking	Braking	Steering	Accelerating	Rolling
NUMBER OF MARKS	Up to 4	Mostly 2, from rear tires	Up to 4	Up to 4	Usually 1, sometimes 2	Only 1, rarely 2
RIGHT AND LEFT TIRES	Equally strong	Equally strong	Equally strong	Front outside usually stronger	Equal if 2	Usually equal
CONTRAST	Front stronger	Negligible	Front slightly stronger	Rear fainter	Only driven wheels rotating	Equally clear
WIDTH	If straight, same as tire	If straight, same as tire	Same as tire	Varies, 1" - 1'	Same as tire	Tire tread edge marks
BEGINNING	Usually faint	Faint	Faint	Strong	Strong	Varies
END	Usually abrupt	Start of locked tire mark	Faint	Strong	Very gradual	Varies
STRIATIONS	Always parallel to the mark	Always parallel to the mark	* Always parallel to the mark	Always oblique	Always parallel to the mark	None
OTHER DETAILS	Outer edges often stronger on front		Dissipate quickly	Side rib marks may show	Outer edges often stronger	May include rim marks if tire unseated from rim

\* When there is steering input by the driver, the tire marks left by a vehicle equipped with ABS are unique insofar as they may be different types of marks. When a vehicle is equipped with ABS, each wheel has a individual sensor. This may cause one tire to leave a locked wheel mark while another leaves a yaw mark.



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**TIRE / SKID MARK IDENTIFICATION**

**A. TYPES OF TIRE MARKS:**

1. Skid Marks
  - a) Impending
  - b) Locked wheel
2. Scrub / Scuff Marks
3. Prints / Imprints
4. Yaw Marks
5. Acceleration
6. ABS

**B. Use of tiremarks:**

1. May indicate the movement of the tire on the road before, during and after impact.
2. May indicate in fixing a vehicle's location at the time of impact.
3. May indicate the approach and departure angles for reconstructing the collision.
4. May be used to calculate a minimum speed
5. May indicate possible mechanical defects



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**C. CAUSES**

1. Tiremarks are caused by heat due to friction.
2. When a tire is no longer free to roll, i.e. locked from breaking or sliding sideways, heat builds up between the roadway surface and the tire. On asphalt roadways this heat build-up causes tar to come to the roadway surface making the visible tire mark.
3. This is why tire marks are harder to see on old, well traveled roadways or cement. The marks you see on these surfaces are merely the rubber compound from the tire and tend to be much lighter.

**D. TIRE MARKS**

1. Tire marks are made in many different ways; each leaving a distinct mark.
  - a. Skid Mark - Tire sliding, wheel not rotating. This includes impending tiremarks where the wheel is rotating slower than the vehicle is traveling across the surface of the roadway.
    - 1) Over deflection of front tires in breaking.
    - 2) Light marking on rear tire.
    - 3) Four wheel overlap - Both front and rear wheels mark overlapping each other. **A 10 foot deduction is made to compensate for the vehicle's wheel base, if not measured.**
    - 4) Four wheel independent - All wheels leave individual marks.
    - 5) ABS - Will leave marks similar to impending skids. These are treated as locked skids. They dissipate quickly.
  - b. Scrub / Scuff or Side Slip Mark
    - 1) Produced by a tire slipping across the road surface at an angle to the vehicle's path of travel.
    - 2) Impact scrub produced by the sideways movement of the tire at the time of impact.



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- c. Tire Print / Imprint
  - 1) Tires are rolling.
  - 2) Possible variations:
    - a) Prints on pavement.
    - b) Impressions in soft material / Ruts.
  - 3) Indicate path taken and which wheels and tires were locked.
- d. Tire Furrows
  - 1) Tires not rolling.
    - a) Produced by locked or pinned tire in soft stuff.
    - b) Creates a rut.
    - c) Throws material in direction of travel.
    - d) Creates a build-up in the direction of travel.
  - 2) Tires rolling
    - a) Produced by a rolling in soft stuff.
    - b) Creates a tire print.
    - c) Pushes material outward from tire and slightly in the direction of travel.
    - d) No build-up in the direction of travel of the vehicle.





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e. Yaw Mark.

- 1) Produced by steering the vehicle into a curve at a speed where the rear of the vehicle slides to the side creating an arched tire mark.
- 2) Occurs when rear tires track outside the front tires.

Striations (little stripes or parallel marks) and a curve configuration, indicate a critical speed scuff mark or yaw mark.

- 4) Striations can indicate whether vehicle is accelerating or deceleration.

E. Irregularities in Tiremarks

1. Skip skids - bouncing wheels.
2. Gap skids - skid marks stop and start again, made by releasing the brake and then reapplying them. (More than 5 feet distance between marks).

Other Tiremark Irregularities

1. Varying surfaces
  - a. Tar smear
  - b. Tire rub-off
  - c. Erasing or cleaning
  - d. Pavement scratching
  - e. Squeegee on wet pavement
2. Uneven roadway
3. Flat tires



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G. Acceleration Marks

1. Start abruptly
2. End with taper

H. Summary

1. It is not important at the scene of the collision to determine exactly how all of the marks were made.
2. It is important to locate the marks and describe them well enough so that such a determination may be made afterwards.
3. The marks can be best recorded with good measurements and by photography.
4. When you can't determine which vehicle laid down which tire mark, a systematic alpha labeling of each mark should be done; I.E. (A1-Z99)

I. Speed/Skid Chart

The Speed/Skid Chart is utilized for the speed determination of a vehicle from skid marks. **The speed of the vehicle will be the MINIMUM speed.** There are several factors that can affect the speed. Fill in all the known information.

1. Locked Skid Information Needed
  - a. The average length of the skid marks; (measure each tire mark, add them together and divide by the total wheel braking groups). OR
  - b. The length of the longest skid mark as long as all of the tires marked and are in somewhat of a straight line.
  - c. The coefficient of friction of the roadway surface (Flat surface - .70 for asphalt or .80 for concrete.). An adjustment is needed for a grade.



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2. Calculation of Speed
  - a. Mark the skid distance on the left side of the graph.
  - b. Draw a horizontal line to the Coefficient of Friction being used.
  - c. Draw a vertical line to the bottom of the graph indicating the vehicle's minimum speed.
3. Yaw Mark - Information Needed
  - a. A 50 foot Chord (C).
  - b. Measurement of the Mid-Ordinate or Middle Ordinate (m) in inches.
4. Calculation of Speed
  - a. Mark the measured mid-ordinate (inches) on the right side of the graph.
  - b. Draw a horizontal line to the coefficient of friction being used.
  - c. Draw a vertical line to the bottom of the graph indicating the vehicle's minimum speed.



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J. Test skids

A skid test can be made at or near the traffic collision scene to determine the coefficient of friction of a particular roadway. Test Skids at the time of the collision investigation are the Best Method of determining the coefficient of friction.

These skid tests should not be done on a routine basis and should have a supervisors (if available) approval. **Safety is the main consideration in performing the tests.**

1. A radar unit should measure the speed (S) of the test vehicle. Test skids should be performed at speeds under 30 MPH.
2. The skid distance (d) is measured by the longest skid or an average of the tire mark lengths.
3. The following formula is utilized to calculate the coefficient of friction (f) from test skids.

$$f = \frac{S^2}{30d}$$

4. The results can be applied to the Speed/Skid Chart for locked skids.
5. Record the test results on the Speed/Skid Chart where indicated.

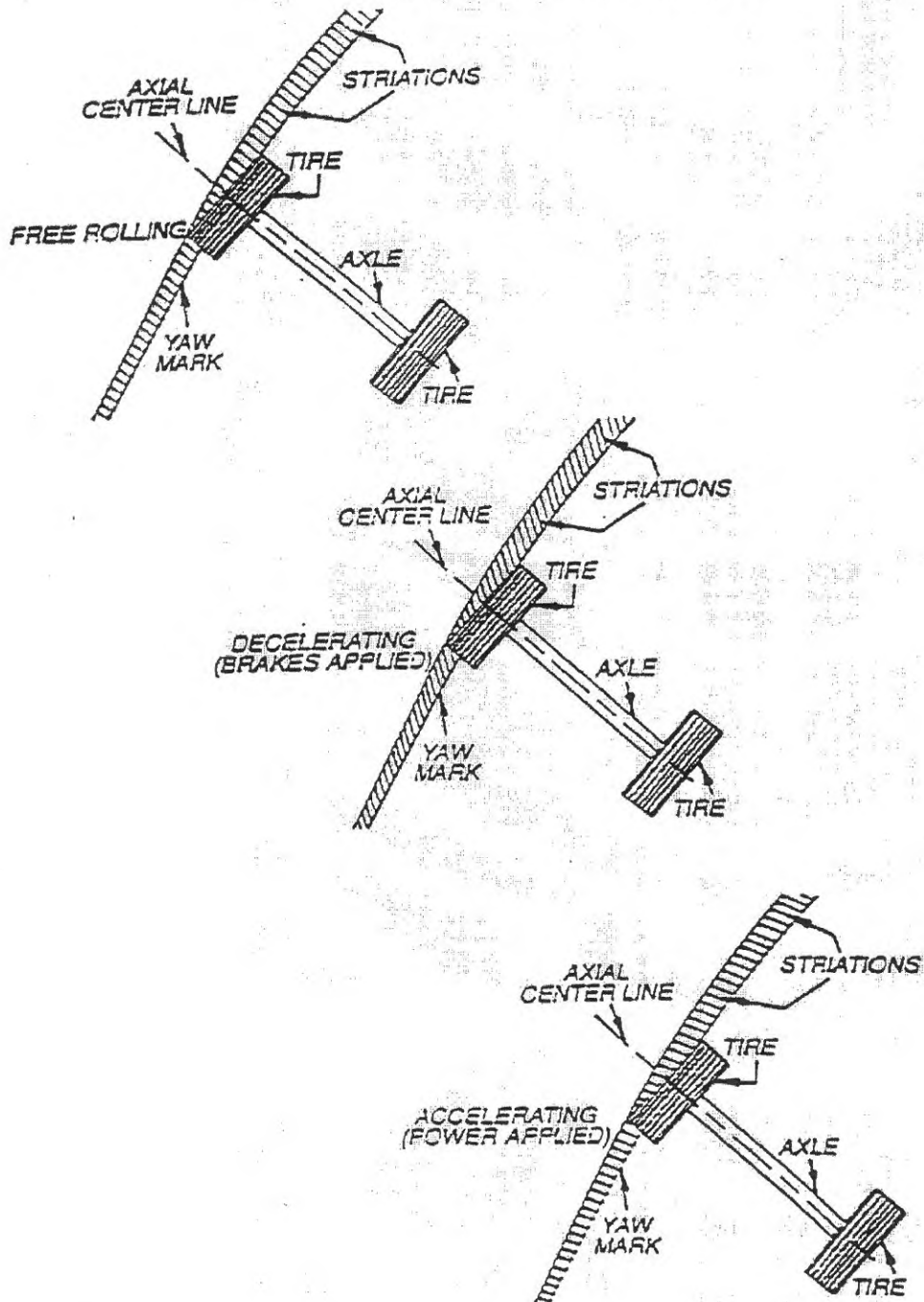




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YAW MARK DIAGRAM

THREE EXAMPLES OF YAW MARKS





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**TIRE MARK GLOSSARY**

**ACCELERATION** - The propelling force or thrust generated in an amount exceeding the pavements frictional resistance; made from the drive wheel or wheels of the vehicle.

**CENTRIFUGAL SCUFF** - See Yaw Mark.

**CHIP** - A short, shallow removal of surface material typically made by a strong, sharp, metal object under pressure, usually without striations.

**CHOP** - A broad, shallow removal of surface material typically made by a strong, broad, sharp, metal object under pressure, usually with striations.

**CHORD** - A straight line connecting two points of an arc, less than the length of the diameter of the arc.

**COEFFICIENT OF FRICTION or MU** - A number, expressed as a decimal fraction, representing the resistance of an object sliding on a level surface, divided by the weight of the object.

**COLLISION SCRUB** - A short, usually broad, skid mark made during engagement of the vehicles in a collision.

**CRITICAL SPEED SCUFF** - See Yaw Mark.

**DRAG FACTOR** - A number, expressed as a decimal fraction, representing the coefficient of friction, plus or minus the grade of the surface, times the braking efficiency. (Also referred to as Resultant Coefficient of Friction)

**GAP-SKID** - A braking skid mark which is interrupted by release and re-application of the brakes. (over 5' between marks)

**GOUGE** - A short to long, shallow to deep removal of surface material, by a hard, sharp, pointed object.

**GRADE** - The change in elevation, in a specified direction, along the center line of a roadway. (expressed as a percent)

**IMPENDING MARK** - The mark left by a tire whose rotation is slower than the forward motion of the vehicle; usually preceding the locked skid mark.



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**MIDDLE ORDINATE/MID-ORDINATE** - A line, perpendicular to a chord, which connects the mid-point of the chord to a point on the arc.

**NOMOGRAPH** - A graph in which three or more scales are arranged that a straight line drawn through the values on any two will cross the third at a corresponding value; a graphic calculator.

**OVER DEFLECTION** - A condition in which the pressure of a tire is greater at the outside edges than the middle of the tread; from overload, weight shift or under inflated condition.

**SCRAPE** - An area of a hard surface, covered with broad scratches mad by a sliding metal part without great pressure.

**SCUFF MARK** - A friction mark made on a surface by a tire which is both rotating and slipping; acceleration scuffs, critical speed scuffs, flat tire marks.

**SIDE SKID or SIDE SCRUB** - A locked, braked, or rotating wheel of a vehicle sliding in other than a forward direction, except when known to be caused by centrifugal force.

**SKID MARK** - A frictional mark on a surface made by a tire that is sliding without rotation. (Sliding of a tire may be due to braking, collision damage or other circumstances)

**SKIP SKID** - A braking skid mark interrupted at frequent regular intervals caused by the loading and unloading of weight, or weight shift, on the tires. (less than 5' between marks)

**STRIATIONS** - Narrow, light, parallel streaks or scratches, usually made by friction or abrasion, on the roadway or other surface.

**SUPER ELEVATION** - The vertical distance between the heights of inner and outer edges of highway pavement.

**TRACK** - The distance between the center of the tire tread on one side of the vehicle to the center of the tread on the opposite side.

**WHEELBASE** - The distance from the center of the axle of the front wheels to the center of the axle of the rear wheels, or, if a tandem axle, the distance to the midpoint between the tandem axles.

**YAW MARK** - A mark left on a surface by a rotating tire of a vehicle in a turning movement when its centrifugal force exceeds the frictional force of the surface.



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**TOPIC 6.0**

**DIAGRAMMING**

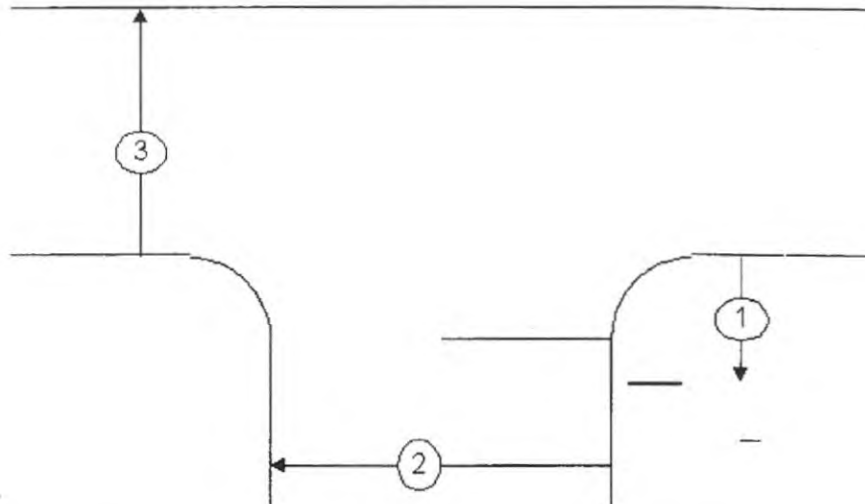


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**BASIC FIELD SKETCH**

- A. Display slide on the board of a 90 degree T-Type intersection.



- B. Student to sketch the intersection on a plain piece of paper.
- C. Show how to measure the intersection.



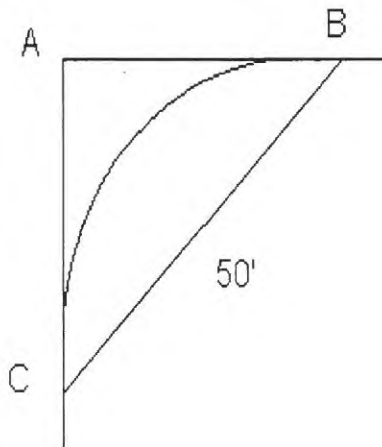
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**INTERCEPT POINT AT AN INTERSECTION**

- A. Outline the intercept point of an intersection using the prolongation of the curb lines. Mark this point "A".
- B. Give measurements and draw on board (measurements can be controlled).
1.  $(A - B) = 36'$
  2.  $(A - C) = 36'$
  3.  $(B - C) = 51'$   
(This measurement cannot be controlled).

**Note: Correct B-C measurement is 51'**





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C. Draw the intercept to scale.

1. Draw a horizontal line.



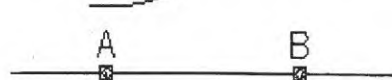
2. Mark "A" on the line.



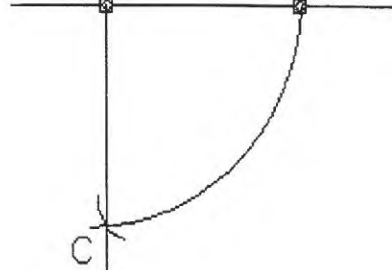
3. Locate "B" on the line and complete the arc.



4. Beginning at point "B",  
Strike a 50' arc that  
intersects with the other  
arc.



5. Using the template,  
draw a line connecting  
points "A" and "C".





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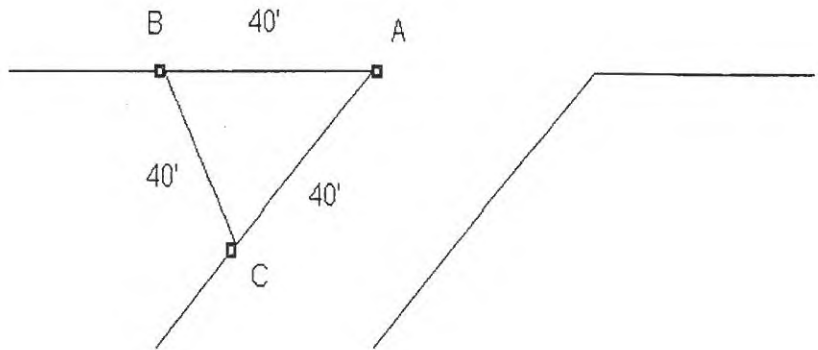
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D. Using the same process, complete:

Draw on the board an intersection as follows:

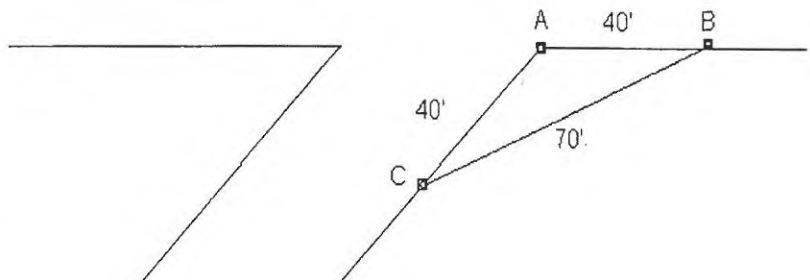
Acute:

$$\begin{aligned}(A - B) &= 40 \\ (A - C) &= 40 \\ (B - C) &= 40\end{aligned}$$



Obtuse:

$$\begin{aligned}(A - B) &= 40 \\ (A - C) &= 40 \\ (B - C) &= 70\end{aligned}$$



E. These intercept angles and points may be found at any intersection.





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**COMPLETING THE ANGLED CORNER**

Now let's reproduce this information onto a  $8\frac{1}{2} \times 11$  sheet of paper. The following steps are necessary.

Completing an angled corner.

**( A - B ) and ( A - C ) are the same and you can control the length.**

From the scene, we obtain the measurements needed:

$$(A - B) = 2 \text{ T} \quad (A - C) = 27' \quad (B - C) = 30'$$

- A. Draw a horizontal curb line.
- B. Establish a point where the prolongation of the curb lines will intersect, and mark it point "A".
- C. With a compass, mark a measured distance of ( A - B ) on the horizontal line.
- D. Extend an arc upward to the approximate location of point "C".
- E. Set the measured distance of ( B - C ) on the compass.
- F. Place the point of the compass on point "B" and draw an arc to establish the intersect (point "C").
- G. Draw a line connecting points "A" and "C" for the curb line.



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**GUIDELINES FOR DRAWING AN ACUTE ANGLED CORNER  
( LESS THAN 90 DEGREES )**

**NOTE:** ( A-B ), ( A-C ), and ( B-C ) must be measured at the scene, along with the Chord and Middle ordinate for the corner.

1. Draw a horizontal curb line.



2. Establish a point where the prolongation of the curb lines will intersect point (A).



3. With a compass, mark a measured distance of (A-B) on the horizontal line.



4. Extend an arc upward to an approximate location of Point (C).





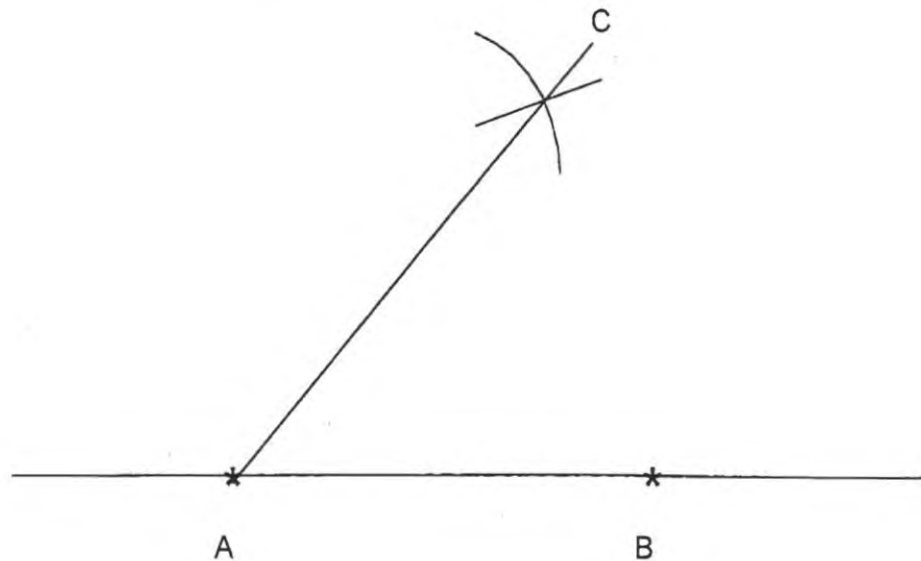
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5. Set the measured distance of (B-C) on the compass. Put the point on (B) and strike an arc to intersect (C).



6. Draw a line from point (A) through the intersecting arcs (C).





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**GUIDELINES FOR DRAWING AN OBTUSE (MORE THAN 90°) INTERSECTION  
ROADWAY**

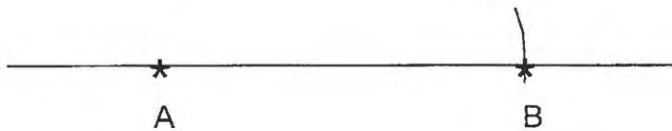
(A-B), (A-C) and (B-C) must be measured at the scene along with the Chord and mid-ordinate for the corner.

1. Draw a horizontal curb line.

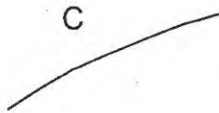
2. Establish a point where the prolongation of the curb lines will intersect



3. With a compass, mark the measured distance of (A-B) on the horizontal line



4. Extend an arc upward to an approximate location of point.



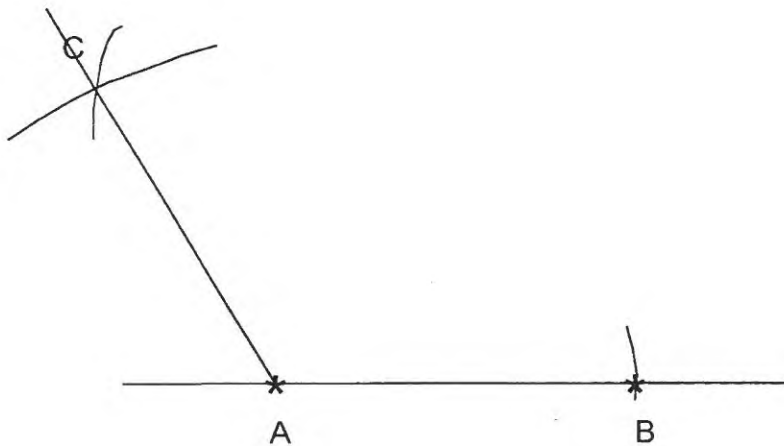
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5. Set the measured distance (B-C) on the compass. Put the point on (B) and strike an arc to intersect



6. Draw a line from point (A) through the intersecting arcs.







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**RADIUS OF A CORNER**

Many of the collisions we investigate occur in intersections with curbs and corners. Through the use of two measurements, the radius of the corner that joins the intersecting streets can be drawn to scale.

This class will teach the methods of obtaining these measurements, and the calculations required to obtain the radius.

**DEFINITIONS:**

**RADIUS:** The distance from the center to the outside of a circle.

**CHORD:** A straight line joining two points on an arc that **does not** pass through the center of the circle.

**MIDDLE ORDINATE:** The perpendicular distance between an arc and its chord, measured at the middle of the chord.

**RADIUS OF A CORNER**

Draw a circle on the board and place a right angle on the left side.

To obtain the radius of a corner, place a chord on the curved portion of the corner.

Each corner at an intersection is a part of a circle. In order to obtain the radius of any corner, do the following:

1. Strike a Chord across the curved portion of the corner. For the ease of computing, use an even number for your chord, i.e. 10', 12', 14', etc.
2. Obtain a mid-ordinate by measuring from the middle of the Chord, to the outer edge of the curb, at a 90 degree angle.
3. Record both the Chord length and the mid-ordinate distance.

**NOTE:** The chord and middle ordinate must be in the same units ( feet ) in order for the equation to work properly.



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By using the following formula, you will be able to compute the radius of the curve.

$$R = \frac{C^2}{8m} + \frac{m}{2}$$

Where:

**R = Radius** - A line from the center of a circle to the outside edge

**C = Chord** - A straight line connecting two points on an arc that **does not** pass through the center of the circle.

**m = mid-ordinate** - A perpendicular line from the mid-point of the chord to the outer edge of the arc

8 = A constant value

2 = A constant value

**Example: C = 20 feet m = 24 inches**

**Note:** Both the Chord and mid-ordinate must be in the same units (feet). In order to convert inches into feet, divide the number of inches by 12.

$$\begin{aligned}
 R &= \frac{C^2}{8m} + \frac{m}{2} \\
 &= \frac{20^2}{8(2)} + \frac{2}{2} \\
 &= \frac{400}{16} + 1 \\
 R &= 25 + 1 \\
 R &= 26 \text{ ft}
 \end{aligned}$$

Middle-ordinate

Chord



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PRACTICE PROBLEMS

Given:  $C = 20$  ft.       $m = 25$  in.

2.      Given:  $C = 20$  ft.       $m = 46$  in.



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3. Given:  $C = 20 \text{ ft.}$      $m = 17 \text{ in.}$

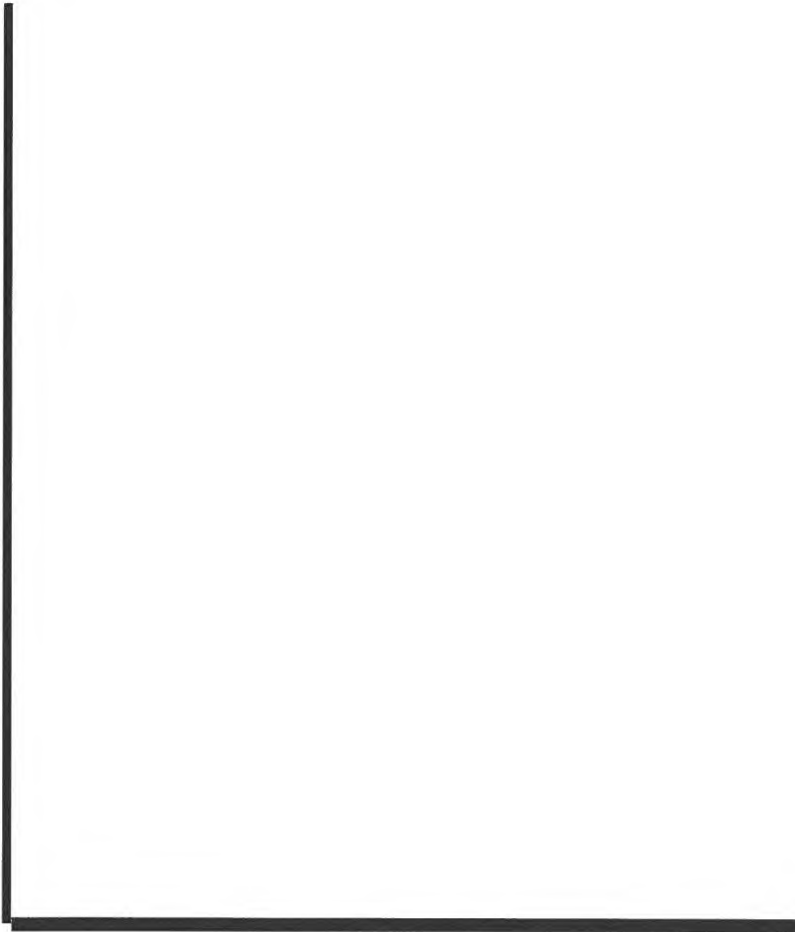




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Your answer to #3 can be applied to the below diagram. Using the supplied compass or your template, draw the radius to scale.



36 ft RADIUS



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**HOW TO LOCATE THE PIVOT POINT FOR THE RADIUS**

Calculate the Radius based on the Chord and Middle ordinate.

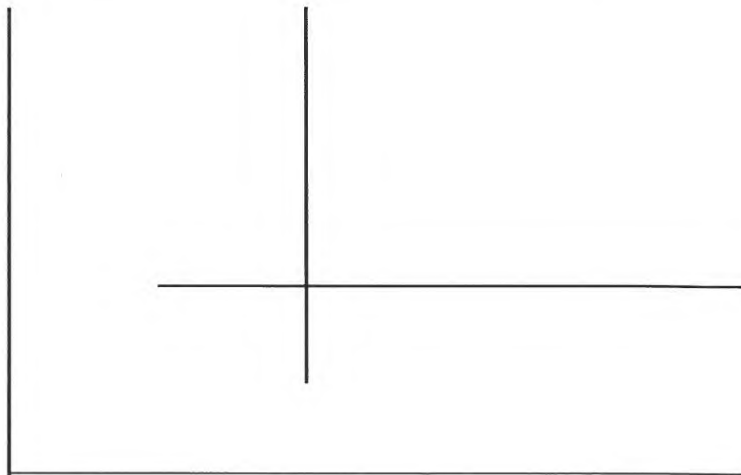
When using a template:

- A. Place two tick marks inside the curb close to the intercept point at a given distance, equal to the radius of the corner.

Draw a horizontal line parallel and inside the curb line, equal to the radius of the corner.



- B. Repeat step #1 and draw a vertical line parallel to the other curb line.

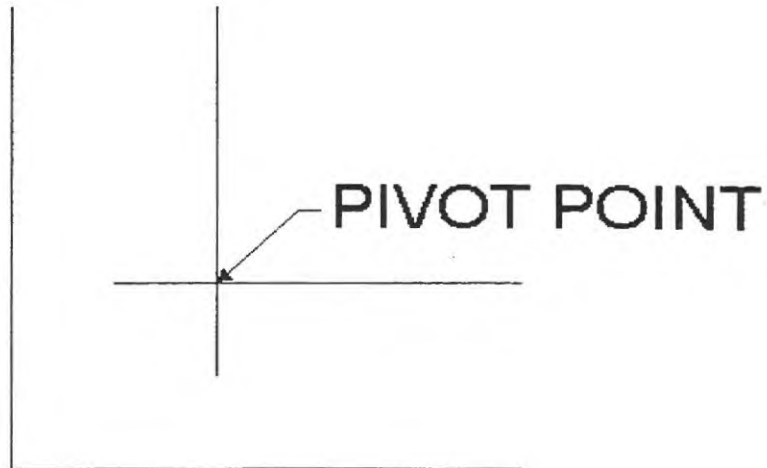




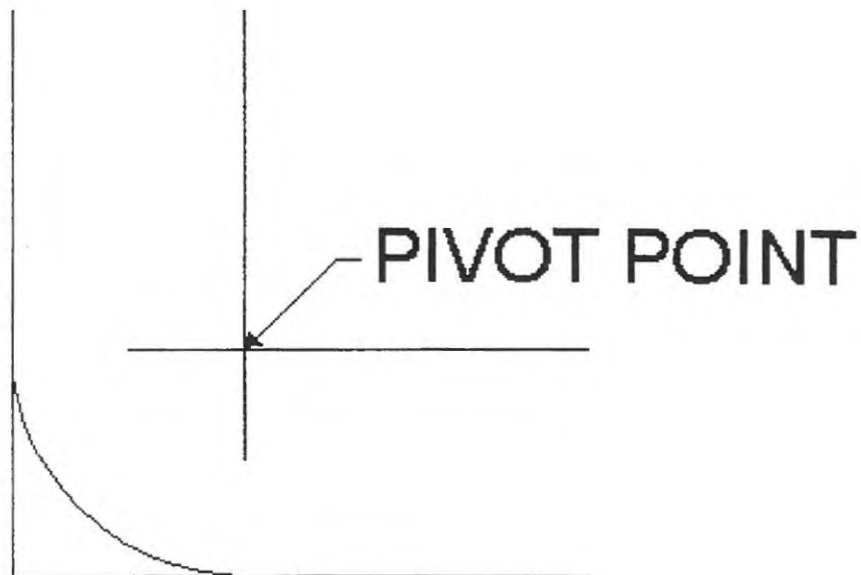
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- C. Place the pivot point of the template where the two lines intersect.



- D. Find the distance in feet of the radius and scribe the radius.



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**WHEN USING A COMPASS**

1. After calculating the radius, adjust the compass to the correct distance.
2. Use the template as a straight edge along the curb line. Place the point of the compass along the template edge and scribe a line parallel to the curb line.
3. Repeat step #2 along the other curb line.
4. Place the compass point at the intercept of the two lines and scribe in the arc of the corner.





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**DRAWING THE CORNER**

Next, we obtain the radius of the corner by measuring a chord and mid-ordinate which were:

Chord = 16'                      Middle ordinate = 34"

Utilize the equation below to calculate the radius of the corner:

$$R = \frac{C^2}{8m} + \frac{m}{2}$$

Draw in the corner radius, on the prior drawing of 2nd and Bixel:

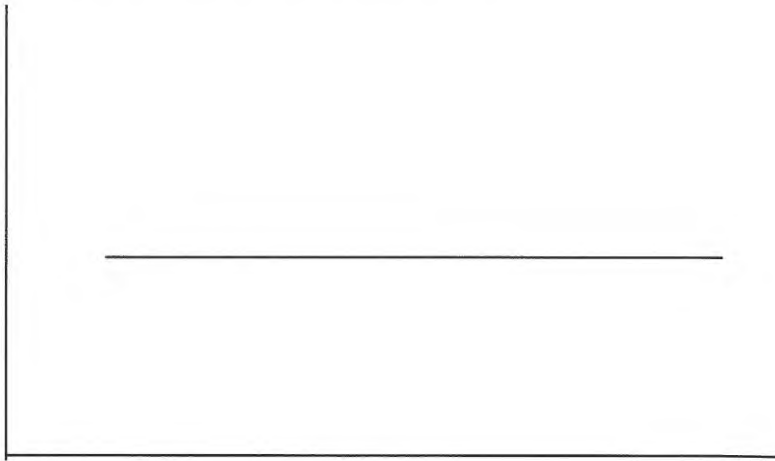
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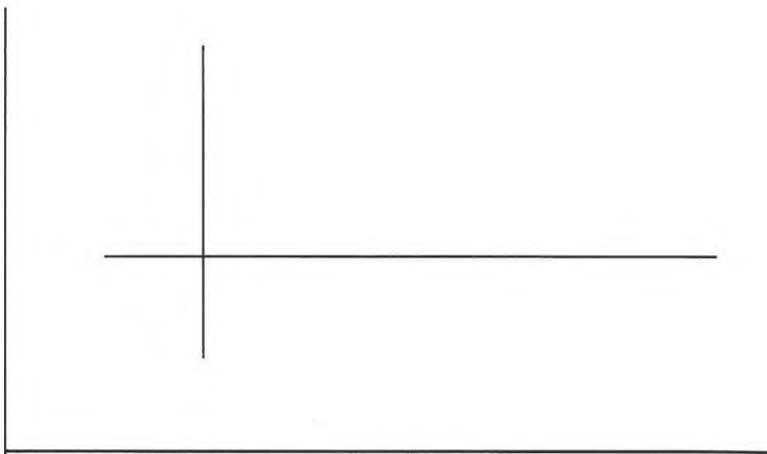
**DRAWING THE 90° CORNER**

You have drawn the angle of the corner. With the Chord and mid-ordinate measurement, the radius can be calculated.

1. Measure the radius on the compass. Using a template as a straight edge on line (A-B), mark a parallel line to the horizontal curb line (A-B).



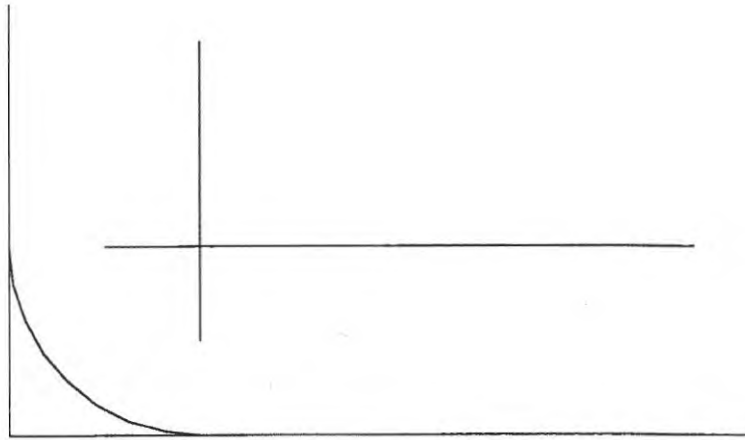
2. Using the same radius, mark a parallel line to the angled curb line (A-C)



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3. Using the same radius put the compass point where the lines intersect and strike a corner arc.





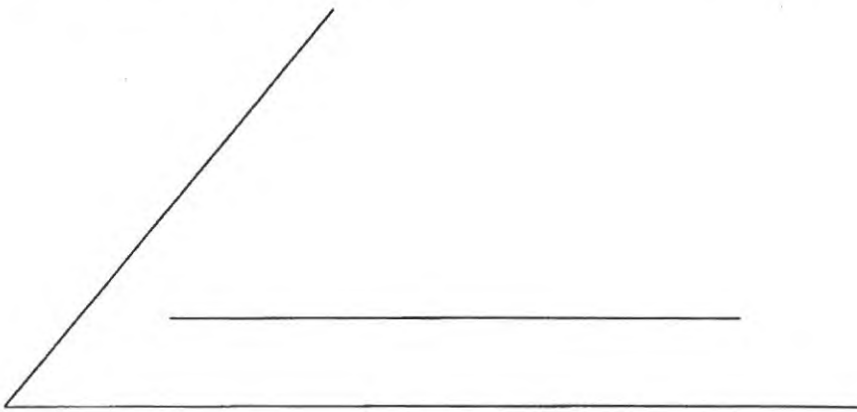
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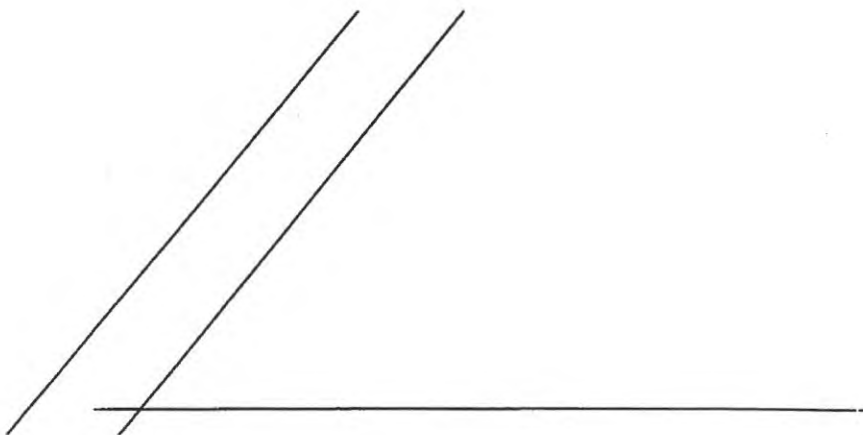
**DRAWING THE RADIUS IN AN ACUTE CORNER**

Now that you have drawn the angle of the corner, with the Chord and Middle ordinate measured in the field, the radius of the corner can be calculated and drawn into the diagram.

1. After calculating the radius, adjust the compass to the correct distance.
2. Using a template as a straight edge on line (A-B), mark a parallel line to the horizontal curb line (A-B).



3. Using the same radius, mark a parallel line to the angled curb line (A-C).

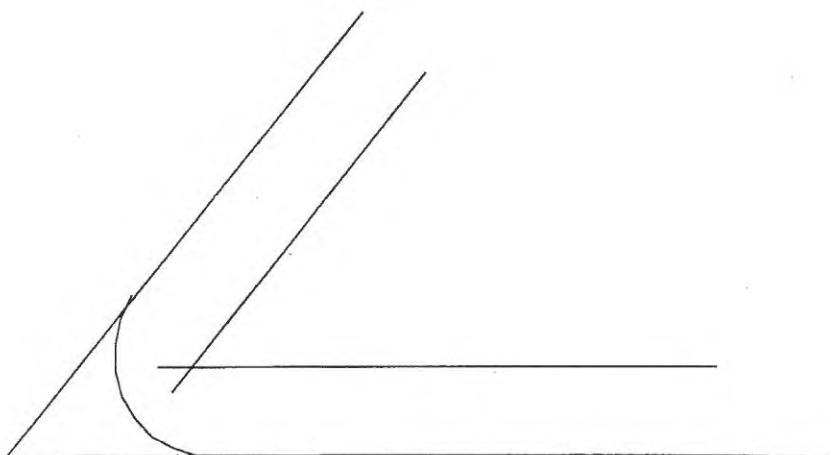




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4. Using the same radius, put the compass point where the lines intersect and strike a corner arc.







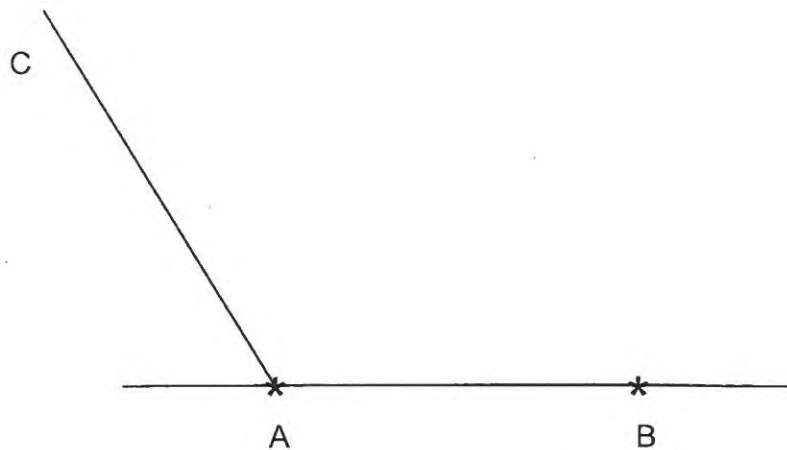
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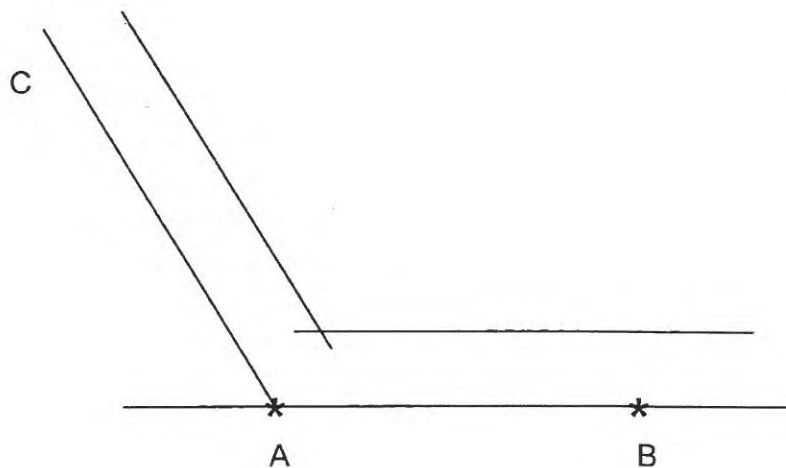
**DRAWING THE RADIUS IN AN OBTUSE CORNER**

You have drawn the angle of the corner. With the Chord and mid-ordinate measurement, the radius can be calculated.

1. Measure the radius on the compass. Using a template as a straight edge on line (A-B), mark a parallel line to the horizontal curb line (A-B)



2. Using the same radius, mark a parallel line to the angled curb line (A-C)

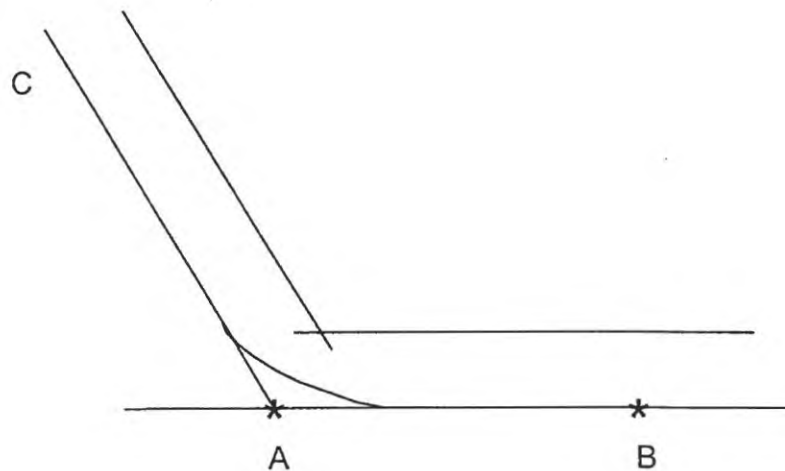




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3. Using the same radius, put the compass point where the lines intersect and strike a corner arc.





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**GRADE**

- A. Physical features of a collision scene are important to document on the collision report for many reasons. These physical features include, but are not limited to vision obstructions due to vegetation, buildings or parked vehicles, curves in the roadway, or hills approaching or departing from an intersection.
- B. The slope of grade of a roadway in the vicinity of the collision scene should be documented in the collision report in order to complete a general description of the area. This information may also be needed to adjust the co-efficient of friction of the roadway.
- C. The grade of a roadway can be measured and calculated in a very short period of time, and with tools that are quite inexpensive to acquire. The tools needed are:
1. String, measured to 100 inches
  2. A line level
  3. A tape measure or yard stick
- D. These items are used in the following fashion:
1. Attach the line level to one end of the 100 inch string.
  2. Hold the end of the string opposite the line level on the ground. This can be accomplished with the use of a partner, or the police vehicle.
  3. Pull the string tight, using the line level to level the string.
  4. Measure from the string to the ground.
    - a. This measurement must be taken perpendicular (or at 90 degrees) to the leveled string.
    - b. This measurement will be equal to the grade of the roadway.

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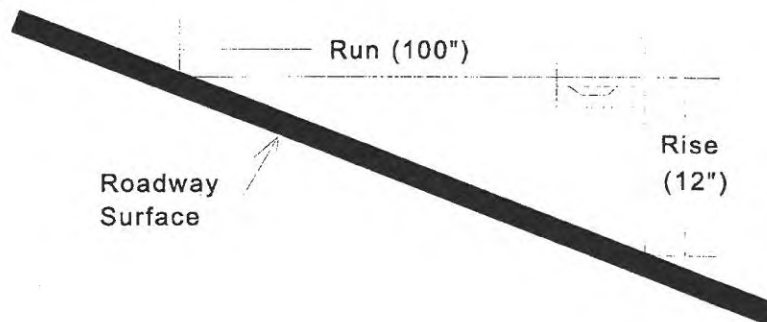
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- E. The reason this method works is because it is based on the following equation:

$$\text{Grade} = \frac{\text{Rise}}{\text{Run}}$$

1. Using the 100-inch string as the quantity for the run, and the measured distance from the level string to the ground as the rise, the grade can be calculated.

**EXAMPLE:**



2. In the above example, the measured rise at the 100-inch point of the string is 12 inches. To calculate the grade:

$$\begin{aligned}\text{Grade} &= \frac{\text{Rise}}{\text{run}} \\ \text{Grade} &= \frac{12}{100} \\ \text{Grade} &= .12\end{aligned}$$

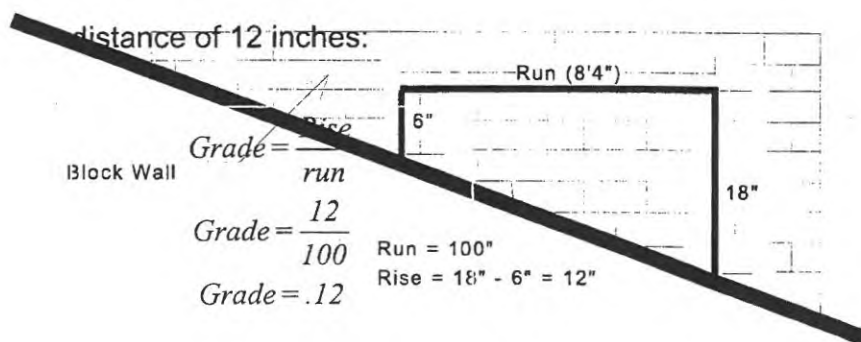
3. In order to convert the solution (.12) into a percentage, move the decimal point to the right two places resulting in a grade of 12%.

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F. In the event that the string, line level combination are not available, another method can be used to find the grade:

1. Locate a block wall that has been properly built (level to the earth plane and not the roadway).
2. With the use of tape measures, measure 100 inches (8'4") along one of the level block joints.
3. Take two measurements from the block joint to the ground, one at the "0" end of the tape measure and the other at the 8'4" mark. Subtract the resultant measurements to gain the actual grade of the roadway.
4. To calculate the grade in the above example, use 100 inches as the run distance and the resultant rise



5. In order to convert the solution (.12) into a percentage, move the decimal point to the right two places resulting in a grade of 12%.
- G. The grade should be written as positive (+) or negative (-) depending on the direction the vehicle was traveling, up or down the grade respectively.

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**FIELD SKETCH**

Normally, you will not be drawing a diagram from a written set of instructions. You will complete a diagram based on your at-scene investigations and actual measurements that you took at the scene of the collision. This is called a FIELD SKETCH. The FIELD SKETCH should look something like the next page.

**A. FIELD SKETCH REQUIREMENTS**

The field sketch is a rough, hand drawing of the collision scene. It should include all of the information that will be necessary to complete the scale diagram. This information should include, but is not limited to:

1. The street NAMES.
2. The WIDTHS of the street(s).
3. The point(s)-of-impact.
4. The point-of-rest of all vehicles and involved objects.
5. The locations of all traffic CONTROLS.
6. The lane MARKINGS and CROSSWALKS.
7. If at night, the location of the available LIGHTING.
8. Any off-sets in the curbs or lanes.
9. The DATE and TIME of the collision.
10. The officers name and serial number.
12. A North Arrow. - To insure that you always have NORTH in the right direction. There are several ways of doing that:
  - a. Face north while making the initial sketch.
  - b. Stand on the same corner every time, usually the southwest or southeast.
  - c. If a field officers notebook is used always have the binding of the notebook pointing NORTH.

**WARNING: IT IS IMPORTANT TO REMEMBER TO STAND OUT  
OF THE ROADWAY WHEN DRAWING THE BASIC SKETCH.**

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**B. EQUIPMENT AVAILABLE FOR DIAGRAM COMPLETION**

The following items are the basic equipment required to complete a traffic collision diagram (These are only a portion of the items available).

1. Department traffic template.
2. Northwestern traffic template.
3. Mechanical pencil.
4. Compass.
5. Circle template.
6. Eraser (Large one at times).

**C. CONCLUSION**

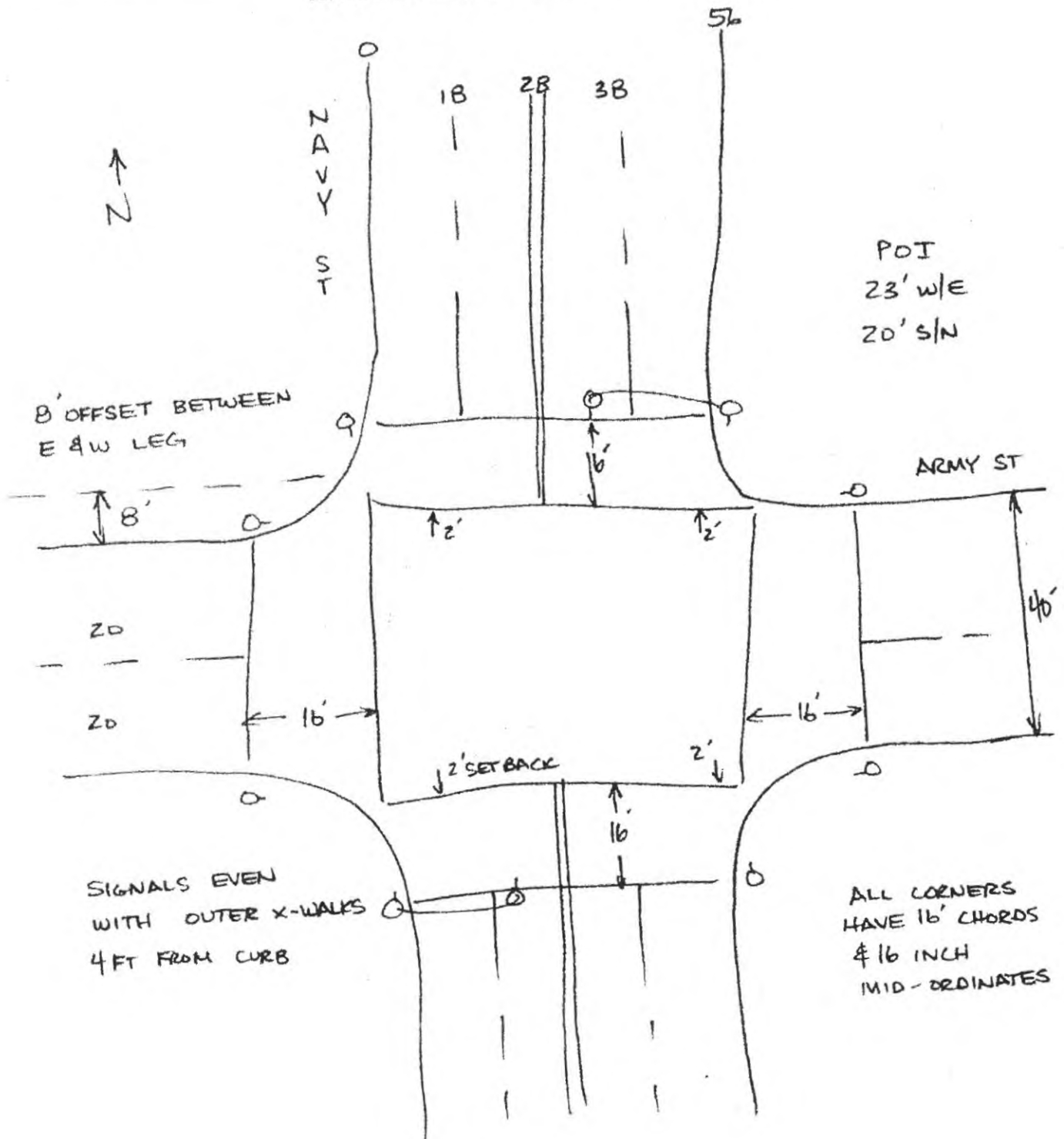
In conclusion, you must do the following:

1. Complete the at-scene investigation.
2. Take measurements of all applicable items.
3. Decide how to place the diagram on the page.
4. Enter all of the items between the curb lines.
5. Enter all of the items outside of the curb lines.
6. Enter the identifying information.
7. Enter all of the accident information.

**REMEMBER THE ADAGE:** A picture is worth a thousand words. Make the collision diagram as accurately as possible.



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 BASIC SKETCH  
 WITH BASIC INFORMATION



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**DIAGRAMMING EXERCISE #1  
NAVY AVENUE & ARMY STREET**

For the purpose of this class, the following apply:

1. The collision is at the intersection of Navy Avenue and Army Street.
2. The red vehicle is listed on the report as vehicle-1, and the blue vehicle is listed on the report as vehicle-2.
3. A witness stated that the red vehicle was northbound and the blue vehicle was westbound.
4. ALL measurements are taken from the northeast corner.

Upon arrival at the scene, you observe the following:

1. The point of impact was measured as:  
23 feet west of the east curb of Navy Avenue &  
20 feet south of the north curb of Army Street.
2. At impact, the left front tire of the blue vehicle was at the point of impact.
3. The blue vehicle has extensive damage on the left side, starting at the left front tire and ending at the front portion of the rear door. The at rest position was measured as follows:

Right front tire      39 ft. W/E curb of Navy Ave. &  
52 ft. N/N curb of Army St.

Right rear tire      32 ft. W/E curb of Navy Ave. &  
47 ft. N/N curb of Army St.

4. The red vehicle has extensive damage across the entire front. The at rest position was measured as follows:

Left front tire 45 ft. W/E curb of Navy Ave. &  
33 ft. N/N curb of Army St.

Left rear tire      44 ft. W/E curb of Navy Ave. &  
25 ft. N/N curb of Army St.

**BASIC COLLISION  
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**TOPIC 7.0**

**PHYSICAL EVIDENCE**



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### PHYSICAL EVIDENCE

As a police officer you should have learned by now the importance of collecting, documenting and preserving physical evidence. The continuity and preservation of the evidence you collect at scene may very well make or break a case, just look at the Simpson trial! Months of testimony and cross examination were spent on the collection and preservation of blood and clothing samples.

It is your duty to seek-out physical evidence at the scene and document your findings properly. Treat every scene as though your family members are involved, remember, someone's family members are involved.

RESULTS OF COLLISIONS ON THE ROAD - Every motor vehicle collision leaves some physical sign of what happened. Discovery of these signs and, correctly interpreting these signs, produces results that cannot be disputed.

#### A. RESULTS THAT MAY BE FOUND:

##### 1. Final Positions of Vehicles and Bodies

###### a. Uncontrolled.

- 1) Final positions are those reached by vehicles or bodies unintentionally after a collision.
- 2) Locate by measurement and document as **"at rest."**

###### b. Controlled.

- 1) Final positions are those to which vehicles or bodies are moved on purpose after a collision.
- 2) Locate by measurement and note **"parked"** or "not original final position."





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2. ROADWAY SCARS - When a vehicle is damaged to the extent that vehicle parts come in contact with the ground, scars are left on the roadway. The basic classification of these scars are:

- a. Gouges - sharp, rapid removal of surface material. Types of gouges include chips and chops.
- b. Grooves - prolonged contact with the road by a moving vehicle part where surface material is removed.

Scratches (scrapes) - object sliding over the surface of the roadway where no material is removed.

3. DEBRIS - When a vehicle is involved in a collision, objects within or attached to the vehicle may be dislodged and deposited on the roadway in the form of debris. The types of Debris are:

a. Under body - mud, rust, paint, snow, and sometimes gravel that sticks to the underside of fenders, engine, body and other parts. In a collision, it is dislodged and falls to the ground.

b. Vehicle Liquids - coolant, oil, battery acid, fuel and other fluids that have escaped from their containers. They appear as:

- 1) Spatter - Leaking broken fluid container can indicate impact area.
- 2) Dribble - Liquid draining. (Can indicate post impact path of a vehicle.)
- 3) Puddle - Collection of draining liquid. (Can indicate at rest location.)
- 4) Run-off - Puddle draining downhill.
- 5) Soak-in - Liquid absorbed into soil.

4. VEHICLE PARTS - head light glass, window glass, body trim, damaged and knocked off of the vehicle during impact and deposited on the road.



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SPILLED CARGO - solid or liquid cargo contained in the vehicle and deposited on the roadway due to damage to the container. Vehicle overturning or cargo leaving the vehicle through open doors or windows.

6. FIXED OBJECTS

- a. Bent and broken guardrail, post, tree and other fixed objects.
- b. Can be used to determine the path of travel of the vehicle - how the collision occurred.
- c. Damage to the vehicle will match damage to the object.

7. NO MARKS ON THE ROAD - SIGNS THAT THE VEHICLE LEFT THE GROUND

- a. Falls - a vehicle runs off a bridge or the top of an embankment, leaving no marks between where it left the ground and landed.
- b. Flips - the vehicle hits something that stops the wheels suddenly. The vehicle then pivots upward and leaves the ground.

B. Determining the "AREA OF IMPACT"

- 1. This is the area where first contact between involved parties was made. More commonly referred to as the "Point of Impact".
- 2. In most collision scenarios contact is made over an area of several feet rather than a single point, (how wide is a car?)
- 3. Efforts should be made to substantiate this area with physical evidence rather than estimate it from statements.
- 4. It is not always easy to find these indications especially in auto/pedestrian, auto/bicycle and auto/motorcycle collisions. As the investigator you must look for subtle indicators of the area of first contact.

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5. METHODS OF DETERMINATION - listed best to worst.
- a. Sudden change of direction in tire marks. (allow for vehicle overhang).
  - b. Gouge or scrape marks. (**remember**, these are an indicator of the vehicle's maximum engagement, the actual area of impact is a few feet away).
  - c. Debris cone or liquids. (these take a second to fall to the ground, again the actual area of first contact is a few feet away).
  - d. Statements. (people never lie).

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**TOPIC 7.0.1**

**PRESERVATION AND DOCUMENTATION OF  
EVIDENCE AT SCENE**

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- A. Preservation and Documentation of Evidence at Scene - There are two types of evidence:
1. Non-recoverable evidence - This applies to all evidence that cannot be recovered such as: tire marks, scrapes, gouges and damage to fixed objects.  
Four steps for **Physical Evidence** - Evaluate; Photograph; Measure; Record.
    - a. Evaluate - The roadway, location of the collision, points of impact and points of rest.
    - b. Photograph - (Detailed later)
      - 1) Evidence - tire marks, scrapes, gouges or damage to fixed objects
      - 2) A series leading up to the evidence.
      - 3) The vehicles at rest in relationship to each other and/or a fixed object (landmark).
    - c. Measure
      - 1) Length, width and depth of evidence.
      - 2) Location by coordinate or reference points.
      - 3) Measure the total length of each mark. Measure the starting point and the ending point of each mark. When a curved or yaw mark is involved you shall also include a minimum of three interim marks.
      - 4) On major collisions (CPI, Fatal, Felony), measure all wheels of each vehicle's point of rest.
    - d. Record or Document - the information on the collision report. (This is Covered in detail throughout the topic, mention briefly.)

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2. Recoverable evidence - This applies to all evidence that can be recovered such as vehicles, vehicle parts, pedestrian clothing, paint chips, hair and blood samples.

Four steps for **Physical Evidence** - Evaluate; Photograph; Measure; Record.

- a. Identification of evidence. (WHAT TYPE)
- b. Photograph prior to removal. (AS IT WAS)
- c. Locate and measure. (AS IT WAS FOUND)
- d. Record in the report.
- e. Recover the evidence.
  1. Package for safekeeping. i.e. Plastic or foam cups for broken lamps.
  2. Book evidence into property room for the Collision Investigation Detective unit.
  3. Practical Exercises

**B. Photographing Evidence**

With both types of evidence, whether it is collected and booked or left at scene you must photograph it prior to marking or collecting it.

1. Why we use photography:
  - a. To preserve the scene and evidence for later evaluation and court presentation. In addition, photographs can be utilized for traffic collision reconstruction purposes.
  - b. To provide a visual record of damage or lack of damage to vehicles and other property.

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2. Who can take photographs:
  - a. Anybody can take photographs. People can object to the pictures being taken, but cannot take legal steps to prevent it or suppress the use of pictures for collision investigation purposes.
  - b. On private property, the owner can prevent entry to his property to photograph, but photographs can be taken from public property without trespassing.
  - c. Exception - Photographs can be taken while conducting an investigation of a major crime where photographs are imperative for the completion of the investigation, but use discretion and reason.
3. Case law relating to photography.
  - a. The photographer need not be present if the officer at the scene can testify that the photographs accurately depict the scene.
  - b. The developer need not be in court.
4. Techniques:
  - a. Take as many pictures as needed to depict evidence that the investigator has observed.
  - b. Areas to be photographed:
    - 1) Overall scene prior to and after marking evidence. Shoot specific uncontaminated evidence and then mark to highlight.
    - 2) Physical evidence includes - skid marks, lamps, scrapes, chops, paint transfer and all other items of evidentiary value.
    - 3) Path traveled by the involved vehicles. Keep camera at each drivers approximate eye level.
    - 4) Line of sight and observation points of witnesses and parties.
    - 5) Traffic control devices. Visibility and location of the controls.





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- 6) Obstructions - walls, fences, buildings, plants and parked vehicles (if obstructed view is claimed).
  - 7) Points of rest of the involved vehicles or bodies. To be most useful, take photographs depicting both vehicles or vehicle and body at rest with reference to each other. Include some roadway and a recognizable landmark in the vicinity.
  - 8) Vehicle defects such as broken brake lines, tires, or rims.
  - 9) Roadway defects such as a hole.
  - 10) Any damage sustained to City vehicles or as a result of a pursuit where the police vehicle was not directly involved.
  - 11) Any items of evidence that may disappear before a follow-up investigation.
  - 12) Suspect I.D. and or injuries if possible.
  - 13) Basic 4 of involved vehicles.
- c. Night Photography of Tire Marks
- 1) Take photos of the tire marks in an uncontaminated state at ten foot intervals (camera flash only travels approx. 10-12 feet)
  - 2) Outline in white chalk and take photos at ten foot intervals.
5. Equipment:
- a. There are different types of cameras that are satisfactory for proper scene preservation. **\*\* (Visual display) \*\***
- 1) Fixed lens - Instamatic camera - Good for general photography.
  - 2) Polaroid - General photography with print at the scene.
  - 3) 35-MM single lens reflex - good negative size for enlargements. Preferably with a 35 MM or 50 MM lens.

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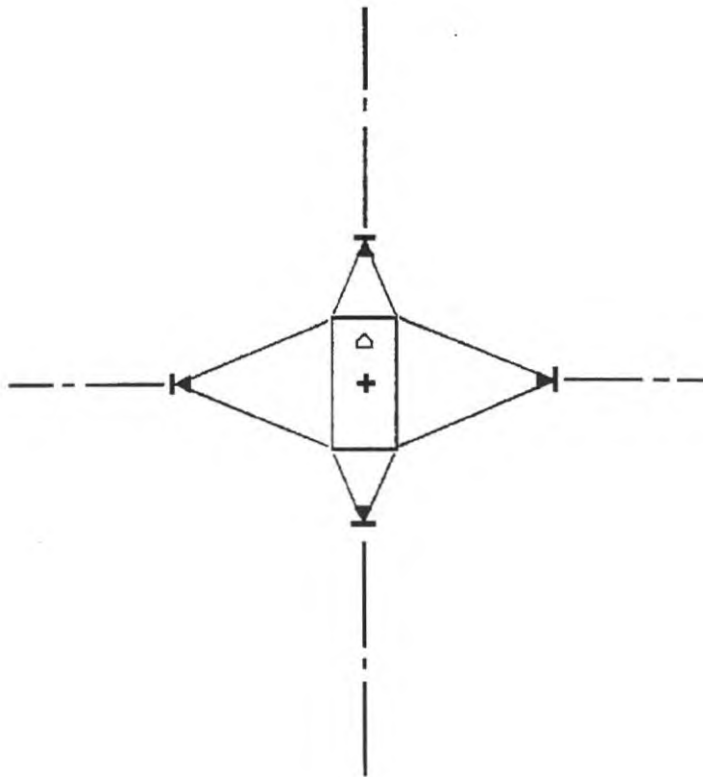
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- 4) Video - good for walk/drive through collision scene for re-staging. **Remember** to let other officers at scene know when the camcorder is on as sounds are also recorded.
  - 5) Digital camera - refer to Operational Order No. 6, July 6, 2001. The digital camera photographs must be printed out and the original maintained. This does not relieve the officer from also taking 35mm photographs.
- b. Nighttime photography with flash units and auxiliary light units.
- 1) Flash cube - short range (8/10 feet).
  - 2) Pop-up 35 MM flash unit - short range (10 - 12 feet).
  - 3) Separate flash unit - short to long range (as far as 150 feet, depending on unit used).
  - 4) Flash lights or vehicle head lights - short to medium range, depending on the amount of light supplied.
- c. Processing of film.
- 1) Send to SID Photo Lab with C# request.
  - 2) Document C# in the Photographs section of the report or back of the report.
  - 3) Notify TCS/ S.C.I.D. team if photos could be useful for training.

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BASIC FOUR PHOTOGRAPHS OF VEHICLE





Page 7

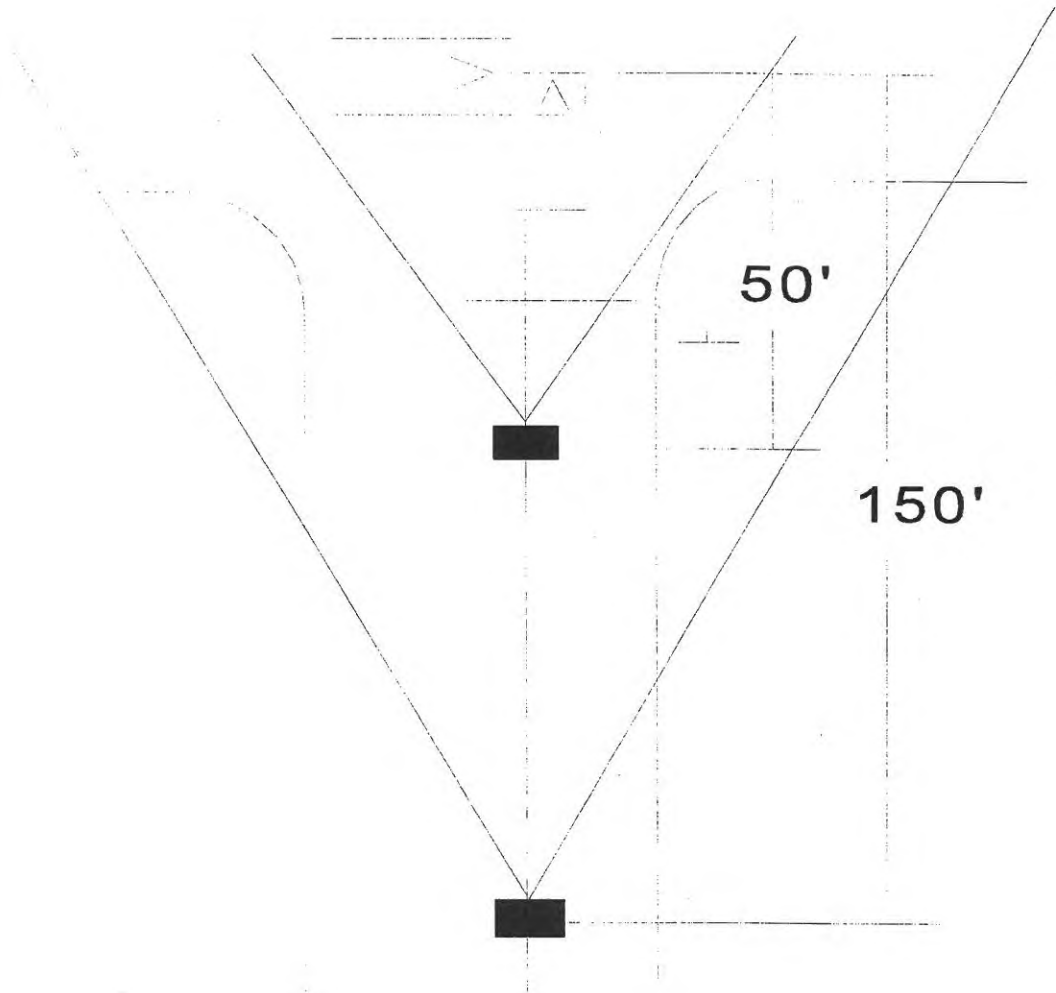
REV. 01/01/02



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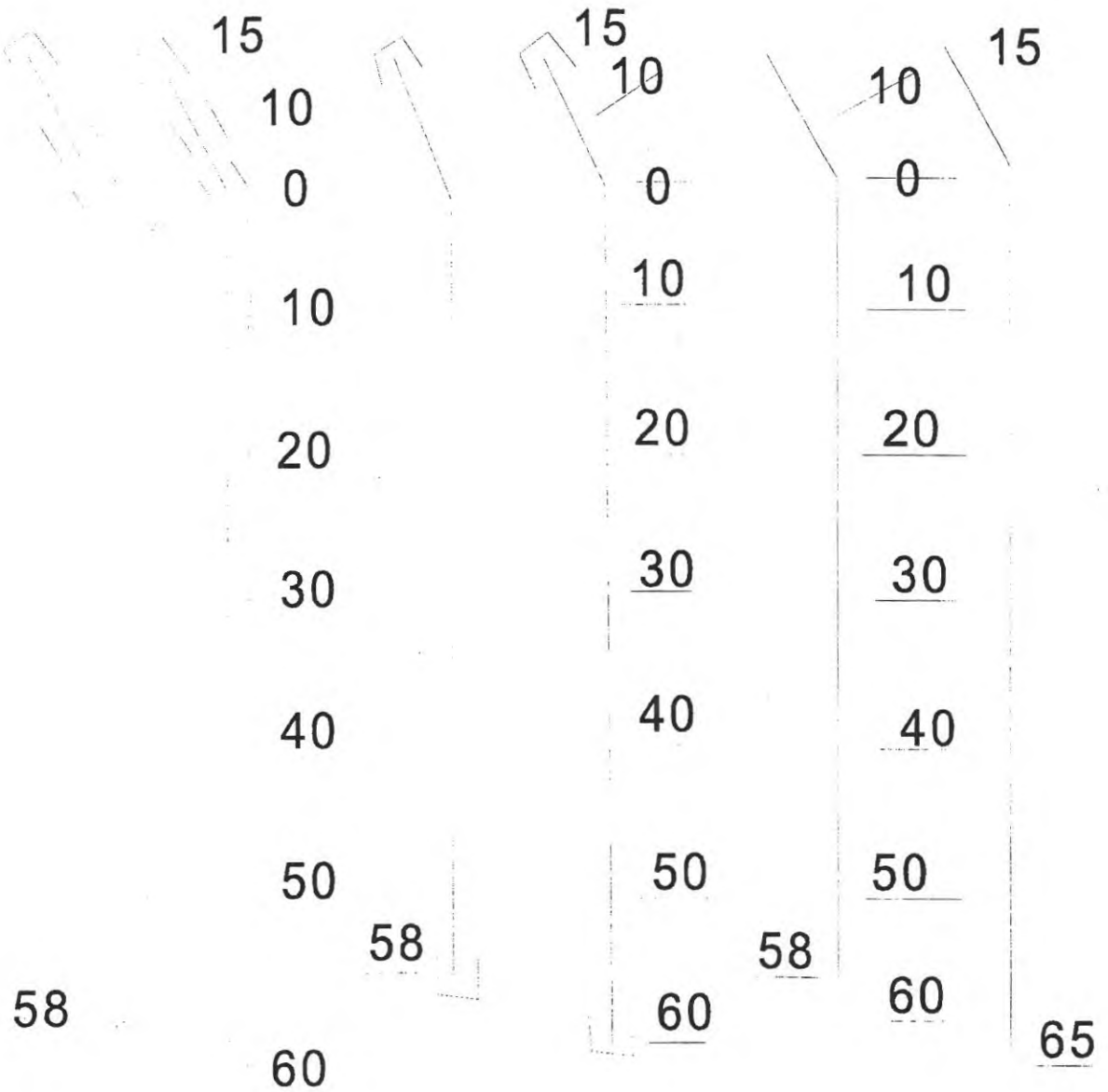
SCENE OVERVIEW







# MARKING AND PHOTOGRAPHING TIRE MARKS



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**TOPIC 7.0.2**

**EVIDENCE FROM VEHICLES**

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A.     Occupant Restraints

1.     Presence - check to see what type of restraint system was available.
2.     Usage-Check if:
  - a.     Webbing stretched or scuffed near "D" ring due to stress from crash forces.
  - b.     Stressed, distorted or broken buckles, latch plates, "O" rings.
  - c.     Was webbing cut by emergency personnel to remove occupants.
  - d.     Retractors locked in extended positions.
  - e.     Corresponding injuries with lap type restraint are injuries to pelvis, hip or abdomen.
  - f.     Corresponding injuries with lap-shoulder type restraint are injuries to shoulder, pelvis hips or abdomen.
  - g.     If vehicle equipped with supplemental restraint system, did it deploy?
3.     Do the injuries support the occupant's statements?

B.     Brakes

1.     Visual observation
  - a.     Check the brake hoses to see if they are torn off, cut, leaking. The brake hose is located between the brake line and the wheel brake cylinder.
  - b.     Check the brake lines for cracks or leaks.
  - c.     Check the brake pedal to see if it's in a normal position or on the floorboard.
  - d.     With today's vehicles and anti-lock brakes be sure to **ask the drivers of the vehicles if their brakes work properly.** Record that information in the statement or your remarks.



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2. Physical inspection (Major Collisions)

- a. The brake system should be checked by a **STATE CERTIFIED MECHANIC** to see if the system was within factory specifications at the time of the collision. Impound the vehicle and hold for Motor Transport.
- b. Inspection by a State certified mechanic can give the investigator a written report and testify in court.

C. Tires

1. Visual inspection

- a. Treads
  - 1) Worn-out (less than 1/32" of tread)
  - 2) Fabric showing
  - 3) Defects
- b. Mismatch of tires
  - 1) Different tire sizes on the same axle.
  - 2) Different tire types (bias-ply, radial-ply) on the same axle.
  - 3) Inappropriate tire load rating on the vehicle. i.e.- VW tires on a Cadillac
- c. Air pressure
  - 1) Flat - was this Pre-crash or Post-crash damage.
  - 2) Over-inflated / Under-inflated

NOTE: Inspection by a tire expert, in a collision where tire failure in an alleged element and might disclose the cause of the tire failure. Book the tire and wheel as evidence and request an examination through Motor Transport.



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D. Matching Vehicle Parts and Debris

1. Vehicle parts recovered at the scene are proof that the vehicle was at scene.
2. Look for part numbers
3. Debris at the scene can aid the investigator in determining the make, model and year of the vehicle, which will substantiate the statements of the other parties/witnesses to the TIC.
4. Paint samples - Paint samples are a tool a criminalist uses to place a vehicle at a collision scene. This analysis is costly and time consuming, but is needed for prosecution in a major hit-and-run collisions. Paint samples can tell a criminalist the make and year of a hit-and-run vehicle.

E. Speedometer - A mechanical or electronic device connected to the transmission, front wheel or engine.

NOTE: Reading after the collision may or may not be significant.

Collision Damage Old vs. New

1. Old Damage
  - a. Presence of rust or discoloration
  - b. Magnitude of damage
2. New Damage
  - a. No evidence of rust
  - b. Magnitude
  - c. Damage corresponds to statements





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G. Suspension - That part of the vehicle which connects the axle to the frame.

1. Damage

- a. Prior to collision (Evidence on roadway prior to impact)
- b. Resulting from collision (Evidence after the impact point)

2. Modified

- a. Vehicle raised / lowered
- b. Hydraulic suspension

H. Lighting

1. Lamp analysis is important for determining whether various lamps were in activation during impact. If the Scientific Lab is going to help, you will need to:

- a. Examine the filaments for movement.
- b. Check the light switch for light activation and verify the switch had not been turned on or off by someone.
- c. Recover the lamps before they are damaged or lost.
- d. Described the location removed from, remove carefully, and store them securely.

- 1) Be sure not to break the glass.
- 2) Identify "up" direction by marking.
- 3) Be especially careful not to break the filament if the glass is already broken.



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2. Headlight and Bulb Construction, Inspection and nomenclature

**NOTE:** Do not activate to test, doing so may destroy evidence.  
Visually observe lamp first.

a. Filament - A tungsten wire which is typically formed into a coil similar to a spring. A new filament is smooth, uniform in shape, and has a shiny luster. **GIVES OFF THE LIGHT**

b. Support - A metal post to which the filament is attached.

c. Envelope - Encases the filament.

d. Headlights

1) LENS - the front of a head light with prisms to spread the light in a pattern.

2) FILAMENT HOOD - the metal shield in a dual filament head lamp that blocks the light from going directly forward and causes the light to contact the reflector off-center which gives the dual filament head lamp it's low beam.

3) REFLECTOR - a silvered, parabolic glass or metal surface in the head lamp which causes the light to be projected forward.

3. Determination if lamp was "on or off"

a. Hot shock - stretched

b. Cold shock - ringlets.

c. Observe the characteristics of the lamp.

d. If a bulb burns out under normal conditions the envelope would darken.

e. Record the characteristics of the lamp.

f. Photograph the lamp in place. Remove the lamp and book the lamp for examination by an expert.

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**TOPIC 7.0.3**

**PEDESTRIAN FACTORS**



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**Pedestrian Factors** - Pedestrian collisions are unique. There is usually little physical evidence left at the scene. It's important to look closely for subtle indications such as:

**A. Fabric, Hair and Tissue**

1. In vehicle/pedestrian collisions, the investigator may find bits of clothing, hair, blood, or tissue at the scene or on the vehicle.
2. If the collision is a hit and run, sometimes special photographs are required to show scientific evidence for prosecution in court.
3. If necessary, contact FAIT or SID Photos.

**B. Pedestrian Clothing**

1. Pedestrian clothing may contain small pieces of glass, plastic or paint chips from the vehicle which can aid the investigator.
2. When the clothing is recovered from the scene or from the hospital it SHALL be packaged and booked.
3. To book clothing you should:
  - a. Dry all clothing before booking
  - b. Never shake residue from the clothing prior to packaging.

**C. Area of Impact Indicators**

1. Over-deflection in tiremark is an indication of the area where the pedestrian rode up onto the hood adding additional weight to the front of the vehicle.
2. Scuff marks from pedestrian's shoes.
3. Debris cone of articles that pedestrian was carrying can be an indicator of impact area. However this should be used as a last resort, or used to corroborate other indicators.





**BASIC COLLISION  
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**TOPIC 9.0**

**HUMAN FACTORS -  
INTERVIEWING**



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**INTERVIEW TECHNIQUES**

As police officers, two of our jobs at scenes of traffic collisions are to determine if a crime has occurred and attempt to name the party most at fault. Our first and most important resource in accomplishing these tasks are the people involved in the TIC and witnesses. This course will assist you in determining who to interview first at a T/C scene and what type of questions to ask people in order to refute or substantiate their statements.

One of the rewarding aspects of the science of traffic collision investigation is the ability to determine what happened in a T/C not only by what people tell us, but also by the physical evidence that we examine on the roadway and the vehicles involved. As we discussed with the "Nine Cell Matrix" we are concerned with what the "Human" aspect (people) are doing before, during, and after the T/C. If we conduct our interviews while keeping that concept in mind, we will have much more complete and accurate statements.

**A. INTERVIEW ORDER**

**1. Independent Witnesses**

- a. No legal obligation to stay
- b. Nothing to gain or lose
- c. May have other things to do
- d. May already be gone-example: left business card.

**2. Parties**

- a. Want to tell their side first
- b. May try to flee scene: We can go and get their I.D. and hold onto it without getting their statement.
- c. Less likely to lie if they have seen us talking to a witness that is unknown to them.
- d. May turn into suspects as interview proceeds (DUI)

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**B. INTERVIEW METHODOLOGY - Independent vs Prejudiced Witnesses**

Prejudiced Witnesses

- a. Passengers in any involved vehicle
- b. Wits may take sides based on race or religion
- c. Wits may take sides subconsciously

**2. Independent Witnesses - Truly hard to find**

**NOTE: BE SURE TO SEPARATE WITNESSES AS SOON AS POSSIBLE AND INTERVIEW THEM SEPARATELY SO THEY DON'T PREJUDICE EACH OTHER!**

**3. Location of Party/Witness**

- a. One of the First Questions Should Be:

**" Where were you when you saw the accident?"**

The location of a witness may in and of itself refute that wit's statement because he may not have been able to even see what he said he saw.

- b. Next, we need to ask: **"When did you first see each vehicle?"**

The time at which the witness saw the vehicles could be very important to establishing party at fault or a vehicle code violation.

**EXAMPLE:** "Exactly where was the Blue Ford when the light turned from yellow to red?"



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4. Perception vs. Reality - The human mind will attempt to complete an action that is only partially observed. We may hear a crash and turn around just as the vehicles have separated. Our minds will attempt to recreate the part that we missed. If the witness is an expert on vehicle dynamics, then this mental recreation may be accurate, but this is generally not the case.

Wits that have seen different parts of the TIC will often congregate and try to "make some sense" of what they saw (Another reason to separate wits as soon as possible). Make sure you get each person's own version and not "I didn't see which car was past the white line, but Joe did".

If you ask questions that cover what happened before, during, and after the T/C, you will be able overcome the difference between perception and reality.

5. Interview vs. Interrogation

1. Interview - information gathering; non-accusatory. (Miranda not required)

2. Interrogation - Accusatory in nature; used to obtain admissions. (Miranda required)

**Definition:** Interrogation is an art whereby through the use of questioning and observation the truth is elicited from a person by sound reasoning and understanding without the use of threats or promises.

Interrogations should be conducted in a controlled environment with structured questioning. This should normally not be attempted in a field situation and is therefore beyond the scope of this class. You may ask accusatory questions without interrogating as long as the suspect feels free to leave and is not in custody. You do not need to Mirandize unless you are both asking accusatory questions and the suspect is in custody. (Juveniles must be advised of their rights whenever in custody; even if we aren't questioning them yet.)

6. Interviewing vs. "Questioning" - Give the interviewee a chance to tell their story. Your interruptions should only be interjected to guide the witness and help them stay focused. Many officers fall into the habit of firing one question after another at the witness without giving them a chance to fully answer each question, let alone tell you what they saw.

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BASIC COLLISION INVESTIGATION**

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7 Listening vs. Hearing - Hearing is physiological function which requires that your auditory system be in good order. Listening is a matter of concentration on what we are hearing. Learn to be a good listener. Not only will it make you a better police officer, it could save your marriage!

**C. DOCUMENTING THE STATEMENTS**

Now that we have taken the statement from the witnesses mind and reflected it into our mind, we must now reflect it (write it down) so that all future generations will know what was said.

When completing the "STATEMENTS:" portion of a traffic collision report, make sure that all witnesses, passengers and parties have been interviewed. List the person's name and # [i.e., "W-1 (SMITH, J.)], or if a passenger, their name (Passenger - Smith, J. In vehicle 1").

If the person's statement was taken on a CHP Form 556 at the scene of a T/C, it may be placed in the report as a page of the report. When a LAPD Officer is involved their statement shall be recorded on a CHP 556 and numbered as a separately (1/1). If the person was not interviewed, indicate the reason after their name "SMITH NOT INTERVIEWED DUE TO INJURIES."

**Paraphrased Statements** - These are like a PIR Wit-1 stated he was seated on the bus bench at the S/W corner of the I/S when... These are the least desirable type of statements for a T/C report.

**Verbatim Statements** - These are a quoted version of exactly what the witness/Party #1 said. "I was driving that way (pointing W/B) in the fast lane (#1) when that Jackass (Indicating P-2) ran into me." Avoid using police terminology unless the person talked like a police officer. Put your initials after the statement to show you took it.

**NOTE: VERBATIM STATEMENTS ARE REQUIRED ON THE  
FOLLOWING TYPES OF COLLISIONS: FATAL, SEVERE  
INJURY, TRAFFIC FELONIES, AND CITY LIABILITY.**

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**D. COMPLETING THE TRAFFIC SUPPLEMENTAL**

It is recommended that verbatim statements be written on CHP 556 supplemental, for the following reasons:

1. Best evidence is evidence obtained and recorded at the scene as soon as possible after the incident.
2. Less likelihood of misunderstanding if party/passenger/witness has review what the officer has written. Have the person making the statement sign and date the CHP 556 Supplemental.
3. It gets the statements written before you go back to the station. You don't have to worry about finishing the statements at the end of the report when you are tired and ready to go home!
4. Suspect Supplementals - We have the option of obtaining a field statement from a **MISDEMEANOR** hit and run suspect in the field and releasing them (and their car). Of course we must photograph the suspect and vehicle for identification. Be sure you include that the suspect is not in custody, knows he is free to leave, and is making the statement voluntarily. If the suspect is in custody or is not free to leave we must Mirandize him before obtaining a statement. Have the suspect sign the statement and number it 1/1.
5. Officer Involved Supplementals - One of the most important investigations that we conduct is the officer involved traffic collision. We need to take the utmost care in obtaining accurate statements from officers, weather they are a witness, passengers or parties. These investigations often become personnel investigations as well as civil suits.

**NOTE:** ALL officers involved in or witnesses to a traffic collision shall complete an "Employee Statement" on a CHP Form 556 Supplemental. This includes air unit observers. Attached is a guide that can be copied and given to officers to assist them in completing their supplemental (so they won't keep bothering you). (Traffic Manual 3/701)





**BASIC COLLISION  
INVESTIGATION COURSE**

**TOPIC 9.0.1**

**DUI**



## LOS ANGELES POLICE DEPARTMENT BASIC COLLISION INVESTIGATION SCHOOL

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### DRIVING UNDER THE INFLUENCE/ STANDARDIZED FIELD SOBRIETY TEST

As police officers, one of our duties at the scene of a traffic collision is to discern whether or not a crime has occurred. One of these crimes is "drunk driving" or driving while under the influence. This class will show you how to identify and arrest the impaired driver who is involved in a traffic collision.

### DUI DETECTION PHASES

DUI detection is the entire process of identifying and gathering evidence to determine whether or not a suspect should be arrested for a DUI offense.

#### Phase One: Vehicle in Motion

What first attracted your attention to the vehicle? This could be a moving violation or an equipment violation, but for purposes of this class it will be a traffic collision. No matter who caused the collision, it is the police officer's duty to check all drivers for signs of intoxication.

#### Phase Two: Initial Driver Contact

What first led you to believe the driver was impaired? These are the objective symptoms of intoxication. Look at the DUI Arrest Face Sheet. Examples: Bloodshot/Watery Eyes, Odor of an Alcoholic Beverage, Walked With an Uneven/Unsteady Gait. We can complete this portion of the report even if we were unable to give an SFST (possibly due to injuries sustained in the TIC).

#### Phase Three: Pre-Arrest Screening

This is the Standardized Field Sobriety Test (SFST). We give this test before we make our final decision to arrest, if possible. It may not be possible to do the entire test due to injuries, physical defects or even lack of cooperation of the suspect. WE TRY TO DO AS MUCH OF THE SFST AS WE CAN. If the environment at scene is not conducive to conducting the SFST, (poor lighting, rain, uneven ground, hostile crowd) take the suspect to a better location such as a police facility. The suspect is detained at this time and not free to go but is not yet under arrest.

The **STANDARDIZED** Field Sobriety Test. The following three tests must always be given in the following sequence:

HORIZONTAL GAZE NYSTAGMUS  
WALK AND TURN  
ONE LEG STAND

These tests are called divided attention tests since they require the suspect to concentrate on both mental and physical tasks at the same time. **It is important to remember that these are divided attention exams and must be done properly to divide attention of suspect.**

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**NOTE:** The following two tests are not part of the SFST. They are optional, listed on the face sheet, and may be used for additional documentation.

FINGER TO NOSE  
ROMBERG BALANCE

Now we can form the opinion that the suspect was "under the influence of an intoxicant and unable to safely operate a motor vehicle." This is when we place the suspect under arrest for DUI. Only after the suspect is under arrest do we give the chemical rights admonition and obtain a chemical sample. If you follow the instructions on the DUI face sheet you will have given all the proper admonitions.

Remember: If you form the opinion that the suspect is impaired and the BAC returns low, suspect drugs and request a Drug Recognition Expert (DRE).

If a suspect refuses any test you must have a supervisor give him the           admonition again.

If a suspect gives breath he may also give blood or urine if he chooses and must be told of this option.

DO NOT BASE YOUR DUI ARREST ON THE CHEMICAL TEST. ASSUME THAT NO CHEMICAL EVIDENCE WILL BE ALLOWED AND THAT THE ENTIRE ARREST IS BASED ON YOUR OBSERVATIONS AND OPINIONS. YOU FORMED THE OPINION AS TO SUSPECT'S INTOXICATION AND THE CHEMICAL TEST IS ONLY CONFIRMING YOUR OBSERVATIONS.



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**REPORTING PROCEDURES**

- A. 23152(A)VC (MISDEMEANOR DUI) Must have following:
1. Someone to show deft was driving or strong physical evidence to prove same (40300.5 VC).
  2. Officer's opinion of intoxication.
- B. 23153 VC (FELONY DUI) Must have following:
1. Someone to show deft was driving or strong physical evidence to prove same.
  2. Officer's opinion of intoxication.
  3. Suspect was the proximate cause of the TIC which resulted in injury to another.
- C. 23550 VC (Felony)
1. Three prior arrests and convictions of misdemeanor or felony DUI, or wet reckless (23103 VC) within seven years of the fourth arrest.
  2. Arrest for 23152(A) VC and book felony under authority of 23550 VC. The felony charge will be filed later.
- D. 23550.5 VC (Felony)
1. When an arrest is made for 23152 or 23153 VC, and the offense occurred within ten years of any of the following
    - a. A prior violation of 23152 VC that was punished as a felony under 23550 VC, this section, or both.
    2. A prior conviction of 23153 VC
    - 3.
    4. A prior conviction of 191.5 PC or section 192 PC.

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D. Unbooked DUI suspects (too injured to book)

1. Require a combined TIC and arrest report, full fingerprint cards, and a photograph for I.D. of suspect.... and prior supervisor approval.
2. If a party at the scene of a T/C makes an allegation of DUI on another party you must check the other party for DUI.

Do a DUI Arrest face sheet but cross out "Arrest" and write "Evaluation".

Document what tests you gave on the face sheet and if you form the opinion that they are not DUI, write that information on the narrative portion on the back. If you took a T/C report, make it page 3 and 4; if you didn't (exchange of info only) attach it to your log without a DR# and it will show you were doing your job if someone tries to file a complaint at a later date.

E. ATTACHMENTS

1. DUI ARREST REPORT
2. SFST WORKSHEET
3. DMV ADMIN PER SE FORMS
4. COMBINED T/C AND ARREST EXEMPLAR



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**DUI SECTIONS**

**A. ADULT AND JUVENILE ARREST**

**23152(a) VC** - It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a motor vehicle.

**23152(d) VC** - It is unlawful for any person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle as defined in section 15210 VC.

**23153(a) VC** - It is unlawful for any person, while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a motor vehicle and concurrently do any act forbidden by law or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

**NOTE:** ADULT AND JUVENILE DMV (ADMINISTRATIVE ONLY)

**23136 (a) VC - PAS (Preliminary Screening Device)** - Notwithstanding Sections 23152 and 23153, it is unlawful for a person under the age of 21 years who has a blood-alcohol concentration of 0.01 percent or greater, as measured by a preliminary alcohol screening test, to drive a vehicle.

However, this section shall not be a bar to prosecution under Sections 23152 or 23153 or any other provision of law.

**23140(a) VC**- It is unlawful for any person under the age of 21 years who has 0.05 percent or more, by weight, of alcohol in his blood to drive a vehicle.

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BASIC COLLISION INVESTIGATION SCHOOL**

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**DUI - JUVENILES AND ADULTS UNDER 21**

**A. Juveniles**

**1. FELONY DUI ARRESTS**

- a. Booking approval shall be obtained from the bureau traffic supervisors or detective.
- b. All reports shall be turned into the concerned bureau traffic division prior to end of watch.

**2. MISDEMEANOR DUI ARRESTS**

a. No traffic collision

- 1) Booking approval shall be obtained from the detective juvenile coordinator or the area watch commander in the division of occurrence. The area of occurrence handles misdemeanor juvenile DUI arrests.
- 2) All reports shall be turned into the concerned division detectives prior to end of watch.

b. Traffic collision

- 1) A juvenile DUI traffic collision is handled by the area traffic detectives.
- 2) All reports shall be turned into the concerned bureau traffic division prior to end of watch.

- 3. When a juvenile DUI arrestee's breath test registers .08% or higher, or he completes a blood or urine test, the subject shall be booked for 602WIC123152(a) VC or 602WIC/23153(a) VC and processed as any other misdemeanor juvenile arrest. (No personal service citation issued.) The juvenile should be fingerprinted and photographed and the juvenile unit in the area of arrest shall process the arrest report.



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BASIC COLLISION INVESTIGATION SCHOOL**

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4. When a juvenile DUI arrestee's breath test registers .05, .06 or .07 the arresting officer may cite the juvenile for 23140(a) VC. The procedure for citing for 23140(a) VC are as follows:

- a. Document probable cause for administering the breath test in the narrative of the citation or on a citation continuation, if necessary.
- b. Write the citation number in the "DR. #" box in the upper right hand corner of the completed breath test checklist.
- c. Attach the breath test checklist to the court copy of the personal service citation (court copy) and forward it to juvenile traffic court.
- d. Release the juvenile to a parent or guardian.
- e. 23140(a) VC does not require a field sobriety test (FST); however should an officer administer a FST, the FST results shall be documented on a DUI face sheet (form 05.02.05 R12/01). The completed 05.02.05 (R12/01) shall include the corresponding citation number in the "DR. #" box in the upper right hand corner and shall also be attached to the green copy of the personal service citation (court copy).

**NOTE:** A juvenile may be booked for 602WIC/23152(a) VC or 602WIC/23153(a) VC with a breath test reading of .07 or less providing you show the juveniles driving pattern was a hazard to other motorists and pedestrians.

5. Zero Tolerance

- a. **.01 to .04 - DMV administrative only ( 23140 VC does not apply)**
  - 1) Complete a DL360, **AND**
  - 2) May arrest 602WIC/23152(a) VC or 602WIC/23153(a) VC (Providing you show the juvenile's driving pattern was a hazard to other motorists and pedestrians.)

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BASIC COLLISION INVESTIGATION SCHOOL**

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b. **.05 to .07**

- 1) May arrest 602WIC/23152(a) VC or 602WIC/23153(a) VC (Providing you show the juvenile's driving pattern was a hazard to other motorists and pedestrians), OR
- 2) May issue a personal service citation for 23140 VC

c. **.08 and Above** - Arrest for 602WIC/23152(a) VC or 602WIC/23153(a) VC

**B. Adults -18 to 21 years old: (18, 19 or 20 years of age)**

1. **.01 to .04** - DMV administrative only - Zero Tolerance ( **23140 VC does not apply**)

- a. Complete a DL360, **AND**
- b. May arrest 23152(a) VC or 23153(a) VC (Proving you show the person's driving pattern was a hazard to other motorists and pedestrians.)

2. **.05 to .07**

- a. May arrest 23152(a) VC or 23153(a) VC (Proving you show the person's driving pattern was a hazard to other motorists and pedestrians), OR
- b. May issue a personal service citation for 23140 VC
- c. **.08 & above** - arrest for 23152(a) VC or 23153(a) VC.