

**FREDERICK POLICE DEPARTMENT
GENERAL ORDER**

Section 2: Traffic Operations
Topic: FATAL COLLISIONS
Approved: 10/15/18
Review: Annually in September by CID Commander
Supersedes: G.O. 234 dated 02/01/15

Order Number: 234
Issued by: Chief of Police

.01 PURPOSE:

To furnish mandatory procedures for investigating fatal collisions.

.02 CROSS-REF:

G.O. [230](#) "Traffic Collision Investigations"
G.O. [250](#) "Departmental Traffic Collisions"
G.O. [290](#) "Vehicle Towing and Impound Procedures"
G.O. [350](#) "Notification of Next of Kin"
CALEA STANDARDS: 82.2.1; 83.2.6

.03 DISCUSSION:

This order deals with fatal collisions; however, procedures may also apply in serious bodily injury collisions which do not result in death.

.04 POLICY:

In addition to the procedures set forth in [G.O. 230, "Traffic Collision Investigations,"](#) the following procedures are mandatory in investigating and processing all fatal collisions. It is the policy of the Frederick Police Department to investigate all fatal collisions completely while maintaining the proper response to the surviving victims and families.

.05 DEFINITIONS:

FATAL INJURY - Any injury that results in death at the scene, at the hospital after transport from the scene; within 30 days of the motor vehicle traffic collision; or that the medical examiner declares was the result of a motor vehicle collision.

.10 NOTIFICATIONS:

1. After the scene has been secured by appropriate means, and it has been determined that the collision involves, or will potentially involve a fatality, notifications will be made as soon as practical by Communications to the following:
 - A. Supervisor and Command Staff;
 - B. Crash Reconstructionist;
2. The following will be contacted, at the direction of the crash Reconstructionist, if it is determined that that they are needed on scene.
 - A. Crime Scene Unit (if appropriate);
 - B. Medical Examiner;
 - C. Departmental Chaplain; and,
 - D. State's Attorney's Office

3. Members will follow the procedures in [G.O. 350 "Notification of Next of Kin"](#) when dealing with family members. Notification will be made **in-person** as soon as possible with chaplain assistance.

.15 AUTHORITY:

In all fatal and serious collisions, the crash reconstructionist assigned to the collision will be in charge of the *investigation*, and considered the investigator of the collision, regardless of the rank of other officers present from other components of the Department. The highest ranking officer present will be in charge of the *scene*. The crash reconstructionist and ranking officer will coordinate to ensure the incident is handled appropriately.

.20 PRESERVATION OF EVIDENCE:

Special care will be taken to preserve all physical evidence at the scene until it can be collected, measured, photographed, and statements taken. At the discretion of the investigating officer, the Crime Scene Unit may be used to assist in the collection of evidence. Clearing the roadway is a primary concern of collisions in general; however, the scene must not be jeopardized and evidence must not be destroyed or lost by prematurely opening the scene to traffic.

.25 INITIAL ACTIONS:

1. The first arriving unit will be responsible for rendering aid and preserving the scene until released of that responsibility by higher command.
2. The first arriving unit will also notify Communications of the need for any additional assistance and emergency services for injured subjects.
3. The deceased will be shielded from view until removed from the scene.

.30 MEDICAL EXAMINER:

1. Many times, the injured person will be transported to the hospital, even if there is a strong probability that he is already deceased. If this does not occur, and death is pronounced at the scene without further transport, the body of the deceased at the scene of a collision will not be moved until after the medical examiner has arrived on the scene. After examination of the body by the medical examiner, the body will be placed in a body bag which will accompany the body to the medical examiner's office. The body bag should be considered a source of evidence for later examination.
2. The investigating officer will note the following information from the medical examiner, if known:
 - A. Estimated time of death;
 - B. Time of declaration of death;
 - C. Time when body is removed;
 - D. Identification of person removing the body; and
 - E. Where the body was taken.

.35 ADDITIONAL DUTIES OF INVESTIGATING OFFICER:

1. Ensure that a chemical test of each decedent's blood for purpose of determining its alcohol/drug content is administered by the Medical Examiner's office.
2. Ensure that any driver involved in the collision in which there is probable cause/reasonable grounds for driving - or attempting to drive - while intoxicated or under the influence of alcohol/drugs submits to a chemical test pursuant to procedures set forth in 16-205.1 of the Transportation Code.
3. Coordinate with Communications personnel to send a Maryland Inter-Agency Law Enforcement System (MILES) message (File #3 addressing fatal collisions) to Maryland State Police Headquarters, addressed to "All Divisions Concerned."

.40 INTERVIEWS:

1. Due to the seriousness of this type of collision, as well as the need for in-depth interviews, the investigating officer has the discretion to transport all consenting uninjured drivers and passengers in the involved vehicles to police department facilities for interviews.
2. Witnesses will be fully identified at the scene with initial statements taken. Follow-up interviews will be conducted at Headquarters or a location agreeable by the witnesses.

.45 DISPOSITION OF VEHICLES:

1. If needed for the investigation, any vehicle involved in the collision will be towed to the City Impound Lot and held as evidence until released by the investigating officer per [G.O. 290 "Vehicle Towing and Impound Procedures."](#)
2. When the investigating officer believes that a cause or contributing factor of the collision was a mechanical defect in the vehicle(s), the officer will contact, via telephone, the Automobile Safety Enforcement Division of the Maryland State Police (ASED). The phone call will then be followed by a letter asking for an inspection of the vehicle(s) involved and mailed to: ASED, 6601 Ritchie Highway, NE, Glen Burnie, Maryland 21062. When the inspection results are received, they will be included in a narrative report.

.50 REPORTS:

1. Any personnel having any involvement in the investigation which needs documentation will submit an incident report narrative depicting their actions.
2. The crash reconstructionist will complete the ACRS report. Any measurements and scale diagrams taken of the scene will not appear in the report's diagram, but will be included on a separate piece of paper with all identifying information.
3. Any evidence, photographs, etc., will be handled per Departmental evidence collection procedures.

.60 PLACING CHARGES:

1. In the event charges are anticipated by the investigating officer in a **fatal or serious personal injury collision**, he will consult with the designated State's Attorney's Office personnel as soon as possible to determine what, if any, charges are to be placed and by what means (citation, indictment, etc.).
2. In the event a **DWI/CDS/DRUG** operator is involved in a fatal traffic collision, officers will comply with all requirements of Title 16, Sub-Title 205.1 of the Maryland Transportation Article entitled "Suspension or disqualification for refusal to submit to chemical tests for

intoxication.” To eliminate the possibility of a “double jeopardy” issue being raised by the violator, the State’s Attorney’s Office will be contacted by the investigating officer **before** the placing of **any** charges.