

**STOCKTON POLICE DEPARTMENT**

**GENERAL ORDER**

**COLLISION INVESTIGATION**  
**SUBJECT**

**DATE:** October 5, 2020

**NO:** T-1

**FROM:** CHIEF ERIC JONES

**TO:** ALL PERSONNEL

**INDEX:** Collision Investigation  
Vehicle Collisions  
Hit-and-Run Collisions  
Fatality and Injury Collisions  
Property Damage Only Collisions  
Law Enforcement and Fire Equipment Collisions

**I. POLICY**

- A. This Department shall respond to vehicle collisions within the city of Stockton under the following conditions:
1. Motor vehicle traffic collisions occurring on surface streets within the city when one or more of the following conditions exist:
    - a. Collisions involving clearly-visible injuries or injuries requiring transportation by ambulance.
    - b. City Property is involved.
    - c. Vehicles involved are inoperative or constitute a traffic hazard.
    - d. The collision is a hit-and-run collision or involves a driver under the influence of alcohol or drugs.
    - e. The Dispatch Supervisor has discretion to dispatch personnel if specific circumstances prompt them to do so.
  2. All motor vehicle non-traffic collisions resulting in personal injury or death, or involving a violation of Section 20002 V.C., or driving while under the influence of alcohol or drugs, occurring on public or private property within the city limits.
  3. Officers shall complete an investigation or a report in accordance with Section III below.
- B. Police personnel will not respond to motor vehicle traffic collisions where there are no injuries, regardless of property damage or whether parties are licensed or insured.
- C. Section 647.9 of the Penal Code provides that employees are prohibited from using any means, including electronic messaging devices, for capturing images of a deceased person at the scene of an accident or crime for any purpose other than an official law enforcement purpose.

**II. LAW**

- A. Officers shall become familiar with Division 7, Sections 16000 through 16005 and Division 10, Sections 20000 through 20017 of the California Vehicle Code.

**III. PROCEDURE**

- A. Investigated Collisions:

An investigated collision shall require a narrative including statements from persons involved and from witnesses, detailing pertinent physical evidence and collecting same when practical, arranging for photographs to be taken if they will serve a useful evidentiary purpose, taking measurements, preparing a detailed scene diagram, and completing a vehicle collision report (CHP 555-01).

The investigation format will conform to that of the current CHP manual. See Section 4.14.2 of the CHP collision manual. This format, except for a factual diagram, will be followed for all investigations. A factual diagram will be completed for major collisions and fatalities.

1. Collisions that occur on public or private property shall be investigated whenever one or more of the following factors are involved.
  - a. Hit and Run, if any of the following circumstances are involved:
    - (1) Death or injury
    - (2) Investigative leads sufficient to identify the offender
    - (3) Major property damage
  - b. City Vehicle (See G.O. T-2)
  - c. A driver is suspected of being under the influence of alcohol and/or drugs.
  - d. A death
  - e. An obvious injury requiring prompt medical attention.
  - f. A complaint of pain for which the person is removed from the scene to a hospital or other medical establishment.
  - g. A government vehicle, or vehicle belonging to any other police agency. This includes, but is not limited to, Post Office vehicles, any school district vehicle, SMART Bus, etc.
  - h. An emergency vehicle actually involved in an emergency response (an ambulance or other life-saving vehicle). An ambulance is not an emergency vehicle unless actually traveling "Code 3".
  - i. A school bus accident when the CHP requests the Stockton Police Department conduct the initial investigation. (See G.O. T-3)
  - j. If an Officer desires to issue a citation or make an arrest and did not witness the collision.

B. Reported Collisions:

1. A reported collision shall require completing Pages 1, 2, and if necessary, Page 3 (additional witnesses) of CHP 555-01. Officers shall take enough information to describe the direction of travel of the vehicles involved and to complete an accident scene sketch. Fault-finding statements, photographs, and a narrative shall not be included except as provided in 2.a (3)(a) below.
  - a. In some instances, it may not be possible to obtain all the information needed for the Vehicle Collision Report. In such cases, the report shall be completed to the greatest extent possible, but no effort shall be made to obtain information from a person who is not present at the scene.
  - b. Officers completing a collision report will print "report" in the special conditions box on the CHP 555-01.
2. Collisions shall be reported under the following circumstances:

- a. Hit and run on public or private property if all the following factors are involved:
  - (1) Minor property damage, and,
  - (2) No death or injuries, and,
  - (3) Insufficient investigative leads to identify the offender.
    - (a) Officers will complete a brief narrative to include the observations of the officer as they relate to damage noted and location, evidence noted and its disposition, including paint transfer information, witness statements, and time or time frame of collision.
    - (b) Follow-up to a Hit and Run shall be recorded on a CHP 556.
- b. Collision on public or private property that involves City property other than vehicles.
- c. Non-injury collisions on public property, in which at least one of the vehicles has sustained moderate damage or is in a condition that renders it unsafe to drive to the owner's residence or a place of repair.

C. Exchange of Names:

- 1. Investigating officers may have involved parties "exchange names," if all of the following conditions exist:
  - a. At least one of the vehicles has minor damage and is safely drivable to the owner's residence or a place of repair.
  - b. No injuries.
  - c. All parties have valid driver's license and proof of insurance.
- 2. Officers shall provide involved parties with an SPD Accident Card and note "Parties exchanged names at their request," on their daily call entry. Senior Cadets may be used to facilitate the exchange of names at non-injury vehicle collisions wherein a report is not necessary.

D. Delayed reports:

- 1. The party should be advised that if they have exchanged names, they need only advise their insurance representative.
- 2. If the party insists a report be taken, advise them that they may come to Police Department between 8:00 a.m. and 4:00 p.m., Monday through Friday, and fill out a counter report, or they may utilize the Internet on-line reporting system.
- 3. This will not apply to delayed vehicle collisions involving an injury, hit and run, and/or City property.

E. Fatal collisions:

- 1. In an event of a potential fatal traffic collision, a Traffic Supervisor will be notified day or night.
- 2. Appropriate Traffic personnel, one of whom will be trained in collision reconstruction, may be assigned to investigate all traffic fatalities.
- 3. On-duty personnel will be utilized at all times when available.

4. When Traffic personnel are not on-duty, an investigation team will be called in. The team will be made up from at least one accident reconstructionist and one other Traffic officer.
    - a. A callback team list will be maintained in the Traffic Section and the Telecommunications Center.
  5. In situations where either a Traffic Supervisor or initial response team determines it is necessary, the Traffic Section M.C.I. (Major Case Investigator) will be notified to respond.
  6. This will be primarily when it appears that charges of vehicular manslaughter with gross negligence or second-degree murder will be forthcoming. This does not preclude the M.C.I. from responding whenever the Traffic Supervisor or initial response team determines the additional expertise is necessary.
- F. Collisions involving law enforcement vehicles and fire equipment vehicles.
1. The Watch Commander will be notified of all major injury and fatal collisions involving any law enforcement vehicle or fire equipment, whether or not the involved vehicle is operated by the City of Stockton or an outside agency.
  2. The M.C.I. and at least one other Traffic Officer will be assigned to investigate all major injury and fatal collisions involving these vehicles.
  3. On-duty personnel will be utilized at all times when available.
  4. If the M.C.I. and other personnel are not available, an alternate will be called from home.
  5. If the M.C.I. cannot be contacted, a trained reconstructionist may be called from the callback list.
- G. Citations:
1. Refer to General Order O-3, Section II. G, for citation issuance.
  2. On all collisions, whether investigated or reported, the involved parties are required to have a valid driver's license and written proof of insurance. If the involved parties lack or cannot produce either or both, they are to be cited.
    - a. Investigated Collisions: When the involved parties lack or cannot produce a Driver's License or Proof of Insurance.
      - (1) If the collision is investigated and no other violation is to be charged, a citation will be issued at the scene.
      - (2) If the collision is investigated and a collision factor is to be charged, it will be included on the citation and attached to the report.
      - (3) If the collision is reported, the party will be cited at the scene. If this is not possible, the citation will be attached to the report with an explanation.
- H. Counter Reports:
1. In those instances where a citizen wishes to make a delayed report and has been directed to the Police Department to complete same, a Counter Report will be completed.
    - a. Counter reports will utilize the report format to the fullest extent possible.
    - b. No determination of fault will be noted in the report.
    - c. Officers completing same will print "COUNTER REPORT" in the special conditions box on the CHP 555-01.

I. Telecommunications Center Responsibilities:

1. Complaint Receipt Operators (C.R.O.s) will utilize the following procedures:
  - a. Determine whether an injury has occurred.
    - (1) If an injury has occurred, determine the need for an ambulance or other emergency equipment and dispatch a unit to conduct an investigation.
    - (2) Dispatch a unit if the reporting party is unsure whether an injury has occurred and have that unit advise on injuries.
  - b. If no injury has occurred, determine whether the vehicles involved are inoperative, cause a traffic hazard, or the collision involves hit/run or intoxication. Police personnel will not respond to non-injury collisions where none of these conditions exist.
  - c. If any City equipment is involved, a unit will be dispatched.
2. Responsibility for investigating and reporting vehicle collisions:
  - a. The assignment priority in the case of a collision that meets the definition of a reported collision shall be as follows:
    - (1) Community Service Officer (C.S.O.)
    - (2) District unit
    - (3) Adjacent District unit
    - (4) Motorcycle unit on duty
    - (5) If beat units or motorcycle units are not available, the call shall be assigned to the appropriate priority and "stacked" pending availability of units.
3. Reported and Investigated collisions:
  - a. Any field unit may be assigned to determine whether an ambulance is needed at the scene of a collision with unknown injuries (901B).
  - b. An on-viewed collision that meets the definition of a reported collision will be handled by the officers "on-viewing". This may be superseded if they are actually en route to or on assignment. Generally, the "on-viewing" unit will handle the collision.
    - (1) Collisions are "on-viewed" if officers actually observe the collision, are directed to a collision by someone other than SPD dispatch, or arrive on-scene at a collision.
  - c. Officers who witness a violation at a collision which would be reported will complete a report and will issue a citation at the scene for the violation observed, note information on the citation, and check "yes" in the box on notice to appear for "vehicle collision".