

MEDINA POLICE DEPARTMENT GENERAL ORDER

ORDER NO: 2018-035

SUBJECT: MVA Investigation and Reports

EFFECTIVE DATE: 11, June, 2018

RESCINDS ORDER NO:

DISTRIBUTION: Sworn Police Personnel

PURPOSE: To ensure that motor vehicle accidents which occur in the Village of Medina are thoroughly investigated and consistently documented.

I. POLICY:

- A. Members of the Medina Police Department will complete an accident investigation and report whenever summoned to the scene of a MVA in the Village of Medina. The report will be completed on a MV-104A form and should be as thorough as possible prior to submission for review. In certain cases where damage is minor, the drivers may wish to exchange relevant information and not have a police report completed. In no event, however, should an officer encourage this as a substitute for a police accident investigation report.
- B. Police accident report forms (MV-104A) will be completed in accordance with the directives set forth in the Dept. of Motor Vehicle's Police Accident Manual. A SJS incident report is **only required** if the circumstances surrounding the accident warrant such. (ie: misdemeanor/felony charges, left the scene, drugs or alcohol use, etc).
- C. Officers will ensure that injured persons are cared for and that in all cases, proper identification information is exchanged between parties.

II. Procedure:

A. Logistical Considerations

- 1. Upon arrival at a MVA, officers should safeguard the scene and care for injured. Officers should be aware of traffic flow and other emergency personnel arriving on scene when establishing a location to park their patrol vehicle.
- 2. The fire department, ambulance, and/or tow company shall be requested when needed.

3. All drivers and passengers will be interviewed and identification will be obtained, along with registration and insurance information of the vehicles involved.
4. Witnesses and statements shall be obtained if appropriate.
5. A MV-104 A form shall be completed within a **24 hrs.** for supervisor review.
6. Necessary enforcement action shall be taken when traffic violations have occurred.
7. Supervisors will review the MV-104 A report for accuracy and completeness as soon as possible and forward to the proper bin for filing.

B. Fatal and/or Serious Injury Accidents

1. Supervisors on duty (OIC) will respond to all fatal and serious injury MVAs.
2. Accident Scene Investigators will be called to the scene to handle the technical documentation associated with an incident of such. (collection of evidence, measurements, photographs, etc) If the department does not have an accident scene investigator the department will contact either the Orleans County Sheriff's Accident Scene Investigator and/or the New York State Police Accident Scene Investigator and will work in conjunction with that department to investigate such an incident.
3. The Chief of Police will be notified immediately in the event of any fatal accident.
4. The District Attorney will also be notified of any alcohol or drug related fatal accident.

C. Hit and Run Accidents

1. Department personnel will conduct a thorough investigation of such an incident. The investigation should be pursued as far as practicable to establish identity and affect an arrest. A SJS incident report will be completed in conjunction with MV-104A form.

D. Delayed Accident Reports

1. On occasion, the Department is called upon to complete an accident investigation and report after the involved parties have left the scene. This service will be provided only when it is possible to obtain an accurate account of the circumstances and within a reasonable time after the actual event.
2. All parties involved must be interviewed prior to completion of the report in order to provide an objective report.
3. The MV-104A form should reflect in the narrative that the investigation and report was delayed due to whatever underlying circumstances.
4. Discrepancies in the driver's account should be noted in the report as such when no definitive cause can be determined.

E. Police Vehicle Involved Accident

1. If a Medina Police Department vehicle is involved in a MVA an officer from another jurisdiction (Orleans County Sheriff's Office or New York State Police) will complete a MV-104 A form. In cases where a Medina Police Department vehicle is in a minor MVA, and an outside agency is unavailable to complete a report, a Medina Police Department Supervisor can complete a report. In no event will the operator of the Medina Police Department vehicle involved in the accident complete his or her own accident report.
2. The supervisor on duty will be notified and will respond to the scene. The supervisor will assess the cause of the accident and discuss the assessment with the operator of the police car involved.
3. A case file will be established and all documentation related to the accident will be attached and forwarded to the Chief of Police.
4. No damage will be repaired without prior approval of the Chief of Police.

F. Accidents Involving Other Village Vehicles or Property

1. In all accidents involving public property or municipal vehicles, a thorough investigation will be completed, with all documentation placed in a case file.
2. Copies of the case file shall be forwarded to the respected department or agency with the Chief of Police's approval.

3. Enforcement action shall be taken when appropriate.

By Order Of:

Chad Kenward
Chief of Police