



Cambridge Police Department

Effective Date: November 6, 2001

NEW POLICY # 602
Rules and Procedures

2001-7

HIT AND RUN INVESTIGATIONS

I. Purpose

This policy will:

- A. State the policy of the department regarding motor vehicle hit and run investigations.
- B. Provide the elements of the law pursuant to M.G.L. c. 90, § 24(2)(a).
- C. Explain the responsibilities of the responding officer.
- D. Further explain the responsibilities of the sector supervisor.
- E. Describe the duties and responsibilities of the shift commander and the follow-up investigator.

II. Policy

It is the policy of the Cambridge Police Department to investigate hit and run collisions to determine the identity of the offender and the owner of the vehicle involved and to determine the circumstances that caused the collision.

III. Elements of the Offense

- A. The elements of the offense, pursuant to M.G.L. c. 90, § 24 (2)(a) are:
 - 1. The defendant goes away
 - 2. Having operated
 - 3. A motor vehicle
 - 4. Upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees
 - 5. After knowingly colliding with or otherwise causing
 - a. injury to any person
 - b. injury to any other vehicle or property
 - 6. Without stopping and making known
 - a. his or her name
 - b. residence, and
 - c. the registration number of his motor vehicle

III. Responsibilities of Responding Officer to a Hit and Run Collision

- A.** Responding officers will first make provisions for the medical treatment of any injured parties, if necessary. Investigating officers should follow-up on the condition of any injured persons after they are transported to a hospital.
- B.** If the responding officer or investigating officers find any serious bodily injury or death, the supervisor will be notified and respond to the scene. Serious bodily injury means bodily injury which creates a substantial risk of death or which involved either total disability or the loss of substantial impairment of some bodily function for a substantial period of time (M.G.L. c. 90, §24L(3).
- C.** Officers should obtain the best possible description of the operator and the vehicle from the witnesses, including the driver and passengers of the victim vehicle. The following information about the vehicle is important:
 - 1. make
 - 2. model
 - 3. year
 - 4. color
 - 5. extent and location of damage
 - 6. license plates (including partial numbers or letters)
 - 7. unusual markings or equipment (including school, fraternal or organizational signs or stickers)
 - 8. direction of travel before and after the collision
 - 9. number of passengers, if any, and their descriptions
- D.** Descriptive information obtained will immediately be communicated to ECC.
- E.** In the event that the collision involves serious personal injury, officers should search the area around the scene of the collision, the automobile or other property which was struck and the clothing of any victim for physical evidence including:
 - 1. personal property left behind by the offender
 - 2. glass fragments or paint chips

NOTE: When a pedestrian is struck and injured, officers should meet the ambulance at the hospital, if possible, to secure any such evidence that may have been dislodged from the victim's clothing during transport. Hospital personnel should be requested to give the victim's clothing and any associated paint chips or glass fragments to the police.

- 3. pieces of chrome or grill work
- 4. hub caps
- 5. tire marks/skid marks
- 6. oil, gas or water marks leading away from the scene; and
- 7. mud or dirt dislodge on impact

- F. Photographs should be taken, if possible, of short lived or temporary evidence such as tire marks, skid marks, spillage from the vehicles.

IV. Responsibilities of the Supervisor In Hit and Run Accidents with Serious Personal Injury or Death

- A. When the Supervisor is advised that an Hit and Run Accident involves serious bodily injury or death, the supervisor should respond immediately.
- B. Upon arrival, the Supervisor should ascertain the pertinent facts surrounding the incident/accident.
- C. The Supervisor should then notify the Shift Commander immediately of all the facts surrounding the incident/accident.
- D. The Supervisor should remain on the scene until properly relieved by a supervisor of higher rank or the Supervisor of Accident investigations, whichever comes first.
- E. The Supervisor should assign an officer to meet the ambulance at the hospital to preserve physical evidence (i.e. items dislodged from the injured person's clothing while en route to the hospital, the clothing of the injured person, etc.)
- F. The Supervisor, when relieved from the scene of the incident/accident, should respond to the hospital to supervise the collection of any physical evidence and ensure the proper chain of custody for the evidence.
- G. In the event of serious personal injury, efforts will be made by the supervisor to arrange for updates on the medical condition of the victim.

V. Responsibilities of the Shift Commander In Hit and Run Accidents with Serious Personal Injury or Death

- A. Upon notification from the on-scene supervisor, the Shift Commander will notify the following person immediately:
 - 1. The Superintendent of Patrol Operations
 - 2. The Public Information Officer
 - 3. The Middlesex County District Attorney for the Cambridge Region
 - 4. The Medical Examiner (if applicable)
 - 5. The State Police Reconstruction Team, upon direction of the on-call Motor Vehicle Accident District Attorney.
- B. The Shift Commander will periodically contact the on-scene Supervisor (Patrol or Accident Investigation) for updated information. The Shift Commander will then update the Superintendent of Patrol Operations and the Public Information Officer.

- C. The Shift Commander will fully inform the relieving Shift Commander of the pertinent detail of the hit and run collision.

VI. Responsibilities of the Follow-Up Investigator

- A. In depth or follow-up investigation will be conducted by the Accident Investigation Unit. Depending upon the severity of damage or injury, the following types of activity may be performed:
 - 1. checks of records on stolen cars;
 - 2. communication of information relative to the description of the offender and vehicle to other members of the Department, to police departments in surrounding communities and the State Police;
 - 3. a second search of the accident scene covering a wider area;
 - 4. repeated visits to or surveillance of the scene at the same time of the day that the accident occurred; and
 - 5. visits to garages, auto parts dealers, auto glass dealers, car dealers, auto body repair shops, car wash facilities, etc.

- B. If the vehicle involved is located, it should be carefully examined.
 - 1. Depending upon the severity and circumstances of a collision (ie. extensive property damage, serious personal injury, fatality), the investigating officer may tow and secure the located vehicle as evidence of a criminal act. The supervisor must authorize this tow.
 - 2. All vehicles impounded as evidence of a hit and run should be towed by a flat bed and should be stored in a secured location.
 - 2. Dents and body damage should be measured as to width, depth and pattern, taking photographs, if possible.
 - 3. Obtain samples of paint chips, broken glass, pieces of clothing, dirt, evidence of blood, hair, flesh, etc.
 - 4. Inspect the interior for personal articles which may identify the offender.
 - 5. Observe and note any signs of recent repair or any broken or missing parts.

NOTE: The above steps must be taken in accordance with the law of Search and Seizure. In the event a search warrant is necessary, the vehicle should be kept under surveillance until a warrant is obtained.

- C. If the operator of the suspect vehicle is located, he/she should be questioned promptly. If applicable, the Miranda procedures must be followed. Prompt interrogation of the suspect driver is important. For example, if he cannot provide an alibi or if he provides an alibi that is later discredited, these will be critical factors contributing to a successful prosecution.

- D.** In conducting a hit and run investigation, it should be noted that a hit and run driver is not necessarily the operator responsible for the accident, but may be fleeing from the scene of a crime, there may be a warrant for his/her arrest, he/she may be intoxicated, may not have a valid license or his/her license may be suspended or revoked. It is also not unusual for a hit and run driver to abandon the vehicle as soon as possible and then report it to the police as stolen in order to escape responsibility for the accident.
- E.** A full and complete report should be made of the accident and the particulars of any follow-up investigation in accordance with departmental procedures.

Police Commissioner