

## Vehicle Accident Statement for the Witness

*Recorded Interview*

**Instructions:** Proceed directly into the opening statement and questions. Items in (parenthesis) can be stated to clarify a question. Items in [underlined brackets] are placeholders and should be replaced with information noted.

### Sample question presentation:

<b>Description:</b>  Purpose of the question (e.g., Determine if the interviewee might have been distracted).	<b>1. “The question (e.g., Have you been under an above normal amount of stress lately, listening to loud music, or talking on a cell phone?).”</b>
	<b>Follow-Up:</b>  a. If YES, ask follow-up question if the answer to the previous question is YES.  i. Follow-up question.  Follow-up question.  Follow-up question.
	b. If NO, follow-up question.

### Opening Statement

<b>Description:</b>  Identify the interviewee and indicate the start of the recording session.	<b>“This is <u>interviewer name</u> conducting a recorded interview with <u>interviewee’s name</u> at <u>location</u>.</b>  <b>Today’s date is <u>month, day, year</u>, and the current time is <u>time, am/pm</u>.</b>  <b>We are going to discuss the details of an incident that occurred on <u>month, day, year of incident</u> and in which <u>interviewee’s name</u> was <u>how involved: witness, pedestrian, passenger, etc.</u>.”</b>
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### Subject Identification: 8 Questions

<b>Description:</b>  Determine if the interviewee understands that this interview is being recorded.	<b>1. “Do you understand that this interview is being recorded?”</b>
	<b>Follow-Up:</b>  a. Do you speak/understand English?

<p><b>Description:</b></p> <p>Gain subject's permission to record the interview.</p>	<p>2. "Do you agree that it is all right to record the interview?"</p>
<p><b>Description:</b></p> <p>Indicate the level of information that is expected of the subject.</p>	<p>3. "Do you understand that we request that you respond completely and truthfully to each question?"</p>
<p><b>Description:</b></p> <p>Identify the subject.</p>	<p>4. "Please state your full name."</p>
<p><b>Description:</b></p> <p>Provide correct, accurate spelling of the subject's name for the record.</p>	<p>5. "Please spell your name."</p>
<p><b>Description:</b></p> <p>Provide subject's address for the record, in case future contact is required.</p>	<p>6. "What is your address?"</p> <hr/> <p><b>Follow-Up:</b></p> <p>a. What is your city, state, and zip code?</p> <p>b. Is this your home address?</p>
<p><b>Description:</b></p> <p>Provide subject's telephone number for the record, in case future contact is required.</p>	<p>7. "What is your telephone number?"</p> <hr/> <p><b>Follow-Up:</b></p> <p>a. Is this a local number?</p> <p>b. What is your area code?</p>
<p><b>Description:</b></p> <p>Determine if the subject requires corrective lenses (note, later question will ask if they were wearing them at the time of the incident).</p>	<p><b>Example Dialog:</b></p> <p>8. "Do you wear corrective lenses—eye glasses, contact lenses?"</p>

### Incident Overview: 30 Questions

<p><b>Description:</b></p> <p>Confirm when the incident occurred; the time of day and date can help identify the brightness and weather conditions.</p>	<p><b>Example Dialog:</b></p> <p>1. <b>“What was the date and time of the incident?”</b></p>
<p><b>Description:</b></p> <p>Identifies the location of the incident.</p>	<p><b>Example Dialog:</b></p> <p>2. <b>“Where did the incident happen? (What was the precise location of the incident?)”</b></p>
	<p><b>Follow-Up:</b></p> <ul style="list-style-type: none"> <li>a. Describe the incident/collision.</li> <li>b. Sketch the location of the colliding vehicles and any interfering objects.</li> </ul>
<p><b>Description:</b></p> <p>Determine the intent of travel. (Also compare to position of vehicles during incident and damages.)</p>	<p><b>Example Dialog:</b></p> <p>3. <b>“On what street or road were the vehicles traveling?”</b></p>
	<p><b>Follow-Up:</b></p> <ul style="list-style-type: none"> <li>a. In what direction were they traveling—north, south, east, west?</li> </ul>
	<ul style="list-style-type: none"> <li>b. What was the intent of the travel directions— straight forward, rounding corner, turning, backing, merging, etc.?</li> </ul>
<p><b>Description:</b></p> <p>Determine if the subject had a clear view of the incident.</p>	<p><b>Example Dialog:</b></p> <p>4. <b>“Where were you when the incident occurred?”</b></p>
	<p><b>Follow-Up:</b></p> <ul style="list-style-type: none"> <li>a. State where you were.</li> <li>b. Describe were you were in relation to the vehicles.</li> <li>c. Sketch the location of the vehicles and identify where you were.</li> </ul>
<p><b>Description:</b></p> <p>Determine if the subject was distracted at the time of the incident. (Did they eyewitness the entire incident?)</p>	<p><b>Example Dialog:</b></p> <p>5. <b>“Were you using a cell phone or other device (PDA, laptop) at the time of the incident?”</b></p> <p><b>Follow-Up:</b></p> <ul style="list-style-type: none"> <li>a. What type of device where you using?</li> </ul>

<b>Description:</b>  Determine if the subject can identify the vehicles involved (and if they noticed any pre- and/or post-incident marks).	<b>Example Dialog:</b>  <b>6. “Describe the vehicles that were involved in the incident.”</b>
	<b>Follow-Up:</b>  a. Describe the vehicles—makes (manufacturers), models, years, colors, and any distinguishing marks (dents, etc.).

<b>Description:</b>  Determine if the weather was a factor.	<b>Example Dialog:</b>  <b>7. “Describe the weather conditions at the time of the incident.”</b>
	<b>Follow-Up:</b>  a. If PRECIPITATION SUCH AS RAIN, SNOW, or FOG— <ul style="list-style-type: none"> <li>i. Were the vehicles’ windshield wipers on or off?</li> <li>ii. Were the vehicles’ headlights on or off?</li> <li>iii. Were any of the vehicles’ other lights on, such as fog lights, parking lights, turn signal, hazard lights, or interior light?</li> <li>iv. Were there chains on the vehicles’ tires?</li> </ul>
	b. Did the weather affect the road conditions? <ul style="list-style-type: none"> <li>i. Was it icy?</li> <li>ii. Was there standing water on the roadway?</li> </ul>
	c. Was it light or dark outside? <ul style="list-style-type: none"> <li>i. Were the vehicles’ headlights on or off?</li> <li>ii. Were any of the vehicles’ other lights on, such as fog lights, parking lights, turn signal, hazard lights, or interior light?</li> </ul>

<b>Description:</b>  Determine if subject was an eyewitness to the ENTIRE incident.	<b>Example Dialog:</b>  <b>8. “Did you see the collision occur?”</b>
	<b>Follow-Up:</b>  a. At what rate were the vehicles traveling just prior to the collision?
	b. What was the position of the vehicles just prior to the incident?
	c. In what direction was each vehicle traveling?
	d. In what lane was each vehicle?
	e. Did either vehicle appear to take action to avoid the incident?
	f. Describe the collision.
	g. What was the position of the vehicles just after the incident?

<b>Description:</b>  Determine if subject witnessed any potential	<b>Example Dialog:</b>  <b>9. “Were there any passengers—human or animal—in the vehicles at the time of the incident?”</b>
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distractions within the vehicle.	<ul style="list-style-type: none"> <li>a. If YES, how many passengers? <ul style="list-style-type: none"> <li>i. Who were the passengers?</li> <li>ii. Were their seatbelts fastened?</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>b. If ANIMAL (mammals, reptiles, birds, insects), where was it in the vehicle just prior to the incident? <ul style="list-style-type: none"> <li>i. Was the animal on the driver's lap, shoulders, etc.?</li> <li>ii. Was the animal confined or moving around?</li> </ul> </li> </ul>

<b>Description:</b>  Determine if cell phone use was a distraction to the driver.	<b>Example Dialog:</b>  <b>10. "Was either driver using a cell phone just prior to, or at the time of, the incident?"</b>
	<ul style="list-style-type: none"> <li>a. If YES, was it a standard cell phone (hand held, propped between shoulder and ear) or was a hands-free device (ear piece, headset) in use?</li> </ul>

<b>Description:</b>  Determine if drivers were distracted by factors outside the vehicle.	<b>Example Dialog:</b>  <b>11. "Was there any activity in the area at the time of the incident?"</b>
	<ul style="list-style-type: none"> <li>a. If YES, what type of activity—construction, traffic revisions, unusual traffic signs, detours, congested traffic, accident, pedestrians, protestors, animals, etc.?</li> </ul>

<b>Description:</b>  Determine if the roadway could have been a contributing factor.	<b>Example Dialog:</b>  <b>12. "Please describe the type of street or roadway."</b>
	<ul style="list-style-type: none"> <li>a. Is the road straight, curved, grade (hill), and/or intersection?</li> </ul>
	<ul style="list-style-type: none"> <li>b. How many lanes is the road?</li> </ul>
	<ul style="list-style-type: none"> <li>c. What type of pavement is the road—concrete, brick, asphalt, dirt, gravel?</li> </ul>
	<ul style="list-style-type: none"> <li>d. Were there any objects on the road?</li> </ul>
	<ul style="list-style-type: none"> <li>e. Were there any traffic revisions—construction, detours, etc.?</li> </ul>

<b>Description:</b>  Determine if drivers were adhering to traffic controls.	<b>Example Dialog:</b>  <b>13. "Were there any traffic signs or lights where the incident took place?"</b>
	<b>Follow-Up:</b>  <ul style="list-style-type: none"> <li>a. If YES, please describe the controls and what each driver did.</li> </ul>

<b>Description:</b>  Determine if either driver helped cause the incident.	<b>Example Dialog:</b>  <b>14. “What efforts did either driver make to avoid the incident?”</b>
	<b>Follow-Up:</b>  a. Describe any efforts observed—changing speed, stopping, swerving, etc.

<b>Description:</b>  Determine if speed was a factor. Also determine if subject attempted to avoid or lessen the impact.	<b>Example Dialog:</b>  <b>15. “At what rate was each vehicle traveling when the collision occurred?”</b>
	b. Speeding up, slowing down, or maintaining speed?

<b>Description:</b>  Identify travel paths of vehicles.	<b>Example Dialog:</b>  <b>16. “What was the position of the vehicles just prior to colliding?”</b>
	<b>Follow-Up:</b>  a. Sketch positions on paper for clarification.

<b>Description:</b>  Determine if the subject observed the other vehicle prior to the incident.	<b>Example Dialog:</b>  <b>17. “Did you see the either vehicle prior to the incident?”</b>
	<b>Follow-Up:</b>  b. If YES—  i. How far apart were the vehicles when you first saw them?  ii. At what rate were the vehicles traveling when you first saw them?  iii. In what direction were the vehicles traveling when you first saw them?  iv. In what lanes were the vehicles when you first saw them?  v. Where was each vehicle when you first saw them?  1) If AT A STOPLIGHT OR SIGN, did they come to a complete stop or a rolling “California” stop?  2) Did they have clearance to continue, such as a green light, go-ahead from another driver, flagged through by policeman or construction worker, etc.?  a) If YES, what granted them clearance to continue?  i) If LIGHT GRANTED CLEARANCE, what color was the light when the vehicle entered the intersection?  3) If MERGING or YIELDING, which vehicle had the right-of-way? (Why?)

	<p>4) If TURNING, at what rate was the vehicle traveling when it turned the corner?</p> <p>b) Did the vehicle have clearance to turn, such as a green light, go-ahead from another driver, flagged through by policeman or construction worker, etc.?</p> <p>i) If YES, what granted it clearance to turn?</p> <p>ii) If LIGHT GRANTED CLEARANCE, what color was the light when the vehicle started the turn?</p>
	<p>c. If NO—</p> <p>i. At what point did you first observe the vehicles (actual collision, mid-collision, after collision)?</p> <p>ii. Was there any object or condition obstructing your view of the vehicles?”</p> <p>5) If YES, what type of condition or object? (describe)</p>

<p><b>Description:</b></p> <p>Identify colliding areas. Used to confirm travel paths and damage caused by collision.</p>	<p><b>Example Dialog:</b></p> <p><b>18. “What was the position of the vehicles at the time of collision? (Describe the vehicle positions during the collision.)”</b></p>
	<p><b>Follow-Up:</b></p> <p>a. Describe the collision and points of contact.</p>
	<p>b. Sketch positions on paper for clarification.</p>

<p><b>Description:</b></p> <p>Identify colliding areas. Used to confirm travel paths and damage caused by collision.</p>	<p><b>Example Dialog:</b></p> <p><b>19. “What was the position of the vehicles after the collision?”</b></p>
	<p><b>Follow-Up:</b></p> <p>a. Describe the final resting locations of the vehicles.</p>
	<p>b. Sketch positions on paper for clarification.</p>

<p><b>Description:</b></p> <p>Determine what else might have been involved.</p>	<p><b>Example Dialog:</b></p> <p><b>20. “Was anything else struck by either vehicle during the incident? (Post, median, fence, etc.)”</b></p>
	<p><b>Follow-Up:</b></p> <p>a. Describe the object and its damage.</p>

<p><b>Description:</b></p> <p>Determine damage; compare to causal factors.</p>	<p><b>Example Dialog:</b></p> <p><b>21. “Was either vehicle damaged?”</b></p>
	<p><b>Follow-Up:</b></p>

	<ul style="list-style-type: none"> <li>a. If YES, describe the damage to each vehicle. <ul style="list-style-type: none"> <li>i. If damage varies from what should have occurred based on description of incident, ask for explanation.</li> </ul> </li> </ul>
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<p><b>Description:</b></p> <p>Confirm whether the subject required corrective lenses and if they in place at the time of incident.</p>	<p><b>Example Dialog:</b></p> <p><b>22. “Were you wearing your corrective lenses—eye glasses or contact lenses?”</b></p>
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<p><b>Description:</b></p> <p>Find out if anyone left the scene. Also observations relating to the aftermath and potential injuries.</p> <p>(Passengers under the influence may imply that the other driver was at same location, possibly also imbibing.)</p>	<p><b>Example Dialog:</b></p> <p><b>23. “Were there passengers in the either vehicle?”</b></p>
	<p><b>Follow-Up:</b></p> <ul style="list-style-type: none"> <li>a. Could you point out the other passengers?</li> </ul>
	<ul style="list-style-type: none"> <li>b. Did the other passengers leave the scene?</li> </ul>
	<ul style="list-style-type: none"> <li>c. What were the other passengers doing during/after the incident?</li> </ul>
	<ul style="list-style-type: none"> <li>d. Did they have their seat belts fastened?</li> </ul>

<p><b>Description:</b></p> <p>Determine if anyone witnessed the incident.</p>	<p><b>Example Dialog:</b></p> <p><b>24. “Did you notice any other witnesses?”</b></p>
	<p><b>Follow-Up:</b></p> <ul style="list-style-type: none"> <li>a. Could you point out the witnesses?</li> </ul>
	<ul style="list-style-type: none"> <li>b. Did you get the names and telephone numbers of witnesses? (Or other contact information?)</li> </ul>

<p><b>Description:</b></p> <p>Determine if other evidence exists.</p>	<p><b>Example Dialog:</b></p> <p><b>25. “Where there any visible skid marks on the street or road surface?”</b></p>
	<p><b>Follow-Up:</b></p> <ul style="list-style-type: none"> <li>a. If YES, were they measured? <ul style="list-style-type: none"> <li>i. Who measured them?</li> </ul> </li> </ul>

<p><b>Description:</b></p> <p>Determine if anyone was</p>	<p><b>Example Dialog:</b></p> <p><b>26. “Was anyone hurt?”</b></p>
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injured.	<b>Follow-Up:</b> <ol style="list-style-type: none"> <li>a. If YES, who was injured and what was the extent of the injuries? (Describe the injuries.)</li> </ol>
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<b>Description:</b> Determine if the subject took advantage of the 'Good Samaritan Law'.	<b>Example Dialog:</b> <b>27. "Did you do anything to help?"</b>
	<b>Follow-Up:</b> <ol style="list-style-type: none"> <li>a. Did you give medical aid?</li> <li>b. Did you direct traffic?</li> <li>c. Did you call 911?</li> <li>d. What did you do to help?</li> </ol>

<b>Description:</b> Determine if the subject can provide contact information for other witnesses or other relevant information.	<b>Example Dialog:</b> <b>28. "Did discuss the incident with anyone at the scene?"</b>
	<b>Follow-Up:</b> <ol style="list-style-type: none"> <li>a. With whom did you speak and what was said?</li> </ol>
	<ol style="list-style-type: none"> <li>b. If you spoke with other witnesses, did you get their name or contact information? (If so, please share the information.)</li> </ol>

<b>Description:</b> Flag any potential bias (may help identify repeat-offense insurance scams).	<b>Example Dialog:</b> <b>29. "Are you affiliated with any of the parties involved in the incident?"</b>
	<b>Follow-Up:</b> <ol style="list-style-type: none"> <li>a. Do you know any of the people involved in the collision? (Acquaintance, relationship, relative/family member, co-worker, associate, etc.)</li> </ol>

<b>Description:</b> Determine if either driver was impaired.	<b>Example Dialog:</b> <b>30. "Was there any indication that the either driver had been drinking?"</b>
	<b>Follow-Up:</b> <ol style="list-style-type: none"> <li>b. If YES, what indicated that the driver had been drinking?</li> </ol>

## Closing: 4 Questions

<p><b>Description:</b></p> <p>Determine if the subject has any other relevant information.</p>	<p><b>Example Dialog:</b></p> <p>1. <b>“Is there anything that you would like to add to this interview concerning the incident that we haven’t already covered?”</b></p>
<p><b>Description:</b></p> <p>Confirm that the subject understood all questions asked.</p>	<p><b>Example Dialog:</b></p> <p>2. <b>“Did you understand all questions that were asked?”</b></p>
<p><b>Description:</b></p> <p>Confirm that the subject provided accurate, complete, and truthful information.</p>	<p><b>Example Dialog:</b></p> <p>3. <b>“To the best of your knowledge, is the information you provided complete and truthful?”</b></p>
<p><b>Description:</b></p> <p>Confirm that the subject recognizes that they gave permission to be recorded.</p>	<p><b>Example Dialog:</b></p> <p>4. <b>“Do you understand that this interview has been recorded, with your permission, as stated at the start of the interview?”</b></p>
<p><b>Description:</b></p> <p>Wrap-up the interview so that the end point is obvious on the recording.</p>	<p><b>Example Dialog:</b></p> <p><b>“Thank you. This concludes the recording of the vehicle accident statement for the witness.”</b></p>