

**GOVERNOR'S OFFICE OF HIGHWAY SAFETY &
ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL**

Present

2017 Crash Reconstruction Conference

September 18-19, 2017

Phoenix, Arizona



What Happens at The Scene

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Distributed by:

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL

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**ELIZABETH ORTIZ
EXECUTIVE DIRECTOR**

WHAT HAPPENS AT THE SCENE

Aaron Harder
 Vehicular Crimes Bureau Chief
 Maricopa County Attorney's Office

Qualified Immunity

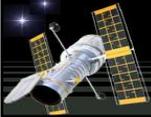
Qualified immunity protects executive government officials from liability when they undertake official acts that require the exercise of judgment or discretion. *Chamberlain v. Mathis*, 151 Ariz. 551, 554-55, 729 P.2d 905 (1986).

Qualified Immunity

Qualified immunity protects only acts reasonably within the employee's discretionary authority. *Chamberlain v. Mathis*, 151 Ariz. 551, 554-55, 729 P.2d 905 (1986).

Qualified Immunity

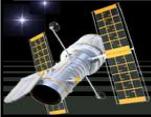
The protection is predicated on the official's objective good faith. *Id.* at 554, 729 P.2d 905; *Carroll v. Robinson*, 178 Ariz. 453, 456, 874 P.2d 1010 (App.1994).



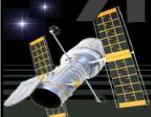
Qualified Immunity

Qualified immunity is unavailable if the official "knew or should have known that he was acting in violation of established law or acted in reckless disregard of whether his activities would deprive another person of their rights."

Chamberlain, 151 Ariz. at 558, 729 P.2d 905.

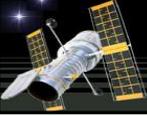


Who is at the Scene



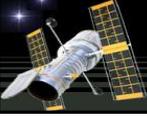
Who is at the Scene

- Victim Family Member
- Witnesses
- Bystanders
- Fire Department



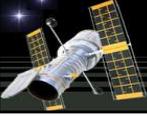
What to Wear What Not to Wear

- What to Wear
Closed Toed Shoes
- What not to Wear
Flip Flops



What to Wear What Not to Wear

- What to Wear
Hats
- What Not to Wear
Hats that advertise alcohol



**What to Wear
What Not to Wear**

Dress Appropriately



Body Worn Cameras

Watch what you say. Watch how you act.



Safety, Safety, and Safety!!!!

- When you are driving to the scene
- When you are at the scene
- When you are driving home from the scene



PERSPECTIVE



There are numerous aspects to scene investigation which entail a law enforcement perspective and a prosecution perspective.

PERSPECTIVE

Including the prosecutor at the crime scene provides an avenue for the prosecutor to experience first hand what occurred and possibly provide prosecution insight to assist law enforcement.



PERSPECTIVE

The prosecutor will have a different outlook of the scene than law enforcement and can make note of the potential issues and strengths for trial.



PERSPECTIVE



Trial presentation begins at the scene. The scene walk through with the Scene Investigator provides the roadmap for the trial presentation.

Traditional Evidence Collection Methods



The standard evidence measurement tools in the past, today and well into the future.

Technology will not replace these items; however, it can improve upon the foundation that has been established. Accuracy can be improved with the use of technology.

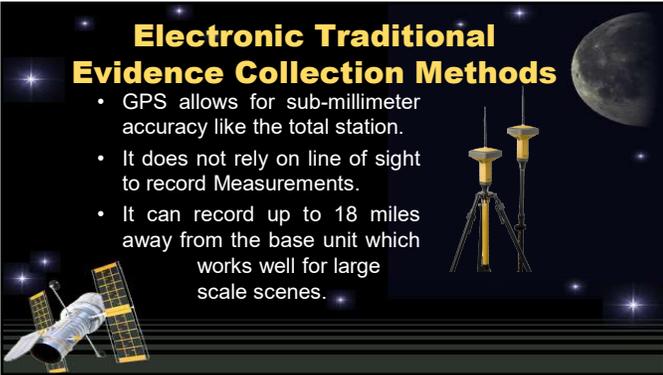
Electronic Evidence Collection Methods



The use of survey equipment for crime scene measurements has been used over the past 3 decades. This equipment has increased accuracy of measurements.

Electronic Traditional Evidence Collection Methods

- GPS allows for sub-millimeter accuracy like the total station.
- It does not rely on line of sight to record Measurements.
- It can record up to 18 miles away from the base unit which works well for large scale scenes.



Electronic Traditional Evidence Collection Methods



The Live Video Camera Drone

Surveillance Cameras

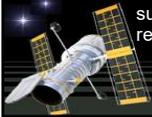


RECKLESSLY MEANS

A person is aware of and consciously disregards a substantial and unjustifiable risk that the result will occur or that the circumstance exists.

The risk must be of such nature and degree that disregard of such risk constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.

A person who creates such a risk but who is unaware of such risk solely by reason of voluntary intoxication also acts recklessly with respect to such risk.



STATE OF ARIZONA v. CHARLES BROWN



Unit #1 Pre-Impact





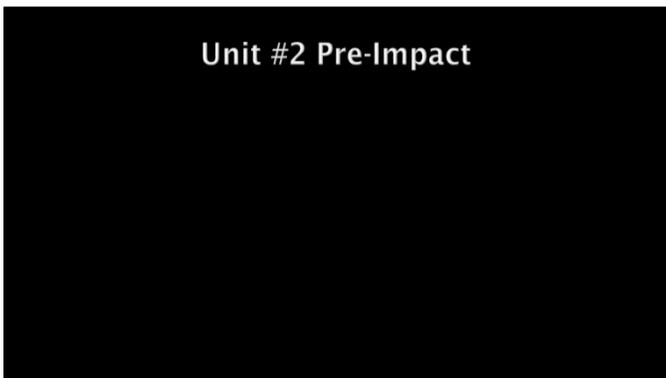


Unit #1 Post-Impact











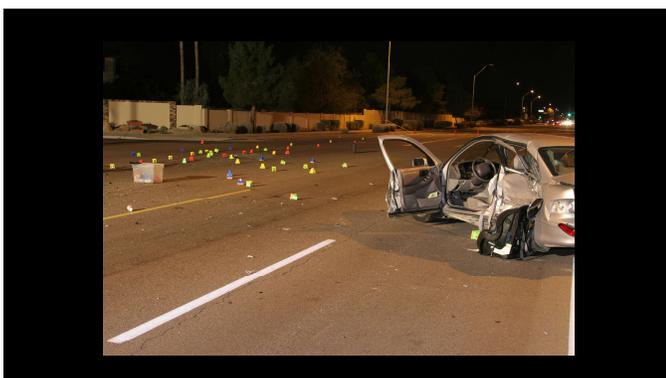












Units at Points of Rest



Unit #1





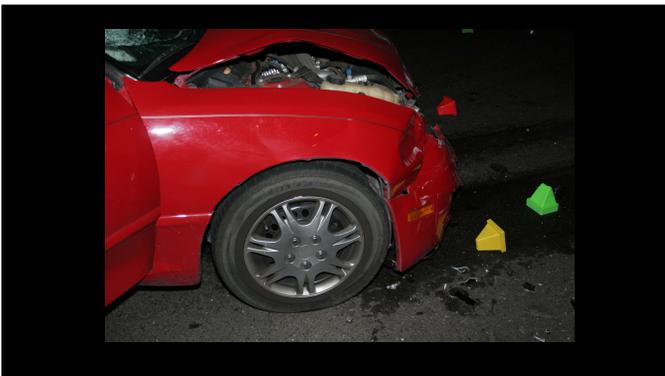




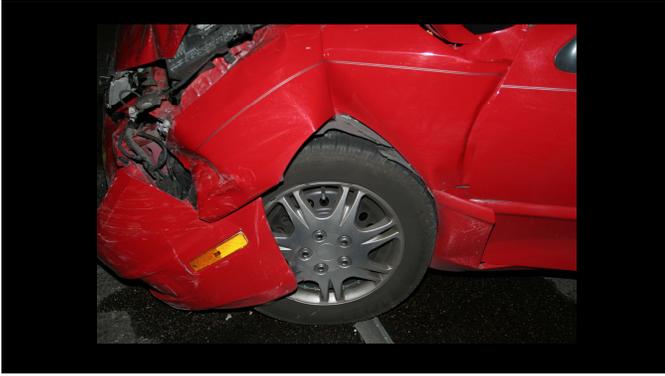










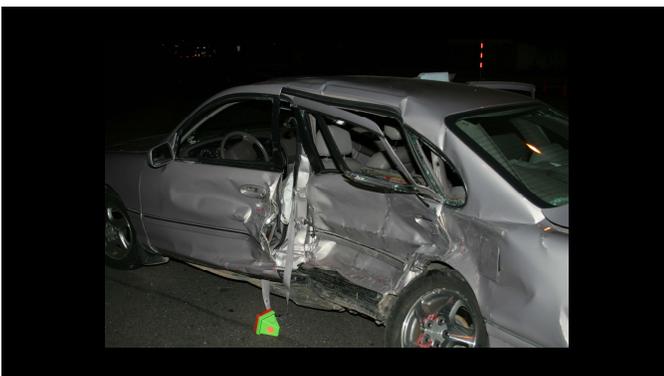


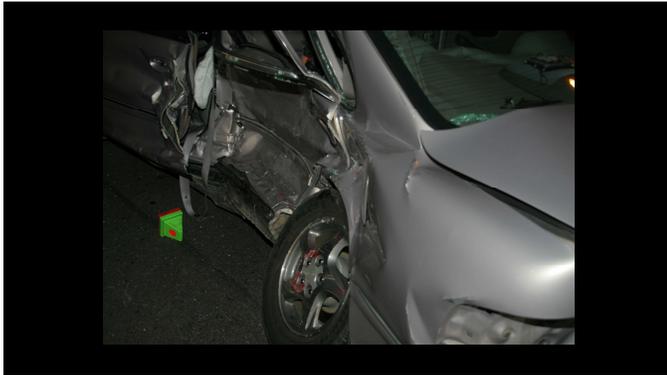




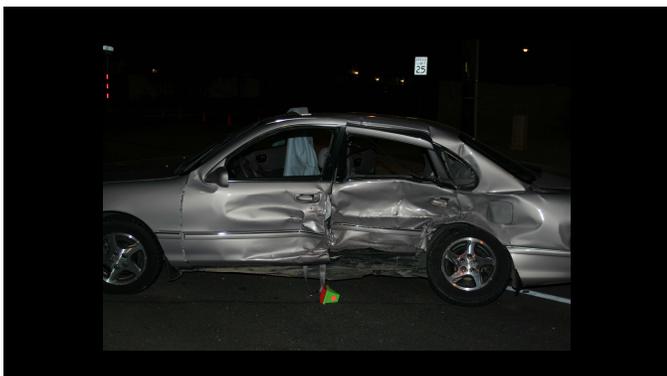
Unit #2









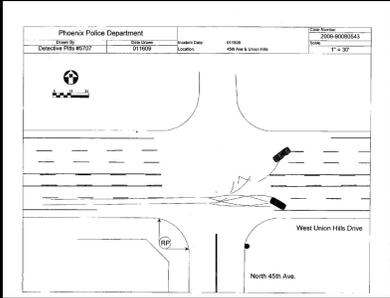








THE COLLISION RECONSTRUCTION



Thank You



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