Evidence After a Car Crash: Police Reports and Dashcam Video

Evidence from a car crash starts to disappear within hours. Cars are towed and repaired, video gets recorded over and witnesses become hard to reach. An auto accident lawyer typically starts with the police report, photos, video and the data stored in the vehicles. Here is how each source fits into a claim.

The police report

When officers respond to a crash, they usually prepare a crash report, often called a police report. It usually records who was driving each vehicle and which insurer covers it, along with a diagram, a short narrative and any citations issued. In many states, drivers must also report crashes involving injury, death or property damage above a set dollar amount. Copies are usually available from the agency that responded, whether that is a city police department, a sheriff's office or the state highway patrol, sometimes for a fee.

A crash report is influential in insurance claims, but it is not the final word on fault. Rules on using an officer's opinions at trial vary by state. When a report has a factual error, such as a wrong plate number, the agency may accept a request to correct or supplement it. An auto accident attorney will compare the report with the photos and statements.

Photos and dashcam footage

Dashcam footage can capture the seconds before a crash more clearly than any witness. Save the original file with its date and time stamp, rather than a phone recording of the screen, and store a backup copy. Nearby businesses, buses and traffic cameras may have recorded the crash too, but many systems overwrite footage within days or weeks. Photos taken at the scene show vehicle positions, debris, skid marks and road signs, while photos of injuries taken over several weeks can document healing.

What the vehicle itself recorded

Many passenger vehicles have an event data recorder (EDR). NHTSA describes an EDR as a device that records technical vehicle and occupant information for a brief period, measured in seconds, not minutes, surrounding a crash. Depending on the vehicle, it may record speed and braking, along with seat belt use. NHTSA's rule in 49 CFR Part 563 sets requirements for EDRs in light vehicles that have them. Under the Driver Privacy Act of 2015, EDR data generally belongs to the vehicle owner or lessee, and others may access it only in limited situations, such as with the owner's consent or a court order.

EDR data can be lost when a car is repaired or sold for salvage. ***car accident attorney*** Insurers often move a total loss vehicle to a salvage auction quickly, so an automobile accident attorney may send a preservation letter asking the insurer or tow yard to hold the vehicle until the data can be downloaded.

Witness statements and medical records

Witnesses with no stake in the claim often carry weight. Their names and phone numbers should be collected at the scene if it is safe to do so. Medical records connect the injuries to the crash, **car accident lawyer** and gaps in treatment are often used by insurers to dispute a claim. Keeping the claim number in one place, with a log of each call to the adjuster, makes later questions easier to answer. A short journal of pain

levels and missed work, written while the details are fresh, can also help. This article is general information, not legal advice, and it does not predict the result of any claim.