Evidence After a Car Accident: Police Reports and Dashcam Video

The evidence in a car crash claim starts to scatter within hours. Cars are towed and repaired, video is overwritten and witnesses become harder to find. A car accident attorney usually looks first at the police report and any photos or video, then the data stored in the vehicles. This article explains how each source fits into a claim.

The crash report

When officers respond to a crash, they usually prepare a crash report, sometimes called a police report. It typically lists the drivers and vehicles involved, with insurance details for each, 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 usually come from the responding agency, such as a city police department, a sheriff's office or the state highway patrol, sometimes for a fee.

Insurers rely heavily on the crash report, but it does not decide fault. States differ on whether an officer's opinions can be used at trial. If the report contains a factual error, such as a wrong plate number, the agency may accept a request for a correction or a supplement. An auto accident attorney will compare the report with the photos and statements.

Photos and dashcam footage

Dashcam video can show the moments 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. Traffic cameras and nearby businesses may also have recorded the crash, though many systems record over footage within days or weeks. Photos taken at the scene show vehicle positions, debris, skid marks and road signs, and photos of injuries taken over several weeks can show how they changed.

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 access by others is limited to situations car accident attorney such as owner consent or a court order.

EDR data can be lost when a car is repaired or sold for salvage. Total loss vehicles are often moved to salvage auctions within weeks, so a car accident attorney may send a preservation letter asking the insurer or tow yard to hold the vehicle until the data can be downloaded.

Witnesses 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, 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. Pain levels, missed work and appointments

are worth noting in a journal while the details are fresh. This is general information rather than legal advice, and it does not predict the result of any claim.