

# Collection Of Accident Scene Evidence

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evidence collection process begins as quickly as possible.

One can rest assured that if the injury was caused by bad lighting, improperly installed railings, poorly laid carpet, a maintenance deficiency, or anything thing else that can be corrected, that it will likely be corrected as quickly as possible to hide the cause of the injury before that evidence can be discovered and preserved.

It is also true that the average person is not experienced in collecting the information that is mentioned here. Therefore, it is imperative that when an injury has occurred that those assisting the injured person collect what they can, but also that they seek professional help as soon as possible. Any qualified personal injury attorney presented with a new fact situation will know what to do and how to do it. Those services can be invaluable.

The bottom line is this. Evidence related to any injury should be collected as quickly and completely as possible – the shorter the time between the injury and the preservation of evidence the better. Any evidence not collected is not available for use. We have seen that the better the documentation of facts at the premises at the time of the accident, the more likely the determination of liability will be accurate and timely, saving dollars spent on litigation.

**I**n a perfect world no one would ever be injured as the result of the negligence of another person. In a nearly perfect world one who is injured would always have the presence of mind to instantly collect all of the relevant information immediately after being injured – even before leaving the scene.

The dilemma is this: someone is hurt on someone else's property; the injured party is in pain and not thinking clearly and is certainly not thinking about preserving and collecting evidence; and those responsible for the property where the injury has occurred want to "clean the place up" immediately.

The goal of one who is injured, or someone accompanying him or her, should be to memorialize all the facts as quickly as possible. Some examples of ways to do this are:

- Getting photos of the scene before it is altered.
- Obtaining names, addresses, phone numbers and statements of all witnesses, including those who may be connected with those responsible for the property.
- Finding anything that has been recorded that shows what happened or preserves the scene before the evidence disappears. This can include still or video security cameras or audio recorders.
- Preserving one's own recollections of everything that happened as quickly, completely and accurately as possible.

Now to the real world: we all know that those in pain do not usually think clearly and are not inclined to preserve evidence. Therefore, it frequently falls on those who may be with or know the injured person to see to it that the



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