

AMENDING POLICE REPORTS

Police reports are often extremely useful in both insurance claims, and personal injury lawsuits. They can be used to relay information to insurance agencies, juries or other attorneys that is generally considered “unbiased”. However, police officers are human beings and they make mistakes just as easily as the rest of us. When a mistake is made on a police report, there are options available to remedy the situation. It is important to note that amending a police report is always within the discretion of law enforcement.

TYPES OF ERRORS

There are different types of mistakes and different information that can be inaccurate on police reports. These include:

FACTUAL ERRORS

- Misspelled names
- Inaccurate insurance status or information
- Incorrect make/model of vehicles involved

RECORDING ERRORS

information you told the officer that is not recorded accurately

- If you told the police officer you had back pain, and it was not recorded
- If you told the officer you thought defendant was texting and it was not recorded
- Anything else you mentioned that you thought was important and was not reflected in the police report

DISPUTED FACTS

- Details and information about the wreck that are “subjective”
- Whose fault it was
- If a driver was being negligent or not

CORRECTING ERRORS

Factual errors are easiest to correct, they just require going to the law enforcement agency with the documentation or paperwork that reflects the correct information and asking for the police report to be amended.

Recording errors are harder to get corrected because often the police officer does not remember the specific incident as well as the individuals involved. However, if you are polite and calmly present your issue to the reporting officer, they might make changes.

Disputed facts are the hardest to get corrected because they involve judgment calls and decisions being made about the most important details of the accident. However, even this information can be amended on police reports.

THE PROCESS

- Call the law enforcement agency that responded to the incident
- Ask if they have a specific process for amending police reports, some agencies have an online or written form, and some agencies may be more informal
- If they do not have a specific process in place, ask to speak to the responding officer or leave a message with him
 - *You can contact officers via telephone, e-mail or in person*
- Politely and calmly explain the errors that you believe were made in the report and explain why you would like them corrected
- If a police officer determines that an amendment is needed, they will most likely file an amendment or addendum to the report
- There are usually specific policies and procedures that each law enforcement uses in amending their police reports, so the individual department may provide additional resources for amendments

TIPS

- ✓ Remember that police officers are people too, and they make mistakes
- ✓ Remain calm and polite, no one likes to be yelled at
- ✓ Remember that you are asking them to amend the police report, not telling them to amend it. Law enforcement officers always have discretion to amend or not
- ✓ Be polite and understanding, it can come off as you are telling them they did a bad job or they made a mistake, and that will only make them more reluctant to cooperate

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