
	Florida State University Police Department	
Traffic Crash Review Board		
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A. Traffic Crash Review Board Policy

Traffic crashes involving Florida State University Police Department (FSU PD) personnel constitute very serious occurrences; therefore, the purpose of this policy is to establish and delineate the duties of the Traffic Crash Review Board (hereinafter referred to as “Board”). The Board’s purpose shall be to determine if traffic crashes involving FSU PD owned, rented, or leased vehicles were Avoidable, Not Avoidable, or Avoidable/Excused by the member (sworn or non-sworn) driving the vehicle. The Board shall also determine the category of the violation as defined in section “F” of this General Order. The categories for traffic crash violation are; Minor Traffic Crash, More Serious Clear- Cut Violation, or an Extreme Violation. Guidelines outlined in section “F” of this General Order are based on the member’s involvement in traffic crashes occurring within a three year time period. It is the explicit policy of the Board to review all traffic crashes involving FSU PD vehicles and to make recommendations for corrective action(s) if deemed appropriate.

In addition, it shall **not** be the purpose of this General Order to negate, modify, or violate any of the provisions or procedures within the General Orders titled, “Internal Affairs and Citizen Complaints,” and “Traffic Crash Investigations.”

B. Definitions

The following definitions apply to the purposes of this General Order.

1. Departmental Vehicle. Any vehicle operated by an on-duty or off-duty employee that is owned, leased, or rented by the FSU PD. To include motorized vehicles such as; T-3’s, 4-wheeler (ATV), Segway, Think Cart, Golf Cart also included is the Police Bicycle.
2. Avoidable. The driver of the vehicle did not do everything he or she reasonably could do in order to avoid the traffic crash.
3. Not Avoidable. The driver did everything he or she could to avoid the traffic crash and was in compliance with all FSU PD policies and procedures and the State of Florida traffic laws.
4. Avoidable/Excusable. The traffic crash resulted in unintentional damage as a direct result of the FSU PD employee’s effort to protect life, limb, and property.

C. **Appointment of Board Members**

All appointments (3 members) shall be made by the Chief of Police in December of each year. These appointments shall last for the period of one year, beginning in January.

1. If, for any reason, e.g., sick, leave, etc. an appointed member cannot attend regular or special meetings of the Board, the Chief of Police shall appoint a substitute member of the same class.
2. No member of the Board will be a sitting member for a traffic crash for which he or she has any involvement in the traffic crash being reviewed. In such case the Chief shall appoint a substitute member of the same class.
3. The three—person Board shall be comprised of three sworn officers, one acting with an FTO or Patrol Supervisor capacity, and one command-level staff member who shall chair the Board.
4. The Board shall meet as needed and the meeting shall be set by the Board Chairperson. Should a traffic crash occur, the Board will make every effort to meet within fourteen days after the conclusion of the the traffic crash investigation.

D. **Traffic Crash Review Board Responsibilities**

The Board shall be provided all documentation regarding the crash being reviewed. They may also hear testimony from the driver and witnesses, if deemed appropriate.

1. The driver shall **not** be compelled to participate in an interview with the Board. Prior to any interview the Board's Chairperson shall inform the driver, the subject of the review, that he or she is not compelled to be interviewed by the Board.
2. The Police Officer Bill of Rights, however, shall apply if the crash is criminal in nature and/or if the traffic crash could result in suspension or dismissal of the employee.
3. The Board does **not** investigate traffic crashes. Rather, the Board shall determine if a traffic crash is Avoidable, Not Avoidable, or Avoidable-Excused. This determination shall be made from all documentation and testimony provided, including any exigent circumstances that existed and which pertain directly to the traffic crash.
4. No corrective action(s) will be recommended for all crashes deemed Not-Avoidable.
5. Corrective action(s) shall be recommended for all crashes deemed Avoidable.
6. Corrective actions may be recommended for crashes deemed Avoidable/Excused.
7. Upon completion of its review, the Board shall inform the Lieutenant for Uniform Operations of its findings and recommendations for corrective action(s), if deemed appropriate.
8. The Lieutenant for Uniform Operations shall provide the Chief of Police with the Board's findings and recommendation(s) for final approval.

E. **Disciplinary Action**

Included below are standards for the administration of disciplinary actions for various types of offenses. The disciplinary actions for the listed offenses have been established to assure that employees who commit offenses receive similar treatment in like circumstances. Within each level of occurrence a range may be provided to allow the supervisor flexibility in selecting

appropriate discipline in order to take into consideration mitigating or aggravating circumstances.

F. **Chargeable Crash in a University Vehicle (Applicable to Sworn Law Enforcement Personnel Only)**

All disciplinary and/or corrective actions are within the authority of the Chief of Police. A Chargeable crash is any accident involving a university vehicle resulting in physical damage to the vehicle or to other property or personal injury which could have been charged as a vehicular offense, whether actually charged or not.

1. **Minor Violation.** A chargeable crash which is caused by slight negligence, or carelessness, which does not have the potential for serious injury.
 - a. First or second occurrence: counseling (counseling is not considered discipline).
 - b. Third Offense: written reprimand.
 - c. Fourth Offense: Suspension.
 - d. Fifth Offense: Dismissal.

2. **More serious Clear-Cut Violations.** Is a chargeable crash, which is caused by greater negligence or carelessness and which has the potential of causing serious injury or damage.
 - a. First occurrence: written reprimand and driver training.
 - b. Second occurrence: suspension.
 - c. Third occurrence: suspension to dismissal.
 - d. Fourth occurrence: Dismissal.

3. **Extreme Violation.** Is a chargeable crash which is caused by driving in a reckless or irresponsible manner, or with gross disregard for the safety of persons or property, or which exhibits willful abuse of authority.
 - a. First or second occurrence: suspension to dismissal.
 - b. Third occurrence: Dismissal.

G. **Suspensions**

All suspensions will be without pay. For sworn officers within the Law Enforcement Bargaining unit (PBA) a suspension carrying two days will be for 24 hours (a period of two shifts for shift officers, three 8 hour days for officers working administrative hours. The Chief will consult with the appropriate Human Resource Personnel to coordinate the suspension of a sworn officer within the Administrative and Profession (A&P) classification.

H. **Chargeable Crashes With Agency Vehicle—Alternative Action**

Should a member sustain a third minor crash or a first more serious, clear-cut violation within a period of three years, the member may elect an alternative action of a counseling session and attendance in a driver's training course, which will substitute for the disciplinary action. The

alternative action selected is voluntary and will be recorded in the member's official personnel file.

Glossary

ATV--All Terrain Vehicle

Departmental Vehicle- Any vehicle owned, leased, or rented by FSUPD.


Chargeable Crash—A crash which is caused by greater negligence or carelessness, and which has the potential for serious injury or damage.

T-3 Police Vehicle – A single-operator, three-wheeled, battery-operated electric vehicle used by this department for transportation in areas, e.g., pedestrian areas, not suitable for other Departmental vehicles.

Traffic Crash Review Board- Three members of FSUPD appointed to review traffic crashes involving department-owned vehicles.

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