



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: April 6, 2011	REVISED DATE:	NO. PAGES: 1 of 3	NUMBER: 8.1.05
SUBJECT: TRAFFIC SAFETY ANALYSIS PANEL (TSAP)			
ASSOCIATED MANUAL:		RELATED ORDERS:	
CHIEF OF POLICE: <i>Michael McGrath, Chief</i>			

PURPOSE: To set guidelines for the Traffic Safety Analysis Panel (TSAP).

POLICY: The Cleveland Division of Police shall review all traffic accidents that involve on-duty Division personnel operating or having custodial care of Division vehicles.

DEFINITIONS:

Traffic Safety Analysis Panel: TSAP is an administrative review mechanism within the Cleveland Division of Police responsible for reviewing all traffic accidents involving Division vehicles operated by or in the custody of sworn officers.

The TSAP shall consist of the following members:

- Commissioner of the Bureau of Traffic (Chairman)
- Officer in Charge (OIC) of the Accident Investigation Unit
- Assistant Director of Public Safety
- Executive Officer of Field Operations
- Commander of Special Services
- Patrol Officer (selected randomly each month from neighborhood Districts)
- A second patrol officer shall be selected monthly to serve as an observer and will assume voting duties the following month.
- Employee Accident Control representative.

Officer: Shall have the same meaning as in the Manual Rules and Regulations.

Police Vehicle: Any vehicle owned, leased, donated or confiscated by the City of Cleveland for use in any police function. This includes unmarked or undercover vehicles that may not have a “P code” assigned.

Custodial Care: Shall mean the officer who is actually operating or assigned to a Division vehicle, either permanently or for the date of occurrence.

PAGE: 2 of 3	SUBJECT: TRAFFIC SAFETY ANALYSIS PANEL (TSAP)	GPO NUMBER: 8.1.05
-----------------	--	-----------------------

PROCEDURES:

- I. When a City-owned police vehicle is involved in a traffic accident, a supervisory investigation and reports shall be completed in conformance with General Police Order 8.1.01. Only traffic accidents are subject to TSAP review. Unknown damage or intentional acts shall not be subjected to TSAP hearings.
- II. The commander and deputy chief from the involved member's chain of command shall review the investigation and make recommendations. Investigations shall then be forwarded to the Bureau of Traffic to be scheduled for a TSAP hearing.
- III. The TSAP shall meet on the third Thursday of each month to review the accidents scheduled for that month's hearing. When panel members are unable to attend due to illness, vacations etc., the Commissioner of the Bureau of Traffic may designate an alternate or postpone the hearing to a new date.
 - A. The Commissioner of the Bureau of Traffic shall cause copies of reports and investigations under the assigned control number to be disseminated to the panel members to allow sufficient time for review prior to panel meetings.
 - B. At its formal meeting, the panel shall review the accident, supervisory investigation and recommendations, with particular attention directed to the following:
 1. The thoroughness of the investigation
 2. Whether conclusions reached and the endorsements of superior officers are consistent with the reported facts.
 - C. After a review of the available information, the panel will determine, by majority vote, whether the incident was preventable or non-preventable.
 1. **Non Preventable** incidents shall include those in which the operator could not have reasonably avoided or prevented the accident in any manner.
 2. **Preventable** incidents shall include those which could have been avoided or prevented through the application of good driving practices, reasonable evasive action of the operator and sound application of Divisional policies, including but not limited to emergency driving procedures.

PAGE: 3 of 3	SUBJECT: TRAFFIC SAFETY ANALYSIS PANEL (TSAP)	GPO NUMBER: 8.1.05
-----------------	--	-----------------------

- IV.** The findings and recommendations of each case that TSAP reviews shall be reduced to writing and presented to the Chief of Police for final disposition and determination if corrective or disciplinary action will be taken.
- V.** TSAP rulings are internal recommendations with no responsibility for determining if an incident is criminal or civil in nature.
- VI.** The Chairperson of TSAP may table any case that may result in the criminal prosecution or citation of an officer until the case is adjudicated in court.
- VII.** The Bureau of Traffic shall maintain TSAP files in accordance with record retention policies and shall forward a copy of TSAP findings to the Training Section for the creation of a statistical profile on the causes of accidents and utilize this data for training purposes.