



*State of New Jersey
Department of Law and Public Safety
Division of State Police
Post Office Box 7068
West Trenton, New Jersey 08628-0068*

Office of the Superintendent

June 20, 2007

Honorable Stuart Rabner
Attorney General
Hughes Justice Complex
PO Box 080
Trenton, New Jersey 08625

Re: Trooper II Robert Rasinski #5773 Accident Inquiry

Dear General Rabner:

On April 12, 2007, Trooper II Robert Rasinski #5773, NJSP Executive Protection Unit (EPU), was transporting Governor Jon Corzine and his aide, Samantha Gordon, in the lead vehicle of a two vehicle motorcade, proceeding northbound on the Garden State Parkway in Galloway Township, Atlantic County. Governor Corzine was actively engaged in official state business. Trooper II Rasinski's vehicle was being followed by the Detail Supervisor, Sgt. James Ryan #5312 and Trooper Erin Smith #6153. Trooper II Rasinski's vehicle was involved in a collision in the left hand lane with another vehicle, after that vehicle had taken its own evasive action to avoid impact with a third vehicle that had reentered the roadway from the right shoulder. This collision caused Trooper II Rasinski to take evasive action which resulted in the vehicle leaving the roadway, then rotating perpendicular to the roadway and, finally, coming to rest after impacting a guard rail adjacent to the left shoulder of the roadway.

The accident investigation was conducted by NJSP technical experts assigned to the Fatal Accident Investigation Unit (FAIU). On April 30, 2007, the Motor Vehicle Accident and Pursuit Review Board (MVAPRB) convened with the additional input of Ms. Kathleen Wiechnik, State Ethics Commission, who served as a fully participating and voting member. At that time, the MVAPRB reviewed the results of the FAIU investigation in an effort to determine whether this accident should be considered "preventable" or "non-preventable."

To aid in their determination, the MVAPRB requested that the Office of Professional Standards (OPS) conduct an inquiry comparing the actions of the EPU detail members against accepted EPU policies, protocols, and training. The MVAPRB requested this additional inquiry after affirming FAIU findings that the Rasinski-operated vehicle was traveling well in excess of the posted speed limit with its emergency lights activated in the seconds preceding the accident. The OPS conducted its inquiry and provided an executive summary of its findings to the MVAPRB.

Honorable Stuart Rabner
June 20, 2007
Re: Trooper Rasinski Accident Inquiry

In my review of the aggregate facts gathered to date through the exhaustive inquiries of the FAIU, MVAPRB and OPS, I have viewed the core mission of EPU as resting on three pillars - ensuring the safety of the Governor, the public and NJSP personnel assigned to EPU.

Given the unique mission of EPU and the inherent challenges of ensuring the Governor's safety in a dynamic environment, I recognize that discretion must be afforded to EPU personnel in carrying out their duties. The judicious use of that discretion must be grounded in EPU training and protocols, as well as a sound interpretation of the tactical environment that EPU is encountering as it moves throughout the state.

Concurrent with the accident investigation, significant investigative resources were expended to address allegations that Tpr. II Rasinski may have been distracted at the time of the accident by use of an electronic communication device. If substantiated, such behavior would conflict with EPU policy and training. Extensive inquiry into this issue, including interviews of Tpr. II Rasinski, his commanders, the Governor and Ms. Gordon, as well as physical inspection of both assigned and personal communication devices available to Tpr. II Rasinski, disclosed that no such activity took place.

Crucial to my determination in this matter was a global review of EPU training and protocols, Tpr. II Rasinski's driving conduct in the moments leading up to, and including, the accident, and the tactical environment encountering the Governor's motorcade as it proceeded northbound on the Parkway.

Having reviewed all relevant materials, I am now positioned to address the matter at hand. Information extracted from the MVAPRB findings is critical to this analysis. It should be noted that both the MVAPRB and OPS issued consistent findings on the following issues regarding pre-crash dynamics:

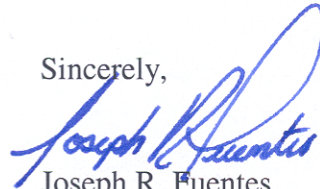
1. Tpr. II Rasinski did not articulate the perception of any type of threat or hazard prior to the accident and did not identify the Potts red pickup truck as a hazard.
2. Tpr. II Rasinski did not recall having to increase his speed prior to the accident.
3. Tpr. II Rasinski did not recall whether or not the emergency lights were activated at the time of the accident.

Notwithstanding Tpr. II Rasinski's commendable actions to regain control of the vehicle after the initial impact, the aforementioned findings, coupled with all other facts known to me, have led to a determination that Tpr. II Rasinski did not possess the appropriate level of situational awareness in the moments leading up to the accident. In the absence of that situational awareness, the application of discretion evidenced in the pre-accident use of speed and emergency lights was not authorized by Division policy, to include Standing Operating Procedure (SOP).

Honorable Stuart Rabner
June 20, 2007
Re: Trooper Rasinski Accident Inquiry

As a result, I must conclude that Tpr. II Rasinski's pre-crash driving conduct was culpably inefficient and in violation of the Division's Rules and Regulations. Therefore, I have imposed an appropriate disciplinary sanction upon Tpr. II Rasinski.

Sincerely,



Joseph R. Fuentes
Colonel
Superintendent