

State Attorney: No criminal charges for driver who killed FSU student in crosswalk crash

The driver who killed Florida State University student Natalie Nickchen while she crossed Tennessee Street in January failed to stop at a red light but will not face criminal charges after a lengthy review by the State Attorney's Office.

Prosecutors released their six-page report of the incident, including multiple eyewitness accounts, that found there was insufficient evidence to charge 24-year-old Ivey Green.

The review also found that 19-year-old Nickchen was on her phone and had headphones in, which may have caused her to not be able to hear warning honks from other motorists. The report states she may have entered the crosswalk just moments before the light turned red.

"Tragically, it appears she took two steps before being hit," prosecutors wrote in their review.



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Green is being charged with failure to stop at a steady red light, unknowingly driving on a suspended license and failure to change address. Investigators found she was not distracted or impaired during the crash.

Nickchen died of multiple blunt-force trauma injuries after she was hit on the morning of January 30 crossing the street near FSU's campus.

Investigators interviewed six witnesses to the crash.



Several indicated that the crash happened shortly after the light turned red, but every witness but one said they thought the light was red when Green passed the stop bar.

Green, who was estimated to have been traveling 40 mph, said "that the light was yellow when she passed the stop bar," in the State Attorney's Office report. "She said she did not see the pedestrian. She admitted the light might have been red, but she believed she had a yellow light when passing the stop bar."

Prosecutors explored how the facts of the case could be applied to charges of manslaughter, and vehicular homicide, but found evidence to be insufficient.

The criteria for manslaughter by statute is intentionally gross and flagrant conduct that shows a reckless disregard for human life or safety. Vehicular homicide would require proving that the driver knowingly drove in a way that was likely to cause death or great bodily harm.

"The facts before us are either that the light was yellow when she passed the stop bar, red for a few seconds or red for 4 to 5 seconds before she arrived at the pedestrian crosswalk," prosecutors wrote. "If you apply the facts of this case to the analogous case law, Ms. Green committed the non-criminal violation of running a red light. That alone is insufficient to find culpable negligence or reckless driving."

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